

REGULAR MEETING  
JANUARY 28, 2008

IN CITY COUNCIL  
ABSENT:

CONVENED:  
ADJOURNED:

1. Minutes, City Council Meeting, December 17, 2007 & January 7, 2008.
2. Communication from the Mayor re: appointments of the City Solicitor, Executive Aide to the Mayor, and Executive Secretary to the Mayor.
3. Communication from the Mayor re: Jean Peter's reappointment to the Library Board of Trustees.
4. Communication from the Mayor re: Mark Gibb's reappointment as Information Systems Director.
5. Communication from the Mayor re: Police Chief Mark Leonard's reappointment as Keeper of the Lock.
6. Communication from the Mayor re: Stephen F. Reid's reappointment as Building Inspector.
7. Communication from the Mayor re: Deborah A. Puleo's reappointment as City Collector.
8. Communication from the Mayor re: Daniel C. Brogie's reappointment as Senior Assessor.
9. Communication from the Mayor re: Dr. Kevin Cozzi's reappointment to the Board of Health.
10. Communication from the Mayor re: overstatement of certified free cash.
11. Communication from the Mayor re: transfer request in the amount of \$130,649.98.
12. Communication from the Mayor re: transfer request in the amount of \$4,285.00.
13. Communication from the Mayor re: transfer request in the amount of \$2,125.44.
14. Communication from the Mayor re: transfer requests in the amounts of \$12,200.00 and \$2,000.00.
15. Communication from the Mayor re: Community Policing grant in the amount \$35,952.00.
16. Communication from the Mayor re: reimbursement grant for the Police Department in the amount of \$3,609.60.
17. Communication from the Mayor re: a 2007 Wal-Mart Community grant for the Fire Department in the amount of \$1,000.00.
18. Communication from the Mayor re: a lease for the Bigelow School property.
19. Communication from the Mayor re: a part-time Senior Clerk for Code Enforcement.
20. Communication from the Mayor re: the status of the property located at 110 Pleasant St., Corbin Plaza.
21. Communication from the Mayor re: a follow-up to R911 usage.
22. Communication from the Mayor re: approval to amend the City's Charter relative to the office of the City Solicitor.
23. Communication from the Mayor re: the City's municipal aggregation plan.
24. Communication from the Council President re: Special Election for Ward 5.
25. Communication from the City Clerk re: 2008 Presidential Primary Election Call.
26. Communication from the Commissioner of Public Works, Ronald LaFreniere, re: approval of private ways listed for removal of snow and ice.
27. Communication from Andrew Pearsall, consultant for Verizon Wireless, re: research for a telecommunications facility.
28. Communication from the Sudbury Companies of Militia and Minute re: request to place a temporary sign on City property at the corner of US Route 20 and Hagar Rd. at the Wayside Inn turn from September 20, 2008 to September 28, 2008.
29. Communication from Central Massachusetts Mosquito Control Project re: pesticide exclusions.
30. Minutes, Planning Board, December 3, & 17, 2007.

## 31. CLAIMS:

1. Nick Traitoris, 191 DeSimone Dr., property damage
2. Judy Proteau, 30 Lafayette Dr., property damage
3. Thelma Balsler, 125 Framingham Rd., property damage
4. Ellen Desautels, 500 Bigelow St., property damage
5. First Church, 37 High St., property damage
6. Dennis Burianek, 22 Wright Dr., property damage
7. Paul Zompetti, 38 Wellington St., vehicle damage
8. May Ling Chung, 161 Simpson Rd., property damage
9. Paul Connor, 297 DeSimone Dr., property damage
10. Donna DiCicco, 41 Demers Dr., property damage
11. Michael Shields, 47 Woodridge Rd., property damage
12. Ann M. Maichin, 63 Simpson Rd., property damage
13. Jose Salgueso, 13 Emmett St., property/vehicle damage
14. Hsin Lee, 27 Kelleher St., property damage
15. Denise Murphy, 19 Tassi Dr., property damage
16. Lawrence Mullaney, 120 Concord Rd., property damage
17. Hector Cormier, 43 Raymond Rd., property damage
18. Michael Miele, 210 West Hill Rd., property damage
19. Unmesh Gundewar, 8 Flint Dr., property damage
20. Doris Felch, 713 Farm Rd., property damage
21. Robert Gibson, 743B Farm Rd., property damage
22. Murray P. Reiser, c/o Cesar Sacoto, vehicle accident
23. Jeffrey, Kisty, 273 DeSimone Dr., property damage
24. Mark Estabrook, 287 West Hill Rd., property damage
25. Richard Roscoe, 82 Peltier St., property damage
26. Frederick Weixel, 119 Barnard Rd., vehicle damage
27. Christine Burgarella, 76 O'Grady Rd., property damage
28. Roger Nelson, 760 Stevens St., property damage
29. Diane Insani, 58 Concord Rd., property damage
30. Charles Sarian, 51 Bouffard Dr., property damage
31. Ada Arenstrup, 18 Parmenter Rd., Hudson, vehicle damage
32. Esther G. Asilo, 21 Cugella Dr., vehicle damage
33. Richard Sill, 32 Wayside Inn Rd., Framingham, vehicle damage
34. Michelle Russo, 101 Donahue Dr., property damage
35. Ping Huang, 53 Lancaster Rd., Clinton, vehicle damage
36. Dan Kowal, 28 Hemlock Dr., Northborough, vehicle damage
37. Marilyn M. Campbell, 335 Farm Rd., property damage
38. Roy Larkin, 372 Berlin Rd., property damage



**CITY OF MARLBOROUGH**  
**OFFICE OF CITY CLERK**  
**Lisa M. Thomas**  
**140 MAIN STREET**  
**MARLBOROUGH, MASSACHUSETTS 01752**  
**(508)460-3775 FAX (508)624-6504**  
**DECEMBER 17, 2007**

Regular meeting of the City Council held on Monday December 17, 2007 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Levy, Ossing, Pope, Vigeant, Katz, Ferro, Juaire, Schafer, Webster, Clancy and Towle. Meeting adjourned at 9:00 p.m.

ORDERED: Minutes, City Council meeting, DECEMBER 3 **FILE**; adopted, as amended.

ORDERED: Now being the time set for the PUBLIC HEARING on the Petition of National Grid to install new pole #211-50 and relocate pole #21 on Maple St., all were heard who wish to be heard, hearing adjourned at 8:08 p.m., **IN PUBLIC SERVICES COMMITTEE**; adopted.

MOTION: To move agenda item #3, communication from the City Solicitor re: Special Permit Application for First Student Inc. in proper form with item #12 **Order No. 07-1001650A, APPROVE**; adopted.

ORDERED: That the Minutes, Planning Board, November 19, 2007, **FILE**; adopted.

ORDERED: That the TransReport, December 2007, **FILE**; adopted.

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

**REPORTS OF COMMITTEES:**

Councilor Ossing reported the following out of the Finance Committee:

**Suspension of the Rules requested – Does not Carry**

**Order No. 07-100-1693:** Maximum Step for Firefighter Ms. Richards - The Finance Committee reviewed the Mayor's letter dated October 10, 2007 that recommended that Tricia Richard of the Fire Department receive the maximum salary step commensurate with her experience and overall length of service. Councilor Juaire read a public disclosure statement so that he could participate in the discussions. The Finance Committee on October 22, 2007 voted 3 in favor and 2 opposed (Webster/Juaire) to approve a step 2 salary adjustment to \$46,799 retroactive to the start of employment. The City Council meeting on November 5, 2007 referred this recommendation back to the Finance committee. The Finance Committee reviewed the City Charter Chapter 32.9.B and confirmed that the City Council has the authority to approve any increase in the minimum rate. **Recommendation of the Finance Committee is to approve voted 3 – 1 (Levy opposed) a step 2 salary adjustment to \$46,799 retroactive to the start of employment. On the advice of the Legal Department Councilor Juaire abstained.**

**Suspension of the Rules requested – granted; adopted.**

ORDERED: That the following transfer of \$137,467.00 from Undesignated Fund to Claims & Judgments, **APPROVE** and that the Finance Committee requested the City Solicitor and Comptroller look into the policy of charging "betterments" to residents that are benefiting from City upgrades; adopted.

## FROM:

Acct. # 100-35900	\$137,467.00
Undesignated Fund	

## TO:

Acct. # 11510006-57600	\$137,467.00
Claims & Judgments	

**Suspension of the Rules requested – granted; adopted.**

ORDERED: That the following budget transfer in the amount of \$45,000.00 which would move funds from Firefighter Salary to Firefighter Regular OT, **APPROVE**; adopted.

## FROM:

Acct. # 12200001-50450	\$45,000.00
Firefighter Salary	

## TO:

Acct. # 12200003-51300	\$45,000.00
Firefighter Regular OT	
(Councilor Juaira abstained)	

**Suspension of the Rules requested – granted; adopted.****Suspension of the Rules requested to allow the Mayor to speak – granted; adopted.****ORDERED: Eminent Domain Order of Taking Hillside School**

WHEREAS, The City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that a certain strip of land, and land under the waters of the Assabet River, located on Robin Hill Street as more particularly described herein be taken for the purpose of constructing and maintaining improvements to Robin Hill Street and the Robin Hill Street bridge, and for other municipal purposes including the extension and maintenance of municipal utilities, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purposes; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain all the right, title and fee simple interest in the land as described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

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NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the fee simple interest and any other rights and interests in the following described land, land under the waters, and all trees and other vegetation thereon.

**DESCRIPTION OF LAND TAKEN**

A certain strip of land, and land under the waters of the Assabet River, located on the northwesterly side of Robin Hill Street in Marlborough, Middlesex County, Massachusetts and being shown as Parcel A on a plan entitled, "Plan Of Proposed Land Acquisition In Marlborough, Massachusetts; Prepared By: City of Marlborough, Department of Public Works, Engineering Division; Scale 1"=20'; Date: October 23, 2007" said Plan to be recorded with the Middlesex South District Registry of Deeds together with an attested copy of this Order. Meaning and intending to take and taking by Eminent Domain the fee simple interest, shown as Parcel A as described in the aforementioned plan, which is a portion of the land as described in the deed recorded at the Middlesex South District Registry of Deeds in Book 5120, Page 339 and Book 14206, Page 517.

OWNERS: Hillside School, Inc.  
404 Robin Hill Street  
Marlborough, MA 01752

The land, and land under the waters of the Assabet River, consisting of Parcel A as referred to in the description above is also shown on the City of Marlborough Assessors Map as a portion of Parcel 1 on Map 52. The total land area being taken consists of 2,577 ± square feet.

**AWARDS**

The City Council hereby makes the following awards for damages for the owner or owners of record:

<u>OWNER</u>	<u>MARLBOROUGH ASSESSORS MAP/PARCEL</u>	<u>AREA</u>	<u>AWARD</u>
Hillside School, Inc.	Portion of Map 52, Parcel 1	2,577±SF	\$9,000

Yea 9 Nay 2

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

Nay: Pope, Vigeant

ORDERED: That the presentation from representatives of Verizon and Comcast with update regarding local access television for Verizon Fios in the City of Marlborough, **FILE**; adopted.

ORDERED: That the petition of Mass Electric to install stub pole #82-84 to support existing pole #82 on Farm Rd., **APPROVE**; adopted.

ORDERED: That the application of National Grid to install new pole #21-50 and relocate pole #21 on Maple St., **APPROVE**; adopted.

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

ORDERED: Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as most recently amended, be further amended by amending the Zoning Map established by Chapter 200, Zoning Ordinance of the City of Marlborough, Section 200-8 "Boundaries Established; Zoning Map" as follows: **That the portion of the land located off Boston Post Road East and shown on the Marlborough Assessors Maps as Map 62 Parcel 1 which is now in a "Rural Residence" zone be rezoned and included in the contiguous "Business" zone.**

First Reading, Suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain, adopted. No objection to passage in one evening.

ORDERED: **PERMIT WITH FINDINGS OF FACT AND RULINGS CITY COUNCIL ORDER 07-1001650**

- (1) First Student Inc. having its principal place of business at 68 Industrial Boulevard Suite 6, Hanson, Massachusetts 02341 is hereinafter referred to as the Applicant.
- (2) Owner of the premises at Hayes Memorial Drive Map 99 Parcel 1 is Arturo J. Gutierrez Trustee of Marlborough Northborough Land Realty Trust with an address of 1 Wall Street, Burlington. The premises are located in an industrial zoning district.
- (3) Applicant is a prospective owner of a portion of the premises located at Hayes Memorial Drive which will consist of an approximately 6.3 acre lot pursuant to Purchase and Sale Agreement dated August 3, 2007. The portion of the premises for which Applicant is the prospective owner is "the Site" and is further described as follows:

A certain parcel of land located in the Commonwealth of Massachusetts, County of Middlesex, City of Marlborough, situated on the southwesterly sideline of Hayes Memorial Drive, and is shown on "Plan of Land in Marlborough, MA, by Precision Land Surveying, Inc.," a copy of which plan is contained in the files of the City Council, more particularly bounded and described as follows:

Beginning at a point on the southwesterly sideline of Hayes Memorial Drive, said point being the most northerly corner of the parcel; thence running

S 15°52'59"E 407.87' by the southwesterly sideline of Hayes Memorial Drive to a point; thence turning and running

S 74°07'01"W 68.48' to a point; thence turning and running

N 69°34'30"W 242.69' to a point; thence turning and running S 75°45'53"W 408.94' to a point; thence turning and running N 15°45'50"W 408.03' to a point; thence turning and running N 74°08'13"E 315.57' to a point; thence turning and running 82°18'33"E 388.86' to the POINT OF BEGINNING.

Containing 275,992 square feet or 6.336 acres, more or less.

- (4) On or about August 14, 2007, Applicant filed with the City Clerk of the City of Marlborough an Application for a special permit for outdoor storage of school buses in an Industrial Zone, a use incidental to a proposed use which is a school bus maintenance facility and driver training and staging area. Pursuant to Article V. Section 200-17 of the Zoning Code of the City of Marlborough, applicant agrees that the entire subject parcel site of the proposed project, regardless of the specific use of any portion thereof, may be made subject to conditions set forth in this special permit.
- (5) The principal use, with outdoor storage, will be located on approximately a 6.3 acre lot to be created from the subject parcel.
- (6) Applicant will be acquiring a portion of the existing lot for its school bus facility operations.
- (7) In conjunction with the special permit application the applicant on or about August 14, 2007 filed an original and twelve copies of the following:
  - (a) Application to the City Council for Issuance of a Special Permit;
  - (b) Special Permit Application Certification by Planning Department;
  - (c) Certified copies of Abutter's Lists for the City of Marlborough;
  - (d) Summary Impact Statement;
  - (e) Site Plans; and
  - (f) Filing fee in the amount of \$500 (collectively, the "Documents") and which documents are incorporated herein and become part of this decision.
- (8) The specially permitted use of the Site will consist of a new two story office building with accessory maintenance bays containing 20,800 square feet of floor area with outdoor storage of school buses and parking for motor vehicles together with an above ground diesel fuel storage tank.
- (9) The Urban Affairs Committee review was conducted on October 23<sup>rd</sup>, 2007, October 30<sup>th</sup>, 2007, November 13<sup>th</sup>, 2007, November 20, 2007, November 27, 2007 and November 30, 2007 and voted the project favorably to the full City Council as Special Permit granting authority.
- (10) The Site Plan was certified by the City Planner for the City of Marlborough as Having complied with Rule 7 of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
- (11) Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing for the special permit application and the City Clerk caused to be advertised said date in the Metro West daily News and sent notice of hearing to abutters entitled to notice under law.

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- (12) The Marlborough City Council pursuant to M.G.L. c.40A, held a public hearing on September 24, 2007, concerning this application, which was concluded on that evening,
  - (13) Applicant presented testimony at the September 24, 2007 public hearing detailing the application, describing its impact upon municipal services, the neighborhood and traffic at the public hearing. Detailed Plans were submitted displaying the project layout, access and driveway layout, drainage and landscaping all of which are part of this record of proceedings.
  - (14) Applicant provided further oral testimony and written documentation to the City Council and the City Council's Urban Affairs Committee regarding the Site, traffic impacts of the proposed project, the adequacy of the proposed parking at the site, proposed building construction and site modifications, landscaping, drainage, lighting, and other improvements to the Site.
  - (15) By its submittals as reviewed, the applicant has conformed to the provisions of the City Zoning Ordinance Sections 200-17 and 200-18, and all requirements of Chapter 200 of the City Code entitled "Zoning".

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

- A) The Applicant has complied with all Rules and Regulations promulgated by the Marlborough City Council as they pertain to the Application.
- B) The Council finds that the proposed use of this site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough and that the use sought and its impact and characteristics are not in conflict with public health safety, convenience, and welfare and is not detrimental or offensive. The City Council makes these determinations subject to the completion and adherence by the Applicant, its successors or assigns to the conditions more fully set forth herein.
- C) The City Council finds that it may issue the Special Permit, subject to such terms and conditions, as it deems necessary, to encourage the most appropriate use of the Site and promote the health and general welfare of the citizens of the City of Marlborough, in making available school bus storage and maintenance facilities together with driver staging and training.
- D) The City Council, pursuant to the authority of M.G.L. c.40A GRANTS the Applicant a Special Permit to construct an outdoor storage facility for school buses that would serve Marlborough residents, as per the application documents, the findings, and plans submitted to the City Council and the City Council's Urban Affairs Committee, and SUBJECT TO THE FOLLOWING ADDITIONAL CONDITIONS:

- (1) Construction of all structures on the Site is to be in accordance with all applicable Building Codes and Zoning Regulations in effect in the City of Marlborough and Commonwealth of Massachusetts. The project shall be constructed, maintained and operated according to the specifications, terms, and conditions of the Applicant's Special Permit Application and Site Plan prepared by Tetra Tech Rizzo, dated May 17, 2007 and Architectural Plans prepared by Integrated Design Group Inc. dated November 20, 2007 and filed with the Special Permit Application, as amended during the application/hearing process before City Council and/or the City Council's Urban Affairs Committee.
- (2) The issuance of a Special Permit is further subject to completion of detailed and technical site plan review in accordance with the City of Marlborough Ordinance prior to the issuance of the actual Building Permit, and the Permanent Occupancy Permit shall not be issued until all conditions are complied with by Applicant, provided, however, that temporary occupancy will issue upon a determination by the Building Inspector that the site is substantially complete. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and Plans submitted, reviewed and approved by City Council as special permit granting authority. Any violation of a condition of site plan approval shall be a violation of this special permit.
- (3) Prior to the issuance of any Permanent Occupancy Permit for this Project, Applicant must complete all landscaping, architectural design and planting installation together with all other site improvements, unless weather is prohibitive in which case landscaping and planting installation shall be complete by June 30, 2009.
- (4) In connection with the installation of improvements within public rights-of-way which requires a street opening permit, the Commissioner of Public Works shall be provided with a schedule of work and the construction procedures to be utilized prior to the commencement of such work. To the extent a police detail is required for such improvements, the Applicant and not the City of Marlborough will bear the costs of any police detail for any work performed within the public way.
- (5) All terms, conditions, requirements, approvals, plans and drawings and renderings required hereunder are made a part of and incorporated herein as a condition to the issuance of this Special Permit.
- (6) The applicant will comply with all applicable state and local laws, ordinances and regulations, in order to remove any and all trees and vegetation within any city-owned property including, but not limited to, the layout of Hayes Memorial Drive.
- (7) Upon final acceptance to the completed landscaping improvements as shown on the approved plan, the proponent shall be responsible for maintaining all areas within the site and within the adjoining layout of Hayes Memorial Drive in accordance with the approved plan as determined by City Council and Site Plan Review Committee.

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(8) The entrance display sign will be of wooden construction, double sided and installed along the Hayes Memorial Drive traveled way upon Applicant's property. The sign is to be painted with flat tone paint without gloss and with exterior illumination only.

(9) All signage at the subject location shall comply with the existing City of Marlborough sign ordinance, without variance, and shall be as shown on the plan.

(10) All illuminations of individual parking area light fixtures shall not exceed 400 watt fixtures and shall be screened from abutting property. Deflectors shall be utilized and configured to mitigate light from entering abutting properties.

(11) Applicant shall, at the time of application for a Building Permit, pay the sum of \$1,500.00 to the City of Marlborough Inspectional Services Funds to offset the increase in cost associated with the project's construction such as materials of the project. Issuance of a final Occupancy Certificate by the Building Commissioner shall be deemed to have demonstrated compliance with the terms of this Condition.

(12) In recognition and consideration of the anticipated Site and traffic impacts of the proposed project and in mitigation thereof, the Applicant shall provide 50 school bus trips for use by the City of Marlborough School Department and Recreation Department. These 50 trips will comprise 40 School Day Trips and 10 Full Day Trips. School Day Trips are defined as those trips leaving and returning within the normal school day so that there is no schedule overlap between the normal busing responsibilities and those required for the day trip. Full Day Trips are defined as those trips extending into normal busing schedules.

50% of the trips will be available for use within the first year following occupancy of the facility and the balance available of the following year. Trips will be limited for use within the State of Massachusetts or within a 75 mile radius of the City of Marlborough. A single "Trip" shall be defined as use of a single bus and driver for a period not to exceed 10 hours. Use of the provided Trips will be at the discretion of the Superintendent of Schools or Designee but are intended to be divided between the School Department and Recreation Department on a 4 to 1 basis. Trips shall be coordinated and scheduled through the Marlborough School bus facility and are redeemable for as long as the proposed facility is in operation. Applicant also agrees to a mitigation payment of \$20,000.00 for traffic enforcement purposes related to school bus safety whereby a first payment of \$10,000.00 will be made upon issuance of an occupancy permit for the Site. Thereafter, the second payment of \$10,000.00 is to be made within one year after such occupancy issuance.

(13) All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of this Special Permit Application and as amended during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee are herein incorporated into and become a part of this Special Permit and

become conditions and requirements of the same, unless otherwise altered by the City Council.

(14) Reasonable engineering changes excluding architectural changes as submitted may be made to said plans by the Site Plan Review Committee and Marlborough Conservation Commission so long as said changes do not change the use of the Site as approved herein, do not change the size of the Site by more than 2%, do not increase the impervious area of the Site by more than 2 %, do not reduce the green area by more than 2 %, do not alter traffic flow, do not increase the size of the building shown on the plan, or deviate from the conditions or purpose of the Special Permit as granted. No changes shall be made that would result in a lesser number of trees and bushes on the Site than that which is displayed on the Landscape Plan as filed. DECEMBER 17, 2007

(15) The Project shall be constructed, maintained and operated according to the specifications, terms and conditions of the Applicant's Special Permit Application, as amended, during the application/hearing process before the City Council and/or the Urban Affairs Committee, and in compliance with the Conditions of the Grant of the Special Permit.

(16) The existing catch basins and all drainage structures and detention facilities shall be monitored by Applicant on an annual basis, per the storm water operation and maintenance plan to be developed by applicant, with report given to the City Engineer and Conservation Commission by June 1<sup>st</sup>, of each year. The catch basins are to be cleaned by Applicant when debris buildup is within 24 inches of the pipe invert to remain functioning properly.

(17) All maintenance of school buses will be conducted inside the facility except for non-mechanical minor repairs which may be conducted on the facility site. Only applicant's school buses are to be stored or maintained on the site. Disabled or abandoned school buses will not be stored on the Site for more than a three week period. In the event that Applicant does not vacate its school bus maintenance facility in Framingham, MA within six months of issue of temporary occupancy, Applicant shall forthwith apply to the City Council for an amendment to this special permit seeking to reduce the scope of the use of the Site relative to school bus maintenance.

(18) No direct sale of school buses shall occur on the Site.

(19) School buses and other vehicles permitted on the Site by this special permit may only be parked within designated parking spaces.

(20) Not more than four school buses will be taken from the Site Facility to bus driver's homes for overnight parking. Further, such number will be reduced when such drivers leave the employ of Applicant. School buses based at the Site Facility will not be permitted to be parked upon public ways during the day.

(21) No painting or body shop repair will be permitted on the facility site. Further, no school bus washing will occur outside of the facility; school bus washing will occur only within the washing bay. No excessive noise shall be permitted on the facility site. Buses will be permitted idling

consistent to ensure roadworthiness of vehicles, pursuant to 310 CMR 7.11(1)(b) and M.G.L. c. 90 sec 16A as amended.

(22) No more than 100 school buses shall be permitted on the site at any time. The site shall not be utilized for rental or lease or sale by any other school bus or motor transport company other than Applicant. Applicant shall not store, maintain, rent, lease or operate any commercial buses on or from the Site.

(23) Applicant shall maintain on Site security measures for surveillance of activities so as to deter improper entry to the Site. A gate will also be installed near the bus storage area to control unauthorized access to the site.

(24) The Applicant will meet on an annual basis, unless otherwise requested by any City Councilor, with the Wards 3 and 4 Councilors to discuss any general or specific citizen's issues of concern that arise with respect to the Site and address and resolve said concerns in a timely fashion including, without limitation, the road training of bus drivers.

(25) Pollution Control Hoods will be utilized in all catch basins. A cement concrete pad will be installed under the diesel fuel tank and fueling area.

(26) Snow storage is to be provided within paved areas on-site, but not within 20 feet of the wetlands. The Applicant may elect to utilize off-site storage. Snowmelt runoff is to be directed toward catch basins.

(27) Applicant shall provide as-built Plans for the Site prior to the issuance of an occupancy permit.

(28) Pursuant to the provisions of M.G.L.c.90 sec.18, the Applicant shall submit a written request and grant of authority to the Marlborough Traffic Commission (the "Commission") to promulgate legally enforceable rules and regulations for the control of on-site traffic and parking. Applicant shall be responsible for providing, installing and maintaining all signage or markings required by the Commission. Such signage or markings shall meet the regulations of the Marlborough Sign Ordinance.

(29) Applicant agrees to plant and maintain the project landscaping as shown on a site plan submitted to the City Council entitled: Landscaping plan dated November 1, 2007 and revised November 13, 2007. Further Applicant agrees to preserve when possible any trees in excess of 4" caliper within the first 50' feet of the Site along Hayes Memorial Drive, except those trees located on the area that will be used as the entry to the Site as shown on the Site Plan submitted to the City Council and Urban Affairs Committee.

(30) The project shall be sufficiently screened with landscaping so that the building and storage areas are not significantly visible from Hayes Memorial Boulevard. The Site Plan Review staff are authorized to assure that this condition is implemented through the Site Plan Review process. In addition, following the construction of the project, but before final signoff is approved by Site Plan Review staff prior to occupancy, the Site Plan Review staff shall again review the adequacy of the landscaping that was planted in conformance with the project's Site Plan. The Site Plan

Review staff shall determine whether the planted landscaping is adequate to screen the site and, if staff determines that it is not, they shall have the authority to require reasonable landscaping changes to assure that the project's building and storage areas are not significantly visible from Hayes Memorial Boulevard.

(31) Water and sewer services provided to the Project shall be subject to current citywide water and sewer charges subject to annual adjustment by the Commissioner of Public Works. Water and sewer connections shall be subject to a separate approval process and conditions.

(32) In accordance with the provisions of M.G.L. c.40A sec.11, the Applicant at its expense shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before a Building Permit is issued. Applicant shall also furnish proof of recording to the City Solicitor's Office and the City Council immediately subsequent to recording.

(33) If Applicant fails to be awarded the school bus transportation contract with the Marlborough Public Schools in future years, Applicant agrees that it shall not use the site to provide school bus transportation on behalf of any other school district (except Assabet Valley Regional Vocational School District) during those years, without first seeking and obtaining an amendment by the City Council to this special permit.

**Suspension of the Rules requested to allow the DPW Commissioner to speak – granted; adopted.**

**MOTION: Councilor Ferro requested to delete in its entirety the number 50 where first appeared in condition #12 paragraph one, through the following sentence in paragraph two: *Trips shall be coordinated and scheduled through the Marlborough School bus facility and are redeemable for as long as the proposed facility is in operation. Additionally change the amount of \$20,000.00 to \$40,000.00 and \$10,000.00 to \$20,000.00 in the following sentences in condition #12 paragraph two: Applicant also agrees to a mitigation payment of \$20,000.00 for traffic enforcement purposes related to school bus safety whereby a first payment of \$10,000.00 will be made upon issuance of an occupancy permit for the Site. Thereafter, the second payment of \$10,000.00 is to be made within one year after such occupancy issuance. Does not carry.***

**MOTION: Councilor Schafer requested to delete " the permanent" and replace with "an" in the following sentence in condition #12 paragraph two: Applicant also agrees to a mitigation payment of \$20,000.00 for traffic enforcement purposes related to school bus safety whereby a first payment of \$10,000.00 will be made upon issuance of the permanent occupancy permit for the Site. APPROVE; adopted.**

Yea: 11 – Nay: 0

Yea: Levy, Ossing, Pope, Vigeant, Katz, Ferro, Juare, Schafer, Webster, Clancy and Towle.

1/12

ORDERED: That the following budget transfer in the amount of \$1,400,000.00 from General Fund Health Insurance to Stabilization, **APPROVE**; adopted.

FROM:

Acct. #870-59610	\$1,400,000.00
General Fund Health Insurance Trust	

TO:

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

ORDERED: That the following budget transfer in the amount of \$56,450.00 which would move funds from Fringes to Hazmat Pay and Clothing **APPROVE**; adopted.

FROM:

Acct. # 11990006-51500	\$56,450.00
Fringes	

TO:

Acct. # 12200003-51412	\$50,500.00
Hazmat Pay	

Acct # 12200003-51940	\$5,950.00
Clothing	

Total \$56,450.00

(Councilor Juaire abstained)

ORDERED: Presentation of plaques commemorating dedication and service to outgoing Councilors Katz, Webster and Towle, Wards 1, 5 and 7 respectively.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned 9:10 p.m.



CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK  
Lisa M. Thomas  
140 MAIN STREET  
MARLBOROUGH, MASSACHUSETTS 01752  
(508)460-3775 FAX (508)624-6504  
DECEMBER 17, 2007

**ORGANIZATIONAL MEETING**

The City Clerk called the meeting to order at 11:28 a.m. Nominations called for the Election of City Council President Pro-Tem of the Marlborough City Council for the Year 2008. Councilor Ossing nominated Councilor Levy as President Pro-Tem. Councilor Vigeant seconded the motion for nomination of Councilor Levy as President Pro-Tem. Councilor Levy received ten votes for President Pro-Tem. Yea – Delano, Ferro, Schafer, Juairé, Clancy, Landers, Ossing, Pope, Vigeant, & Levy. Nay – 0. The seat for Ward Five Councilor is currently vacant.

Councilor Levy called for the Election of the City Council President of the Marlborough City Council for the Year 2008. Councilor Pope nominated Councilor Vigeant as President. Councilor Ossing seconded the motion for nomination of Councilor Vigeant as President. Councilor Vigeant received ten votes for President. Yea – Delano, Ferro, Schafer, Juairé, Clancy, Landers, Ossing, Pope, Vigeant, & Levy. Nay – 0. The seat for Ward Five Councilor is currently vacant.

Councilor Vigeant called for the Election of the City Council Vice-President of the Marlborough City Council for the Year 2008. Councilor Ossing nominated Councilor Schafer as Vice-President. Councilor Juairé seconded the motion for nomination of Councilor Schafer as Vice-President. Councilor Schafer received ten votes for Vice-President. Yea – Delano, Ferro, Schafer, Juairé, Clancy, Landers, Ossing, Pope, Vigeant, & Levy. Nay – 0. The seat for Ward Five Councilor is currently vacant.

City Council President Vigeant announced the next meeting of the City Council to be held on Monday, January 28, 2008 at 8:00 p.m.

**Suspension of the Rules requested – granted; adopted.**

ORDERED: That the following notification from the City Clerk re: 2008 Presidential Primary Election Call, **FILE**; adopted.

That the City Clerk be and is herewith directed to have proper notices issued notifying the VOTERS of the City of Marlborough that the **PRESIDENTIAL PRIMARY ELECTION** will be held in the polling locations as noted below on **FEBRUARY 5, 2008** as follows: Presidential Preference, State Committee Man, State Committee Woman and City Ward Committees.

1/14

THE POLLS WILL OPEN AT 7:00 A.M. AND WILL CLOSE AT 8:00 P.M.

POLLING LOCATIONS ARE AS FOLLOWS:

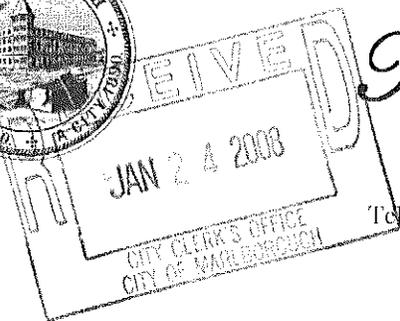
- WARD ONE: Prec. 1 and 2 Francis J. Kane School, 520 Farm Rd,
- WARD TWO: Prec. 1 and 2 Francis J. Kane School, 520 Farm Rd,
- WARD THREE: Prec. 1 Masonic Hall, 208 Main St (corner of Main/Newton Sts),
- WARD THREE: Prec. 2 Raymond J. Richer School, 80 Foley Rd,
- WARD FOUR: Prec. 1 and 2 Boys & Girls Club, 169 Pleasant St,
- WARD FIVE: Prec. 1 Senior Center, 250 Main St,
- WARD FIVE: Prec. 2 Masonic Hall, 208 Main St (corner of Main/Newton Sts),
- WARD SIX: Prec. 1 and 2 Marlborough Middle (Intermediate) School, 25 Union St, Library
- WARD SEVEN: Prec. 1 and 2 Hildreth School Gymnasium, 85 Sawin St

**Suspension of the Rules requested – granted; adopted.**

ORDERED: That the City Council conform to the Rules and Regulations of the Rules Committee from the 2006-2007 term until further review, **FILE**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned 11:45 a.m.

21



# City of Marlborough

## Mayor Nancy E. Stevens

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

January 7, 2008

President Arthur Vigeant  
City Council Members  
140 Main Street – City Hall  
Marlborough, MA 01752

Re: Appointments

Dear President & Members:

This is to advise you that I have appointed the following persons to the positions indicated, effective January 7, 2008.

- Donald V. Rider, Jr. - City Solicitor
- Karen A. Kisty – Executive Aide to the Mayor
- Diane C. Halper – Executive Secretary to the Mayor

I respectfully request that this notice of appointments be formally recorded by the City Council.

Thank you for your attention to this matter.

Very truly yours,

Nancy E. Stevens  
Mayor

NES:dch



*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

31  
*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 10, 2008

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

Honorable President Vigeant and Councilors:

I am submitting herewith the name of Jean Peters for reappointment to the Library Board of Trustees. Ms. Peters' term will be for a term of 3 years terminating as of February 1, 2011.

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

Sincerely,

Nancy E. Stevens  
Mayor



*City of Marlborough*  
*Office of the Mayor*

140 Main Street  
Marlborough, Massachusetts 01752

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

4,  
*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

JAN 10 2008  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
January 10, 2008

Council President  
Marlborough City Council  
Marlborough City Hall – 2<sup>nd</sup> Floor  
140 Main Street  
Marlborough, MA 01752

Honorable President and Councilors:

I am submitting for your approval Mark Gibbs for reappointment as Information Systems Director. This three (3) year appointment will expire January 1, 2011.

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

Sincerely,

Nancy E. Stevens  
Mayor



*City of Marlborough*  
*Office of the Mayor*

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

51  
*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 10, 2008

City Council President  
Marlborough City Council  
Marlborough City Hall – 2<sup>nd</sup> Floor  
140 Main Street  
Marlborough, MA 01752

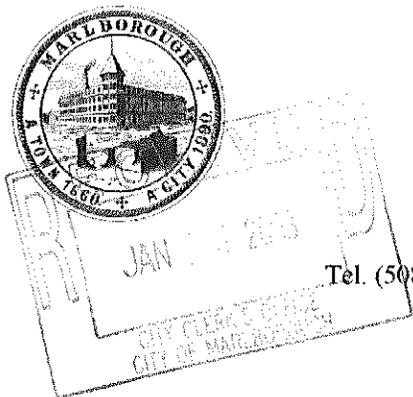
Honorable President and Councilors:

I am submitting for your approval Police Chief Mark Leonard's reappointment as Keeper of the Lock as required by MGL C40 SEC 34, 35, 35. This one-year term for this reappointment would expire the 1<sup>st</sup> Monday of February 2009.

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

Sincerely,

Nancy E. Stevens  
Mayor



*City of Marlborough*  
*Office of the Mayor*

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

61  
*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 10, 2008

Council President  
Marlborough City Council  
Marlborough City Hall – 2<sup>nd</sup> Floor  
140 Main Street  
Marlborough, MA 01752

Honorable President and Councilors:

I am submitting herewith Stephen F. Reid for a three year reappointment as Building Inspector. If approved, Mr. Reid's appointment would expire February 1, 2011.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Nancy E. Stevens".

Nancy E. Stevens  
Mayor



*City of Marlborough*  
*Office of the Mayor*

140 Main Street  
Marlborough, Massachusetts 01752

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

*Nancy E. Stevens*  
MAYOR

*Karen H. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 10, 2008

Council President  
Marlborough City Council  
Marlborough City Hall  
140 Main Street – 2<sup>nd</sup> Floor  
Marlborough, MA 01752

Honorable President and Councilors:

I am writing to request your approval of the reappointment of Deborah A. Puleo as City Collector effective February 1, 2008. Your prompt approval is respectfully requested as Ms. Puleo's bond status will be invalidated should her current appointment be allowed to lapse or continue on a temporary basis past the bond renewal date of February 9, 2008.

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

Sincerely,

Nancy E. Stevens  
Mayor



*City of Marlborough*  
*Office of the Mayor*

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

81  
*Nancy E. Stevens*  
MAYOR

*Karen H. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 10, 2008

Council President  
Marlborough City Council  
Marlborough City Hall – 2<sup>nd</sup> Floor  
140 Main Street  
Marlborough, MA 01752

Honorable President and Councilors:

I am submitting for your approval the name of Daniel C. Brogie for reappointment as Senior Assessor. This three (3) year appointment will expire February 1, 2011.

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

Sincerely,

Nancy E. Stevens  
Mayor

91



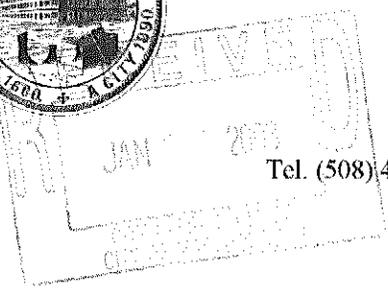
*City of Marlborough*  
*Office of the Mayor*

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

*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY



January 22, 2008

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

Honorable President Vigeant and Councilors:

I am submitting herewith the name of Dr. Kevin Cozzi for reappointment to the Board of Health for a three year term commencing February 4, 2008 and terminating February 7, 2011.

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

Sincerely,

Nancy E. Stevens  
Mayor



*City of Marlborough*

*Office of the Mayor*

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

10,  
*Nancy E. Stevens*  
MAYOR

*Karen H. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 23, 2008

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

Honorable President Vigeant and Councilors:

Please refer to the attached memo from the City Auditor relative to the overstatement of certified Free Cash. As you will note, the system of checks and balances which the City has in place has served the City well in identifying this oversight. A meeting with the Department of Revenue-Local Services will provide the recommendation as to the best way to correct this situation.

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

Sincerely,

  
Nancy E. Stevens  
Mayor

102



## CITY OF MARLBOROUGH

Office of the City Auditor

140 Main St.

Marlborough, MA 01752

508.460.3774

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### MEMORANDUM

---

TO: Mayor Nancy E. Stevens  
FROM: Diane Smith, City Auditor  
DATE: January 23, 2008  
RE: Re-certification of free cash

---

The outside Auditors have discovered an over-sight that was made in the closing of the FY2007 books. Funds in the amount of \$1,451,150.50 were not encumbered for the June 30<sup>th</sup> Retirement Fund payment. These funds were closed out at year end and became part of the free cash calculation.

That being said the free cash calculation is over-stated by that amount. I have contacted the Department of Local Services and will be meeting with our representative on the 5<sup>th</sup> of February. With the corrected balance sheet he will have free cash re-certified.

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

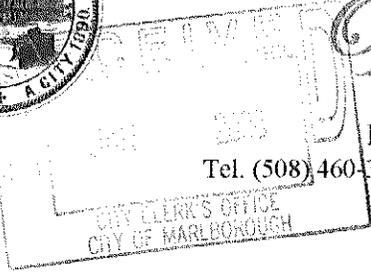
Cc: Thomas Abel, Comptroller/Treasurer



# 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



111  
*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 24, 2008

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

Honorable President Vigeant and Councilors:

I am forwarding for your approval the attached transfer request in the amount of \$130,649.98. For the purpose of funding the MMEA contract, this money will be transferred from Account No. 11990006-57820 (Reserve for Salaries) to various salary account line items as outlined in the attachment.

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

Sincerely,

Nancy E. Stevens  
Mayor

112

# TRANSFER REQUEST

MMEA Contract

AVAILABLE BALANCE	AMOUNT	FROM ACCOUNT			TO ACCOUNT			AMOUNT AVAIL
		ORG CODE	OBJECT	ACCOUNT DISCRIP	AMOUNT	ORG CODE	OBJECT	
\$ 703,482.00	\$ 130,649.98	11990006	57820	Resrv Salaries	\$ 130,649.98	To various accounts	(See Attachment)	

Reason: To fund Marlborough Municipal Employee Assoc. Contract

REQUEST TO FUND MARLBORO MUNICIPAL EMPLOYEE ASSOC CONTRACT

FROM : ACCOUNT 11990006-57820 RESERVE FOR SALARIES

\$130,649.98

TO: THE FOLLOWING ACCOUNTS

COMPTRROLLER

11330002	-50062	FIN ASST	\$5,928.14
			0.00
11330003	-51430	LONGEV	0.00
	-51920	SICK BB	209.97

AUDITOR

11350002	-50550	HEAD CLK	\$ 2,703.10
	-50770	SR CLK	1,054.28
11350003	-51430	LONGEV.	185.14
	-51920	SICK BB	103.95

ASSESSORS

11410002	-50520	PRIN CLK	\$2,401.70
11410001	-50170	SR ASSR	3,469.34
11410002	-50550	HEAD CL	2,702.71
11410003	-51430	LONGEV	222.60
	-51920	SICK BB	195.93

COLLECTOR

11440002	-50770	SR CLK	\$4,117.74
11440003	-51430	LONGEV	38.00
	-51920	SICK BB	40.20

INFO SYSTEMS

11550001	-50210	SYS ANYL	\$3,078.09
	-50213	NET ENG	4,043.53

INSPECTION

12410001	-50260	AST BLD IN	\$5,788.43
	-50370	PLUMB INS	3,227.78
	-50380	ELEC INSP	2,196.00
12410002	-50770	SR CLK	6,123.50
12410003	-51430	LONGEV	0.00
	-51920	SICK BB	200.60

DPW ADMIN

14001002	-50550	HEAD CL	\$2,702.71
	-50770	SR. CLK	1,035.42
	-50520	PRIN CLK	2,447.66
14001003	-51430	LONGEV	250.00
	-51920	SICK BB	0.00
61090002	-50520	PRIN CLK	3,381.68
	-51430	LONGEV	1,085.00
	-51920	SICK BB	1,547.82

RECREATION

14920001	-50166	PRG MR	\$ 6,277.97
14920002	-50770	SR. CLK	2,058.87
14920003	-51430	LONGEV	0.00
	-51920	SICK BB	189.03

HEALTH & LICENSE

15120001	-50611	ASST SAN	\$ 1,566.38
15120002	-50770	SR. CLK	2,058.95
15120003	-51430	LONGEV	0.00
	-51920	SICK BB	0.00

CITY CLERK

11610002	-50770	SR. CLK	\$2,058.87
11610003	-51430	LONGEV	0
	-51920	SICK BB	0

COUNCIL ON AGING

15410001	-50312	OUTREACH	\$ 2,199.91
15410002	-50520	PRIN CLK	2,401.70
15410003	-51430	LONGEV	0.00
	-51920	SICK BB	91.70

ELECTION/REG

11620002	-50550	HEAD CL	\$ 2,702.88
	-50770	SR. CLK	0.00
11620003	-51430	LONGEV	0.00
	-51920	SICK BB	1,803.22

LIBRARY

16100001	-50470	CHILD LIB	0.00
	-50471	YNG ADULT	913.09
	-50480	CATALOG	2,402.05
	-50656	HD CIRCL	1,565.90
16100002	-50520	PRIN CLK	2,308.49
16100003	-50490	LIB STAFF	4,118.13
	51261	PT CLKS	0.00
	51262	PAGES	0.00
	51263	SUN STAFF	5,057.07
	-51430	LONGEV	236.63
	-51920	SICK BB	148.39

PROPERTY & BUILD

11920001	-50292	CRAFTMN	\$10,089.43
	-50385	ELECTRIC	5,506.57
11920002	-50520	PRIN CLK	1,255.09
11920003	-50560	CUSTOD	0.00
11920003	-51430	LONGEV	0.00
	-51920	SICK BB	0.00

FIRE

12200002	-51214	PUB AST	\$2,864.13
12200003	-51430	LONGV	50.00

POLICE

12100002	-50520	PRIN CLK	\$3,458.91
12100003	-50540	CHF DISP	2,622.22
	-51213	PBL DISP	0.00
	-51214	PUB ASST	2,863.38
	-51430	LONGV	1,000.00
	-51920	SICK BB	300.00

COLUMN SUB TOT = \$ 66,494.99

COLUMN SUB TOT : \$64,154.99

TOTAL TRANSFER REQUEST = \$130,649.98



*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

121  
*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 24, 2008

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

Honorable President Vigeant and Councilors:

Attached please find a budget transfer request in the amount of \$4,285 from Account No. 100-35900 (Undesignated Funds) to Account No. 11620004-53930 (Printing) which is required to cover the cost of programming voting machines for the upcoming Presidential Primary and the two Ward 5 Elections as well as ballot printing expenses for Ward 5 requirement only.

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

Sincerely,

Nancy E. Stevens  
Mayor

122

### TRANSFER REQUEST

		FROM ACCOUNT			TO ACCOUNT			
		Undesignated Fund			ELECTIONS			
AVAILABLE BALANCE	AMOUNT	ORG	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT ACCOUNT DESCRIP	AMOUNT AVAIL
\$ 1,441,444.50	\$ 4,285.00	100	35900	Undesignated Fund	\$ 4,285.00	11620004	53930 Printing	\$ 1,475.00

Reason: To fund printing of ballots for Ward 5 Election



123  
**City of Marlborough, Massachusetts**  
**CITY CLERK DEPARTMENT**

**Lisa M. Thomas**  
**City Clerk**

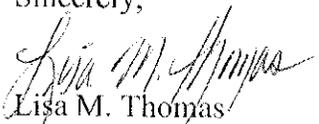
November 30, 2007

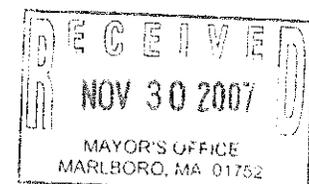
Mayor Nancy E. Stevens  
President Arthur G. Vigeant  
140 Main St.  
Marlborough, MA 01752

Dear Mayor and Council President:

I respectfully request an additional \$4285.00 to cover the cost of Elections which will be held prior to FY09. Although there is no ballot printing cost associated with the Presidential Primary, there will be ballot printing costs for the two Ward 5 Elections, including a Preliminary. Additionally there are costs associated with programming memory cards for the Accu-Vote machine and flash cards for the AutoMark machines for both the Presidential Primary and the two Wards 5 Elections. The account number for which these costs are related to is 11620004-53930. Thank you in advance for your attention to this matter.

Sincerely,

  
Lisa M. Thomas  
City Clerk





131  
Nancy E. Stevens  
MAYOR

*City of Marlborough*

*Office of the Mayor*

140 Main Street

Marlborough, Massachusetts 01752

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

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 23, 2008

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

Honorable President Vigeant and Councilors:

Attached please find a budget transfer request submitted by the Board of Health in the amount of \$2,125.44 which will move funds from Account No. 15120003-50830 (Animal Inspector) to Account No. 15120006-53180 (Professional & Technical Services). This transfer is required to allow for payment to Critter Control which has been performing animal control services to the City in lieu of a salaried animal inspector.

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

Sincerely,

  
Nancy E. Stevens  
Mayor

132

### TRANSFER REQUEST

FROM ACCOUNT

TO ACCOUNT

AVAILABLE BALANCE	AMOUNT	ORG CODE	OBJECT	ACCOUNT DISCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DISCRIP	AMOUNT AVAIL
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Board of Health

Board of Health

\$ 2,125.44	\$ 2,125.44	15120003	50830	Animal Inspector	\$ 2,125.44	15120006	53180	Prof&Tech	\$ 311.16
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\$ 2,125.44	Total	\$ 2,125.44
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Reason: To fund animal inspections through Critter Control



**CITY OF MARLBOROUGH  
BOARD OF HEALTH**

255 Main St. Rom 101  
Marlborough, MA 01752  
Facsimile (508) 460-3625 Tel (508) 460-3751

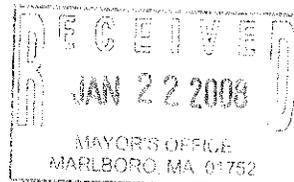
Robert Landry M.Ed., R.S.,  
*Administrator*

Massachusetts Environmental Health Association  
*Board of Directors*

133

January 17, 2008

The Honorable Nancy E. Stevens, Mayor  
City Hall  
140 Main Street  
Marlborough, MA. 01752

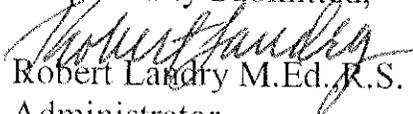


***Re: Budget transfer request***

Dear Mayor Stevens,

The Board of Health is requesting a transfer from line item **15120003 50830, *Animal Inspector***, to line item **15120006 53180, *Professional/Technical*** in the amount of **\$2125.44**. These funds will be used to replenish the ***Professional/Technical*** account currently used to pay Critter Control for contracted Animal Inspector Services through June 30, 2008.

Respectfully Submitted,

  
Robert Landry M.Ed., R.S.  
Administrator

cc: Diane Smith, Auditor

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>2125.44</u>	<u>2125.44</u>	<u>1512003</u>	<u>5080</u>	<u>ANIMAL INSPECTOR</u>	<u>2125.44</u>	<u>1512006</u>	<u>5310</u>	<u>PROF &amp; TECH SAL.</u>	<u>311.14</u>
	Reason:			<u>FUNDS ARE NO LONGER USED TO PAY</u>				<u>* TRANSFERRED TO PAY CARRIER GENERAL</u>	
	Reason:			<u>FORMER ANIMAL INSPECTOR (SKANLAWNEY)</u>				<u>(BUSINESS CONTRACTOR) TO PAYROLL INSPECTOR'S SALARY</u>	
	Reason:							<u>SETTLE THROUGH 6/30/08</u>	



RECEIVED  
*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

14  
*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 23, 2008

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

Honorable President Vigeant and Councilors:

I am submitting the attached budget transfer on behalf of the Department of Public Works. Included in same is the transfer of \$12,200 from Account No. 14001303-50740 (Equipment Operator-Streets) to Account No. 14001303-51470 (Interim Foreman-Streets); funds available as a result of two position vacancies will be used to fill the Foreman position on an interim basis. In addition, \$2,000 is required from available funds in Account No. 14001503-50740 (Equipment Operator-Forestry/Parks/Cemetery) to be transferred to Account No. 14001503-51470 (Interim Foreman-Forestry/Parks/Cemetery) to fill a temporary vacancy due to retirement.

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

Sincerely,

  
Nancy E. Stevens  
Mayor

142

### TRANSFER REQUEST

FROM ACCOUNT				TO ACCOUNT					
AVAILABLE BALANCE	AMOUNT	ORG CODE	OBJECT	ACCOUNT DISCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DISCRIP	AMOUNT AVAIL
		<b>DPW STREETS</b>				<b>DPW STREETS</b>			
\$ 241,429.00	\$ 12,200.00	14001303	50740	Operators	\$ 12,200.00	14001303	51470	Interim Foreman	\$ (2,468.00)
		<b>DPW PARKS</b>				<b>DPW PARKS</b>			
\$ 253,529.00	\$ 2,000.00	14001503	50740	Operators	\$ 2,000.00	14001503	51470	Interim Foreman	\$ (984.00)
	\$ 14,200.00			Total	\$ 14,200.00				

Reason: See attached transfer request.

143

CITY OF MARLBOROUGH  
BUDGET TRANSFER REQUEST

DEPT: Department of Public Works

DATE: 1/22/2008

FY: 03

FROM ACCOUNT:

TO ACCOUNT:

Amount	Fund	Object	Account Description:
\$12,200.00	14001303	50740	Equipment operator, Streets Division

Fund	Object	Account Description:
14001303	51470	Interim Foreman-Streets

Reason: Money available due to two (2) current vacancies in this division

A recent unexpected death of an employee caused the need to fill this position on an interim basis.

Amount	Fund	Object	Account Description:
\$2,000.00	14001503	50740	Equipment operator, F/P/C Division

Fund	Object	Account Description:
14001503	51470	Interim Foreman-F/P/C

Reason: Money available due to two (2) current vacancies in this division

A retirement in this division caused the need to fill this position on an interim basis.

Amount	Fund	Object	Account Description:

Fund	Object	Account Description:

Reason:

Amount	Fund	Object	Account Description:

Fund	Object	Account Description:

Reason:

Department Head Signature: 

OK  
TP  
1-23-08



*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

151  
*Nancy E. Stevens*  
MAYOR

*Karen D. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 24, 2008

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

Honorable President Vigeant and Councilors:

A Community Policing grant has been awarded to the Marlborough Police Department by the Commonwealth's Executive Office of Public Safety. This grant in the amount of \$35,952.00 will be used for various expenses associated with the City's successful community policing efforts.

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

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

Sincerely,

Nancy E. Stevens  
Mayor



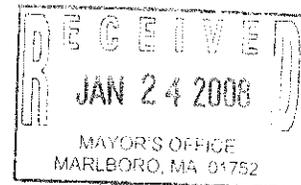
152

# City of Marlborough POLICE DEPARTMENT

508-485-1212 • FAX 508-624-6949

355 BOLTON STREET • MARLBOROUGH, MA • 01752

MARK F. LEONARD  
Chief of Police



Mayor Nancy E. Stevens  
City Hall  
140 Main Street  
Marlborough, MA 01752

January 23, 2008

Dear Mayor Stevens:

The Marlborough Police Department has been awarded a Community Policing grant in the amount of \$35,952.00 from the Commonwealth of Massachusetts, Executive Office of Public Safety. The grant will be used for overtime expenses associated with various community policing programs, training for community policing officers, supplies, and equipment for community policing officers.

Attached is a "Notice of Grant Award" form, and a copy of the grant contract. I am requesting that the grant award be forwarded to the City Council for approval. Should you have any questions, please do not hesitate to call.

Sincerely,

Mark F. Leonard  
Chief of Police

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CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD

DEPARTMENT: Police DATE: 23-Jan-08

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Captain Paul Valianti

NAME OF GRANT: Community Policing

GRANTOR: Comm. Of Massachusetts EOPS

GRANT AMOUNT: \$35,952.00

GRANT PERIOD: 11/2007 to 11/2008

SCOPE OF GRANT/  
ITEMS FUNDED Community Policing funcitons/programs

Overtime, equipment, training

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

IS A POSITION BEING  
CREATED: No

\_\_\_\_\_

\_\_\_\_\_

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? \_\_\_\_\_

ARE MATCHING CITY  
FUNDS REQUIRED? No

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

ANY OTHER EXPOSURE TO CITY?

No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: No

\_\_\_\_\_

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

154



The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security

One Ashburton Place  
Boston, Massachusetts 02108

Tel: (617) 727-7775  
TTY Tel: (617) 727-6618  
Fax: (617) 727-4764  
[www.mass.gov/eops](http://www.mass.gov/eops)

Deval L. Patrick  
Governor

Timothy P. Murray  
Lieutenant Governor

Kevin M. Burke  
Secretary

November 20, 2007

Chief Mark F. Leonard  
Marlborough Police Department  
355 Bolton Street  
Marlborough, MA 01752-3935

Dear Chief Leonard:

I am pleased to inform you that the City/Town of Marlborough has been awarded \$35,952.00 through the Fiscal Year 2008 State-funded Community Policing Grant Program. These funds must be expended within 12 months of the date that the contract was executed.

Funds received from this grant shall only be used for items that are related to community policing activities, programs, purchases or construction.

As the funds for this program are disbursed, they will appear on the following website called Vendor Web (<https://massfinance.state.ma.us/VendorWeb/vendor.asp>). Your funds should be available within the next several weeks. You can access the Vendor Web site by entering your vendor code shown on the attached contract. Click on "payment history," then choose "EPS" for payments from the Executive Office of Public Safety.

Congratulations to your department and your community. If you have any further questions, please contact Kevin Stanton at [kevin.stanton@state.ma.us](mailto:kevin.stanton@state.ma.us) or (617) 725-3363. A copy of your signed contract is enclosed.

Sincerely,

Kevin M. Burke  
Secretary of Public Safety

Enclosures

135

This form, to be used for New Contracts and Contract Amendments/Renewals, is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) for use by all Commonwealth Departments. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors should only complete sections marked with a "→". For Instructions and hyperlinks (italics), please view this form at: [www.mass.gov/osc](http://www.mass.gov/osc) under Guidance For Vendors - Forms or at [www.mass.gov/osd](http://www.mass.gov/osd) under OSD Forms.

→ City or Town Name <b>City of Marlborough</b>		EPS	
→ address <b>140 Main Street</b>		10 Park Plaza Boston MA 02116	
→ address <b>Marlborough, MA 01752</b>		Office of Grants and Research	
→ Contract Manager Name		Cynthia L. Duggan, Executive Director - Office of Grants and Research	
→ E-Mail Address: nstevens@marlborough-ma.gov	→ Phone: (508) 460-3770	Cynthia.Duggan@state.ma.us	Phone: (617) 725-3301
→ Fax: (508) 460-3698	→ TTY:	Fax: (617) 725-0260	TTY:
→ Government <b>Municipal- City of Marlborough</b>		MMARS Doc ID(s):	
→ Vendor Code (to be determined by the Office of Grants and Research)		RFR/Procurement or Other ID Number (if applicable): Grant	
Object Code: P01 <b>V10000192111 EPS</b>		Account(s) Funding Contract: 8000-0010	

**X NEW CONTRACT**

**COMPENSATION** (Check only one):  
 Total Maximum Obligation of this Contract \$ 35,952  
 Rate Contract (Attach details of rate(s) units and any calculations):

The following **COMMONWEALTH TERMS AND CONDITIONS** for this Contract has been executed and filed with CTR (Check only one):  
 Commonwealth Terms And Conditions  
 Commonwealth Terms And Conditions For Human And Social Services

**PROCUREMENT OR EXCEPTION TYPE** (Check one option only):  
 Single Department Procurement/Single Department User Contract  
 Single Department Procurement/Multiple Department User Contract  
 Multiple Department Procurement/Limited Department User Contract  
 Statewide Contract (OSD or an OSD-designated Department)  
 Grant (as defined by 815 CMR 2.00)  
 Emergency Contract (attach justification)  
 Contract Employee (Complete *Employment Status Form*)  
 Collective Purchase (attach OSD approval)  
 Legislative/Legal Exemption (attach authorizing language)  
 Other (Specify and attach documentation):

**ANTICIPATED START DATE:** 8/20/2007 (Enter the Date Contract Obligations may begin. Review Certification for Effective Date Below prior to entry.)

**CONTRACT END DATE:** 8/20/2012

**CONTRACT AMENDMENT/RENEWAL**

ENTER **CURRENT CONTRACT START** and **END DATES** (prior to amendment)  
 Current Start Date: \_\_\_\_\_ Current End Date: \_\_\_\_\_

**COMPENSATION:** (Check Either, "No Compensation Change", "Maximum Obligation" or "Rate change". ATTACH Amended Scope and Budget to support Amendment.)  
 NO Compensation Change (Skip to "OTHER" section below and select change)  
 Redistribute Budget Line Items (No Maximum Obligation Change)  
 Maximum Obligation Change.  
 a) **Current Total Contract Maximum Obligation:** \$ \_\_\_\_\_  
 (Total Contract Maximum Obligation, including all prior amendments)  
 b) **Amendment Amount ("+" or "-"):** \$ \_\_\_\_\_  
 c) **NEW TOTAL CONTRACT MAXIMUM OBLIGATION:** \$ \_\_\_\_\_  
 Rate Changes to Rate Contract

**OTHER:** (Check option, explain under "Brief Description" below, and attach documentation.)  
 Amend Duration Only (No Compensation or Performance Change)  
 Amend Scope of Services/Performance Only (no budget impact.)  
 Interim Contract (Temporary Extension to complete new Procurement)  
 Other: (Describe Details and Attach documentation):

**ANTICIPATED START DATE:** \_\_\_\_\_ (Enter the Date Amendment Obligations may begin. Review Certification for Effective Date Below prior to entry.)

**NEW CONTRACT END DATE:** \_\_\_\_\_

→ **PROMPT PAYMENT DISCOUNTS:** Contractor has agreed to the following Prompt Pay Discounts for the listed Payment Issue Dates. See *Prompt Payment Discount Policy*:  
 % Within 10 Days  % Within 15 Days  % Within 20 Days  % Within 30 Days OR, Check off the following if:  
 Contractor either claims hardship, or chooses not to provide PPD, or compensation is not subject to prompt pay discounts (grants, non-commodity or non-service compensation)

**BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT** (Reference to attachments is insufficient):  
 For a Community Policing Grant administered by the Executive Office of Public Safety and Security

**CERTIFICATIONS:** Notwithstanding verbal or other representations by the parties, or an earlier Start date listed above, the "Effective Date" of this Contract or Amendment shall be the latest date this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, a later Contract or Amendment Start Date specified above, or the date of any required approvals. By executing this Contract/Amendment, the Contractor makes, under the pains and penalties of perjury, all certifications required under the attached *Contractor Certifications*, and has provided all required documentation noted with a "→", or shall provide any required documentation upon request, and the Contractor agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein, including the terms of the applicable Commonwealth Terms and Conditions available at [www.mass.gov/osc](http://www.mass.gov/osc) under Guidance For Vendors - Forms or at [www.mass.gov/osd](http://www.mass.gov/osd) under OSD Forms, the terms of the attached *Instructions*, the Request for Response (RFR), solicitation (if applicable) or other authorization, the Contractor's response to the RFR or solicitation (if applicable), and any additional negotiated performance or budget provisions. The terms of this Contract shall survive its termination for the purpose of resolving any claim, dispute or other Contract action, or for effectuating any negotiated representations and warranties. **THE PARTIES HEREBY ALSO CERTIFY THAT (Check one option only):**

- the Contractor has NOT incurred any obligations triggering a payment obligation for dates prior to the Effective Date of this Contract or Amendment; OR
- any obligations incurred by the Contractor prior to the Effective Date of this Contract or Amendment (for which a payment obligation has been triggered) are intended to be part of this Contract/Amendment and shall be considered a final Settlement and Release of these obligations which are incorporated herein, and upon payment of these obligations, the Contractor forever releases the Commonwealth from any further claims related to these obligations.

**AUTHORIZING SIGNATURE FOR THE CONTRACTOR:**

→ X: Nancy E. Stevens Date: 9/12/10  
 (Signature and Date Must Be Handwritten At Time of Signature)

→ Print Name: Nancy Stevens

→ Print Title: Mayor

**AUTHORIZING SIGNATURE FOR THE DEPARTMENT:**

X: Cynthia L. Duggan Date: 11/1/07  
 (Signature and Date Must Be Handwritten At Time of Signature)

Print Name: Cynthia L. Duggan

Print Title: Executive Director



*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

161  
*Nancy E. Stevens*  
MAYOR

*Karen L. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 8, 2008

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

Honorable President Vigeant and Councilors:

The Commonwealth's Executive Office of Public Safety has awarded the City's police department with a reimbursement grant in the amount of \$3,609.60 which will be applied to salary overtime charges related to underage alcohol enforcement.

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

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

Sincerely,

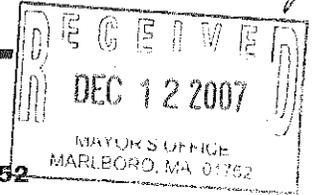
Nancy E. Stevens  
Mayor



MARK F. LEONARD  
Chief of Police

# City of Marlborough POLICE DEPARTMENT

508-485-1212 • FAX 508-624-6949  
355 BOLTON STREET • MARLBOROUGH, MA • 01752



Mayor Nancy E. Stevens  
City Hall  
140 Main Street  
Marlborough, MA 01752

December 5, 2007

Dear Mayor Stevens:

The Marlborough Police Department has been awarded a grant in the amount of \$3,609.60 from the Commonwealth of Massachusetts, Executive Office of Public Safety. The grant is a reimbursement grant, and will be used for officer overtime for underage alcohol enforcement.

Attached is a "Notice of Grant Award" form, and a copy of the grant contract. I am requesting that the grant award be forwarded to the City Council for approval. Should you have any questions, please do not hesitate to call.

Sincerely,

Mark F. Leonard  
Chief of Police

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**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: Police DATE: 5-Dec-07

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Lt. David Vaillancourt

NAME OF GRANT: Underage Alcohol Enforcement

GRANTOR: Comm. Of Massachusetts EOPS

GRANT AMOUNT: \$3,609.60

GRANT PERIOD: Dec-07

SCOPE OF GRANT/  
ITEMS FUNDED Overtime for underage alcohol enforcement  
Overtime  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IS A POSITION BEING  
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? \_\_\_\_\_

ARE MATCHING CITY  
FUNDS REQUIRED? No

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

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

ANY OTHER EXPOSURE TO CITY?  
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: No

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

# COMMONWEALTH OF MASSACHUSETTS - STANDARD CONTRACT FORM



This form, to be used for New Contracts and Contract Amendments/Renewals, is jointly issued and published by the *Executive Office for Administration and Finance (ANF)*, the *Office of the Comptroller (CTR)* and the *Operational Services Division (OSD)* for use by all Commonwealth Departments. **Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors should only complete sections marked with a "→". For Instructions and hyperlinks (italics), please view this form at: [www.mass.gov/osc](http://www.mass.gov/osc) under *Guidance For Vendors - Forms* or at [www.mass.gov/osd](http://www.mass.gov/osd) under *OSD Forms*.**

→ <b>Contractor Legal Name</b> (and d/b/a): Marlborough Police Department		<b>Department MMARS Alpha Code and Name:</b> EPS/Executive Office of Public Safety and Security	
→ <b>Legal Address</b> (from W-9): 355 Bolton Street, Marlborough, MA 01742		<b>Business Mailing Address:</b> 10 Park Plaza, Suite 3720, Boston, MA 02116	
→ <b>Payment Remittance Address</b> (from W-9):		<b>Billing Address</b> (if different):	
→ <b>Contract Manager:</b> David Vaillancourt		<b>Contract Manager:</b> Cynthia L. Duggan, Executive Director, Office of Grants and Research	
→ <b>E-Mail Address:</b> <a href="mailto:dvaillancourt@marlborough_ma.gov">dvaillancourt@marlborough_ma.gov</a>	→ <b>Phone:</b> 508-624-6966	<b>E-Mail Address:</b> <a href="mailto:Cynthia.duggan@state.ma.us">Cynthia.duggan@state.ma.us</a>	<b>Phone:</b> 617-725-3301
→ <b>Fax:</b> 508-624-6938	→ <b>TTY:</b>	<b>Fax:</b> 617-725-0260	<b>TTY:</b>
→ <b>State of Incorporation</b> (if a corporation) or "N/A":		<b>MMARS Doc ID(s):</b>	
→ <b>Vendor Code:</b>		<b>RFR/Procurement or Other ID Number</b> (if applicable):	
<b>MMARS Object Code:</b>		<b>Account(s) Funding Contract:</b>	

**X NEW CONTRACT**

**COMPENSATION** (Check only one):  
 **Total Maximum Obligation** of this Contract \$ 3,609.60  
 **Rate Contract** (Attach details of rate(s) units and any calculations):

The following **COMMONWEALTH TERMS AND CONDITIONS** for this Contract has been executed and filed with CTR (Check only one):  
 Commonwealth Terms And Conditions  
 Commonwealth Terms And Conditions For Human And Social Services

**PROCUREMENT OR EXCEPTION TYPE** (Check one option only):  
 Single Department Procurement/Single Department User Contract  
 Single Department Procurement/Multiple Department User Contract  
 Multiple Department Procurement/Limited Department User Contract  
 Statewide Contract (OSD or an OSD-designated Department)  
 Grant (as defined by 815 CMR 2.00)  
 Emergency Contract (attach justification)  
 Contract Employee (Complete *Employment Status Form*)  
 Collective Purchase (attach OSD approval)  
 Legislative/Legal Exemption (attach authorizing language)  
 Other (Specify and attach documentation):

**ANTICIPATED START DATE:** 12/06/07 (Enter the Date Contract Obligations may begin. Review Certification for Effective Date Below prior to entry.)  
**CONTRACT END DATE:** 12/31/07

**CONTRACT AMENDMENT/RENEWAL**

ENTER **CURRENT CONTRACT START and END DATES** (prior to amendment)  
 Current Start Date: \_\_\_\_\_ Current End Date: \_\_\_\_\_

**COMPENSATION:** (Check Either, "No Compensation Change"; "Maximum Obligation" or "Rate change". ATTACH Amended Scope and Budget to support Amendment.)  
 NO Compensation Change (Skip to "OTHER" section below and select change)  
 Redistribute Budget Line Items (No Maximum Obligation Change)  
 Maximum Obligation Change.  
 a) **Current Total Contract Maximum Obligation:** \$ \_\_\_\_\_  
 (Total Contract Maximum Obligation, including all prior amendments).  
 b) **Amendment Amount ("+" or "-"): \$** \_\_\_\_\_  
 c) **NEW TOTAL CONTRACT MAXIMUM OBLIGATION: \$** \_\_\_\_\_  
 Rate Changes to Rate Contract

**OTHER:** (Check option, explain under "Brief Description" below, and attach documentation.)  
 Amend **Duration Only** (No Compensation or Performance Change)  
 Amend **Scope of Services/Performance Only** (no budget impact)  
 **Interim Contract** (Temporary Extension to complete new Procurement)  
 **Other:** (Describe Details and Attach documentation):

**ANTICIPATED START DATE:** \_\_\_\_\_ (Enter the Date Amendment Obligations may begin. Review Certification for Effective Date Below prior to entry.)  
**NEW CONTRACT END DATE:** \_\_\_\_\_

→ **PROMPT PAYMENT DISCOUNTS.** Contractor has agreed to the following Prompt Pay Discounts for the listed Payment Issue Dates. See *Prompt Payment Discount Policy*:  
 \_\_\_ % Within 10 Days \_\_\_ % Within 15 Days \_\_\_ % Within 20 Days \_\_\_ % Within 30 Days OR, Check off the following if:  
 Contractor either claims hardship, or chooses not to provide PPD, or compensation is not subject to prompt pay discounts (grants, non-commodity or non-service compensation)

**BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT** (Reference to attachments is insufficient):  
 Conduct Underage Alcohol Enforcement Initiatives

**CERTIFICATIONS:** Notwithstanding verbal or other representations by the parties, or an earlier Start date listed above, the "Effective Date" of this Contract or Amendment shall be the latest date this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, a later Contract or Amendment Start Date specified above, or the date of any required approvals. By executing this Contract/Amendment, the Contractor makes, under the pains and penalties of perjury, all certifications required under the attached *Contractor Certifications*, and has provided all required documentation noted with a "→", or shall provide any required documentation upon request, and the Contractor agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein, including the terms of the applicable Commonwealth Terms and Conditions available at [www.mass.gov/osc](http://www.mass.gov/osc) under *Guidance For Vendors - Forms* or at [www.mass.gov/osd](http://www.mass.gov/osd) under *OSD Forms*, the terms of the attached *Instructions*, the Request for Response (RFR), solicitation (if applicable) or other authorization, the Contractor's response to the RFR or solicitation (if applicable), and any additional negotiated performance or budget provisions. The terms of this Contract shall survive its termination for the purpose of resolving any claim, dispute or other Contract action, or for effectuating any negotiated representations and warranties. **THE PARTIES HEREBY ALSO CERTIFY THAT (Check one option only):**

- the Contractor has NOT incurred any obligations triggering a payment obligation for dates prior to the Effective Date of this Contract or Amendment; OR
- any obligations incurred by the Contractor prior to the Effective Date of this Contract or Amendment (for which a payment obligation has been triggered) are intended to be part of this Contract/Amendment and shall be considered a final **Settlement and Release** of these obligations which are incorporated herein, and upon payment of these obligations, the Contractor forever releases the Commonwealth from any further claims related to these obligations.

**AUTHORIZING SIGNATURE FOR THE CONTRACTOR:**  
 → X: Mark A Leonard Date: 12/5/2007  
 (Signature and Date Must Be Handwritten At Time of Signature)  
 → Print Name: MARK A LEONARD CHIEF OF POLICE

**AUTHORIZING SIGNATURE FOR THE DEPARTMENT:**  
 X: \_\_\_\_\_ Date: \_\_\_\_\_  
 (Signature and Date Must Be Handwritten At Time of Signature)  
 Print Name: Cynthia L. Duggan, Executive Director, Office of Grants and Research

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SCOPE OF SERVICE AND BUDGET

Marlborough Police Department Will Conduct Underage Alcohol Enforcement Activities may include but not be limited to:

The following are brief descriptions of the programs that may be implemented with this grant:

- Reverse Stings – This program places two undercover police officers, acting as door or bar personnel, in a participating bar or nightclub. The undercover police officers stop anyone under the age of twenty-one who attempts to purchase alcohol or who uses or possesses false identification. A third officer is placed outside the licensed premises to observe outside activity and to transport and process underage individuals who are placed under arrest.
- Underage Stings/Compliance Checks – This program sends a person who is under twenty-one years of age into a retail store, bar, restaurant or nightclub to attempt to purchase alcohol with no identification.
- Cops In Shops – This program places one undercover police officer in a participating package store to stop anyone under twenty-one who attempts to purchase alcohol, or uses false identification. A second officer is placed outside to observe adults purchasing for or delivering alcohol to minors.
- Party Patrols – This allows a police department to have dedicated patrols for breaking up underage parties. This program works well with Cops in Shops – an officer outside the package store may observe a person (21+) getting into a vehicle that is going to a party where underage drinking may take place.
- Surveillance Patrols – In conjunction with above programs, conduct surveillance in areas of suspected underage drinking (i.e. athletic events).

Contract Requirements are as listed in the Application for Grant Funding and the following:

- Supplanting of funds is prohibited. Funds for program and services provided through this grant are intended to supplement other state or federal funding sources. Specifically that means that no position previously funded by the Massachusetts legislature through a state agency may be supported with OJJDP funds.
- The HSD reserves the right to change the Scope of Services, work plan, timeline and budget of the project.
- No changes may be made in the approved budget without a written request from the police department. The HSD will exercise the right to renew the program based on the AGF requirements.
- Lack of activity and failure to meet financial and programmatic deadlines may result in contract suspension or termination.

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**Enforcement Program**

Alcohol Enforcement Budget

Underage Stings	\$902.40
Party Patrols	\$902.40
Surveillance Patrols	\$1,804.80
Total	\$3,609.60



*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

17,  
*Nancy E. Stevens*  
MAYOR

*Karen H. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 17, 2008

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

Honorable President Vigeant and Councilors:

The Marlborough Fire Department has recently been awarded \$1,000 in grant money from the 2007 Wal-Mart Community Grants Program. These funds will be used for the purpose of Fire Department staff attendance at grant writing seminars.

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

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

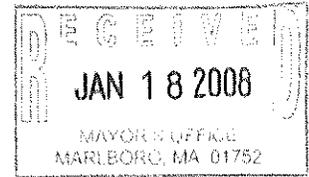
Sincerely,

  
Nancy E. Stevens  
Mayor



**City of Marlborough**  
FIRE DEPARTMENT

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



January 14, 2008

The Honorable Nancy E. Stevens, Mayor  
City of Marlborough  
140 Main Street  
Marlborough, MA 01752

Dear Mayor Stevens,

Attached please find documentation in support of a grant in the amount of \$1,000 which has been awarded to the Fire Department through the 2007 Wal-Mart Community Grants Program.

The 2007 Wal-Mart Community Grant has been approved for funding and granted to the Marlborough Fire Department for the purpose of attending grant writing seminars as outlined in the application.

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

I would ask that this information be placed on the next council agenda, January 28, 2008 and that you recommend and ask the City Council to approve the expenditure of these funds for the purposes of the grant by the Fire Department.

Thank You,

David Adams  
Fire Chief

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CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD

DEPARTMENT: Fire DATE: January 14, 2008

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: David Adams, Fire Chief

NAME OF GRANT: 2007 Wal-Mart Community Grants Program

GRANTOR: Wal-Mart Foundation

GRANT AMOUNT: \$1,000.00

GRANT PERIOD: not defined

SCOPE OF GRANT/ Grant Writing Seminars

ITEMS FUNDED Expenses incurred for attending various grant writing seminars

IS A POSITION BEING  
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? \_\_\_\_\_

ARE MATCHING CITY  
FUNDS REQUIRED? No

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

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

ANY OTHER EXPOSURE TO CITY?  
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: No

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



174

**CITY OF MARLBOROUGH**  
**FIRE DEPARTMENT**  
215 Maple Street, Marlborough, MA 01752  
Business (508) 485-2323 Facsimile (508) 460-3795

August 14<sup>th</sup> 2007

Ms. Cynthia Troller - Manager  
Wal-Mart  
265 Washington St.  
Hudson, Ma. 01749

Attn: Community Involvement Coordinator

RE: 2007 Wal-Mart Community Grants Program/ Request for Assistance

Dear Sir or Madam,

My name is Jeff Kasaras and I am a Lieutenant with the Marlborough Fire Department. I am sending you this correspondence with the approval and support of the Chief of the Department, Chief David Adams. The Marlborough Fire Department would like to make application for financial assistance from Wal-Mart through your Community Grants Program that your company advertises on their corporate website.

As you may be aware, our department serves the local area and surrounding communities through mutual aid agreements. These citizens, many of whom are your customers and employees, depend upon us to protect their lives and property. We feel that we do a pretty good job of doing so, considering the budget limitations we face yearly. These citizens cannot afford more taxes, yet our costs to operate are soaring astronomically for fuel, maintenance, insurance etc. Most of our equipment is old and outdated and replacement of it is very expensive. This leaves us very little, if any, money left in our budget to purchase or upgrade our equipment which we use to protect our community and ensure the safety of our employees.

We have become acutely aware of the need to access and apply for Federal and State grant funding, to supply some of these needs. We are facing the very real danger of losing a citizens life, or that of one of our employees, while performing our dangerous tasks. Some of these grant programs will allow us to purchase our safety equipment at 5% of the normal retail cost, if we are awarded the grant. This is a truly a cost-saving benefit (95%) to us and the community we serve, and I am sure you can see that it is hard to ignore this cost saving in maximizing our available budget dollars. The safety of our employees is of paramount importance to us and for this need, we are turning to Wal-Mart for assistance.

Applying, researching and managing these grants are a complicated and involved process which requires a skilled level of knowledge of the process. We do not currently have anyone on our staff that has this level of expertise, nor can we afford the fees associated with hiring a professional grant writer (\$1000-\$2500) to do this for us. We need to properly educate our staff on how to apply for and write these grants, so that we do not have to place additional financial burden upon our citizens in the form of higher taxes. Once trained, this person can apply to the many grant programs offered, year after year, for some of the \$65 billion dollars given away annually in Federal grants.

We are aware of training to educate us in this process from one of the most successful public safety grant consulting services in the country, CHIEF Grants ([www.chiefgrants.com](http://www.chiefgrants.com)). They conduct grant-writing seminars in major cities across the U.S. that is specifically focused towards these public safety agency grants. After being educated by CHIEF Grant's instructors, their students average an 80% success rate at applying and winning grant awards. CHIEF Grants specifically specializes in teaching public safety employees, such as us, the skills needed to win these specific grants. They have designed their training so that a department, such as ours, can attend for approximately \$1,000 per person. Although these costs are very reasonable, it is still, unfortunately, beyond our budget to afford.

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We would like to ask if Wal-Mart would consider donating to us the \$1,000.00 so that we might send a department employee to one of these training courses to learn these skills. This is a sound and financially prudent investment in our community's safety, and these costs for training usually result in a first-year return on investment of 100x in equipment costs that are saved for us.

Would Wal-Mart please give your kind consideration to our request? There are not many things that we could actually buy for \$1,000 that would truly aid us; however, educating our employees so that we may help ourselves financially, is an investment that Wal-Mart could be quite proud of. We are prepared to gratefully and publicly acknowledge Wal-Mart's support and assistance to us if we are selected for help.

On behalf of the members of the department and our citizens, we thank you for your consideration of our request. I can be reached at the phone number below if you have further questions or require additional information.

Respectfully,

Lt. Jeffrey Kasaras  
Marlborough Fire Department  
215 Maple St  
Marlborough, Ma. 01752  
508-624-6991



*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

18  
*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 10, 2008

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

Honorable President Vigeant and Councilors:

Attached please find correspondence from Public Facilities Director, John Ghiloni, indicating that the current lease allowing for a private school to occupy the Bigelow School property will be expiring on June 30<sup>th</sup> of this year.

It is the recommendation of Mr. Ghiloni that an RFP be issued for lease of this City property for the next five year term commencing July 1, 2008.

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

Sincerely,

Nancy E. Stevens  
Mayor

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**CITY OF MARLBOROUGH**  
MARLBOROUGH, MASSACHUSETTS 01752-3812



**PUBLIC FACILITIES DEPARTMENT**

17 WASHINGTON STREET  
TEL. 508-460-3521 / FAX 508-85-1142

January 8, 2008

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

Re: RFP for Bigelow School

Dear President and Members,

The Bigelow School has been leased to a private school for the past 6 years. The final lease term of the previous RFP expires on June 30, 2008. The City Council must vote to authorize the issuance of a new RFP for the lease of the building.

I am requesting that the City Council authorize the issuance of an RFP for the lease of Bigelow School for a 5 year term effective July 1, 2008.

Sincerely yours,

John L. Ghiloni  
Director of Public Facilities

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ORDERED:

WHEREAS the Marlborough City Council declared the municipal property known as Bigelow School available for disposition and transferred the property to the Marlborough School Committee to be offered for lease or rent for a period of five years from July 1, 2008 to June 30, 2013, it is now ordered:

THAT the care, custody, management and control of the property is hereby transferred to the Marlborough School Committee to be offered for lease or rent for a period of five years from July 1, 2008 to June 30, 2013, and that said lease or rental agreement be on such terms and under such conditions as set forth by the Marlborough School Committee subject to the approval of the City Solicitor and the Mayor.

IT IS FURTHER ORDERED that the minimum price for the lease of any space in the school building shall be seven dollars and fifty cents per square foot of space so leased or rented, and the Chief Procurement Officer is hereby authorized to ensure compliance with Chapter 30B of the General Laws by issuing a Request For Proposals. The highest responsive and responsible bid shall be subject to final approval by the Marlborough City Council and the Marlborough School Committee.

IT IS FURTHER ORDERED that pursuant to §3 of chapter 40 of the General Laws, income from any lease or rental agreement shall be deposited in the School Department's revolving maintenance fund and shall be used for the maintenance of the property. Nothing herein shall prevent the Marlborough School Committee from assigning the daily management of the property to the Public Facilities Department.



191  
*City of Marlborough*

*Office of the Mayor*

140 Main Street

Marlborough, Massachusetts 01752

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

*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 18, 2008

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

Honorable President Vigeant and Councilors:

As had been discussed last fall, I am submitting for your consideration the addition of a new staff position - that of a Part-Time Senior Clerk dedicated to Code Enforcement. This would be a 19 hour/week position operating, as does the Code Enforcement Officer, out of the Department of Inspectional Services.

A key component to the success of Code Enforcement efforts is the careful and timely tracking of all events and related documentation to ensure that all is in proper order for any potential court proceedings. This responsibility will fall to the proposed Part-Time Senior Clerk thereby allowing the Code Enforcement Officer necessary additional time in the field to conduct ward by ward inspections. In addition, the Clerk's assistance with the Impact Team Concept will help this group in similar issue management.

I have attached a proposed job listing outlining position requirements as well as a graph illustrating the time allocations of the various Department of Inspectional Services' responsibilities.

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

Sincerely,

Nancy E. Stevens  
Mayor

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# CITY OF MARLBOROUGH

Marlborough, MA 01752

A.A.#07-19

---

## POSITION AVAILABLE

**BUILDING DEPARTMENT**

**Permanent Part-Time Senior Clerk**

The City of Marlborough's Building Department seeks a candidate for a permanent part-time Senior Clerk whose duties will be dedicated to Code Enforcement. This 19-hour part-time union position offers no benefits.

**Responsibilities:** will include filing, answering phones, responding to inquiries, data entry and other similar tasks.

**Qualifications:** High School Diploma; basic computer skills including Word a must, candidate should possess strong verbal and written communication skills; three years full-time or equivalent part-time general office experience is required with a strong customer service background preferred.

**Salary:**

Please forward cover letter and resume to:

Please forward cover letter and resume to:  
**Personnel Director**  
**City of Marlborough**  
**140 Main Street**  
**Marlborough, MA 01752**  
[personnel\\_dept@marlborough-ma.gov](mailto:personnel_dept@marlborough-ma.gov)

Resumes must be received by: \_\_\_\_\_

The City of Marlborough is an AA/EOE employer.

<b>Position:</b>	<u>  X  </u>	Union	<u>      </u>	Non-Union	<u>      </u>	Contract
<b>Class:</b>	<u>      </u>	Full-Time	<u>  X  </u>	Part-Time	<u>      </u>	Intermittent
	<u>      </u>	Provisional	<u>  X  </u>	Permanent	<u>      </u>	Temporary

**Telephone**

- Answers telephone in absence of ceo*
- Prepares messages for return telephone calls including:*
  - Pulling appropriate files*
  - Getting information from assessors office*
- Returns call as directed by ceo to either advise of progress or gather further information as needed*
- Responds to telephone inquiries from other members of team and re-directs to ceo*

**Filing**

- Filing folders and correspondence in appropriate street files or investigation files*
- Maintains files for pending enforcement actions*
- Maintains files for pending court actions*
- Maintain files for team projects and actions*

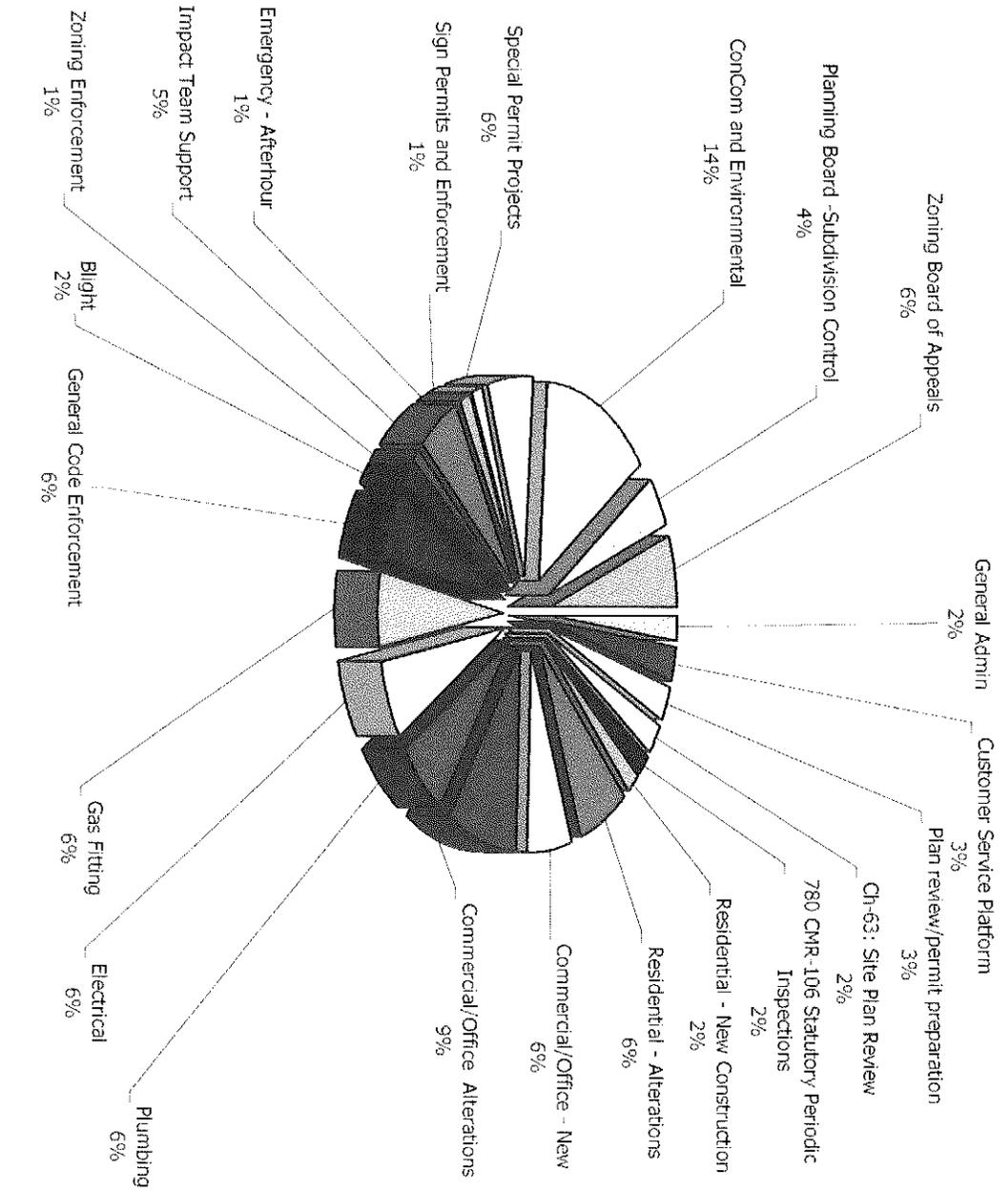
**Correspondence**

- Prepares correspondence on team initiatives (i.e. trash, noise, disturbances, snow removal) after review with ceo*
- Assists in preparation of correspondence, tickets, warnings, etc after review with ceo*

**Schedule**

- Works with ceo to maintain maximum coverage of ceo office*
- Assists in preparing inspection schedule with ceo*
- Assists in preparing neighborhood impact schedules for ceo inspection*
- Assists in preparing impact team schedules for in-depth multi-jurisdictional inspections.*

**2008 Inspection Dept - % Time Allocation by Task - 354 hr week**



- General Admin
- Customer Service Platform
- Plan review/permit preparation
- Ch-63: Site Plan Review
- 780 CMR-106 Statutory Periodic Inspections
- Residential - New Construction
- Residential - Alterations
- Commercial/Office - New
- Commercial/Office Alterations
- Plumbing
- Electrical
- Gas Fitting
- General Code Enforcement
- Blight
- Zoning Enforcement
- Impact Team Support
- Emergency - Afterhour
- Sign Permits and Enforcement
- Special Permit Projects
- ConCom and Environmental
- Planning Board - Subdivision Control
- Zoning Board of Appeals



*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

*201*  
*Nancy E. Stevens*  
MAYOR

*Karen A. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

RECEIVED  
JAN  
January 23, 2008

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

Honorable President Vigeant and Councilors:

I am providing herewith a summary as to the status of the property located at 110 Pleasant Street, Corbin Plaza.

On December 29th, the City of Marlborough acquired this property through the Land Court – the result of approximately 15 years and \$787,527 dollars of property tax delinquency. Attempts to work through payment plan proposals to bring the property current on the tax rolls had all proved unsuccessful.

At this point in time, we are exploring a variety of options with respect to use or disposition of the property and will keep the Council apprised of any further developments. In summary, the owner will be allowed to occupy his residence until midnight on January 31, 2008. The five tenant, who pay a total monthly rent of \$4,875 will forward rent payments directly to the City. The City is currently obligated for attorney fees of approximately \$20,000 and property insurance of \$9,000.

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

Sincerely,

Nancy E. Stevens  
Mayor



*City of Marlborough*  
*Office of the Mayor*

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

*202*  
*Nancy E. Stevens*  
MAYOR

*Karen M. Kisty*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 15, 2008

Mr. John Ghiloni  
Director of Public Facilities  
City of Marlborough  
85 Sawin  
Marlborough, MA 01752

Dear Mr. Ghiloni:

In accordance with authority vested in me under M.G.L. c. 60, section 77B, I appoint John Ghiloni, Public Facilities Director, as the custodian of the Corbin Plaza property located at 110 Pleasant Street.

Sincerely,

  
Nancy E. Stevens, Mayor

Cc: Legal Department

110 & 118 Pleasant Street (Corbin Plaza)

On December 17, 2007 the city entered into an agreement for judgment with the owner of Corbin Plaza. A summary of agreement is as follows:

- 1) The owner is allowed to live in his apartment until midnight, January 31, 2008;
- 2) In return the owner waves, any and all rights to appeal judgment, the right to file an action to extend his stay, right to seek a stay of execution, any claims and/or counterclaims;
- 3) Rents of tenants are to be paid to the city.

On December 29<sup>th</sup>, Land Court approved the agreement and gave possession of the Property located at 110 & 118 Pleasant Street to the City of Marlborough.

Taxes Owed By Corbin Plaza

110 Pleasant Street		
Tax	Interest	Total
\$318,507.08	\$450,071.94	\$768,579.02

118 Pleasant Street		
Tax	Interest	Total
\$12,124.12	\$5,720.24	\$17,844.36

Water Owed		
Water Bill	Interest	Total
\$1093.40	\$10.48	\$1,103.88

Total Owed		
Bills	Interest	Total
\$331,724.60	\$455,802.66	\$787,527.26

The Building has 5 tenants who pay a total monthly rent of \$4,875.

Attorneys Fees = approx \$20,000

Insurance = Approx \$9,000

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List of Tenants

110 Pleasant Street Marlborough, MA

- 1.) Atlantic Express, Inc.  
Attn: John McCarthy  
Rent: \$950/mo according to McCarthy, \$900/mo according to bankruptcy doc  
Private bus company, responsive so far  
McCarthy and Son is division of Atlantic Express  
4 W. Brookfield Road, Brookfield, MA 01506  
508-867-8704 and 781-718-5578
  
- 2.) Addiction Referral Center (ARC)  
Attn: Joan Simoneau  
Rent: \$800/mo according to tenant, \$1000/mo according to bankruptcy doc  
110 Pleasant Street (bottom floor)  
T. 508-766-3107  
F. 508-766-3163  
\*Another contact is Marie Roux-Cheetham 508-485-4357
  
- 3.) Grace & Truth Chapel  
T. 508-303-8677 (per white pages)  
Rent: \$1950/mo according to bankruptcy filings  
No word from tenant as of 1/3/08
  
- 4.) Metrowest Paintball and Dart Supply  
Attn: Matthew Rizzelli  
508-481-3791  
Rent: \$425/mo according to bankruptcy filing  
Hasn't paid rent in 'about 4 months', claims he had an arrangement with Dick
  
- 5.) Tamarin Healthcare Upholstery  
Attn: Tim Tamarin  
-Back rear of 3<sup>rd</sup> floor  
Rent is \$600 + \$150 to electric according to tenant, rent is \$750/mo according to bankruptcy docs  
T. 508-624-7448, C. 617-512-1691

Property Location: 110 PLEASANT ST  
 Vision ID: 7005  
 Account # 00556434  
 MAP ID: 68/462/1/  
 Bldg Name: 1 of 1  
 Card 1 of 1  
 State Use: 3220  
 Print Date: 01/04/2008 14:51

**CURRENT ASSESSMENT**

Description	Code	Appraised Value	Assessed Value
COMM BLDG	3220	584,800	584,800
COMM LAND	3220	157,500	157,500
COMM BLDG	3220	10,300	10,300
<b>Total</b>		<b>752,600</b>	<b>752,600</b>

**RECORD OF OWNERSHIP**

TOPO: 1 Level  
 UTILITIES: 1 All Public  
 SIRT ROAD: 1 Paved  
 LOCATION: 1 Urban  
 SUPPLEMENTAL DATA: PROBATE

Other ID: 68462//  
 Deed Ref #: 69357-S  
 Aff Housing  
 LCD  
 CERT  
 GIS ID: 68-462

ASSOC PID#: 17871/170

SALE DATE: 02/17/1987  
 BK-VOL/PAGE: U I  
 SALE PRICE: 1,300,000  
 V.C. 1B

**OTHER ASSESSMENTS**

Year	Type	Description	Code	Amount	Number	Comm. Int.
2008	3220			584,800	2007	3220
2008	3220			157,500	2007	3220
2008	3220			10,300	2007	3220
<b>Total:</b>				<b>752,600</b>		<b>687,300</b>

This signature acknowledges a visit by a Data Collector or Assessor

**EXEMPTIONS**

**ASSESSING NEIGHBORHOOD**

STREET INDEX NAME: TRACING  
 BAUCH

**NOTES**  
 (NO ONE ANSWERED DOOR)  
 WENT INTO REST OF BLDG

**BUILDING PERMIT RECORD**

Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments
					3/6/2006			

**LAND LINE VALUATION SECTION**

Zone	D. Prentage	Depth	Units	Price	Unit	I. Factor	S.A. Disc	C. Factor	ST. Idx	Adj.
RB			28,425	SF 5.54		1.00	E 1.00000	1.00	E	1.00

**APPRaised VALUE SUMMARY**

Appraised Bldg. Value (Card) 539,300  
 Appraised XF (B) Value (Bldg) 45,500  
 Appraised OB (L) Value (Bldg) 10,300  
 Appraised Land Value (Bldg) 157,500  
 Special Land Value 0  
 Total Appraised Parcel Value 752,600  
 Valuation Method: C  
 Adjustment: 0  
 Net Total Appraised Parcel Value 752,600

**VISIT/CHANGE HISTORY**

Date	Type	IS	ID	CA	Remarks/Result
3/6/2006		WH	00	00	Measured & Listed

**LAND LINE VALUATION SECTION**

Use Code	Description	Zone	D. Prentage	Depth	Units	Price	Unit	I. Factor	S.A. Disc	C. Factor	ST. Idx	Adj.
1	3220 Retail > 10,000 SF	RB			28,425	SF 5.54		1.00	E 1.00000	1.00	E	1.00

Total Card Land Units: 0.65 AC Parcel Total Land Area: 0.65 AC  
 Total Land Value: 157,500

**VISION**

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[SEAL]

COMMONWEALTH OF MASSACHUSETTS  
LAND COURT  
DEPARTMENT OF THE TRIAL COURT

M

Case No.: 92 TL 096229



JUDGMENT IN TAX LIEN CASE

Bk: 50571 Pg: 59 Doc: JUD  
Page: 1 of 1 01/08/2008 01:33 PM

City of Marlborough

vs.

Corbin Plaza Corporation

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

**ADJUDGED and ORDERED** that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the City of Marlborough in Middlesex County and said Commonwealth:

<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	08/30/1990	20786	546		

By the Court: Deborah J. Patterson

Attest:

Deborah J. Patterson  
Recorder

Entered: December 28, 2007

Return to:

**D'AMBROSIO LAW OFFICES**  
185 Devonshire Street  
10th Floor  
Boston, MA 02110

*Joseph C. Puma*  
Middlesex S. Registry

DEC 28 2007

*Joseph C. Puma*

207

[SEAL]

COMMONWEALTH OF MASSACHUSETTS  
LAND COURT  
DEPARTMENT OF THE TRIAL COURT

Case No.: 06 TL 134498

JUDGMENT IN TAX LIEN CASE

City of Marlborough

vs.

Corbin Plaza Corporation



Bk: 50571 Pg: 58 Doc: JUD  
Page: 1 of 1 01/08/2008 01:33 PM

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

**ADJUDGED and ORDERED** that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the City of Marlborough in Middlesex County and said Commonwealth:

<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	10/27/2000	32162	287		

By the Court: Deborah J. Patterson

Attest:

Deborah J. Patterson  
Recorder

Entered: December 28, 2007

Return to:

**D'AMBROSIO LAW OFFICES**  
185 Devonshire Street  
10th Floor  
Boston, MA 02110

*Eugene C. Puma*  
Eugene C. Puma  
Middlesex S. Register

*[Signature]*  
[Illegible text]



209

COMMONWEALTH OF MASSACHUSETTS  
LAND COURT  
DEPARTMENT OF THE TRIAL COURT

MIDDLESEX, ss.

LAND COURT  
TAX LIEN CASE NO. 134498

CITY OF MARLBOROUGH,	)
	)
Petitioner,	)
	)
v.	)
	)
CORBIN PLAZA CORPORATION,	)
	)
Respondent.	)

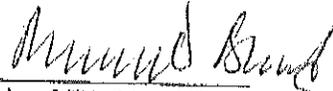
WITHDRAWAL OF APPEARANCE AND CONSENT TO FINAL JUDGMENT

TO THE CLERK OF THE ABOVE-NAMED COURT:

I, Richard W. Bland II, sole corporate officer of Corbin Plaza Corporation, hereby state:

1. On July 23, 2007, I filed an appearance in the Land Court relative to the above-captioned tax lien case.
2. I wish to withdraw my appearance.
3. I consent to the Court's issuance of an immediate and final judgment.

Respectfully submitted,  
Corbin Plaza Corporation,  
By its attorney,



Richard W. Bland II  
B.B.O. #045260  
110 Pleasant Street  
Marlborough, MA 01752  
(508) 620-1591

  
Notary Public

My commission expires: 4-9-08

Dated: 12/17/07

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

MARLBOROUGH DISTRICT COURT  
DOCKET NO.

_____	)
CITY OF MARLBOROUGH,	)
	)
Plaintiff/Landlord,	)
	)
v.	)
	)
CORBIN PLAZA CORPORATION	)
and all other occupants,	)
	)
Defendant/Tenant.	)
_____	)

AGREEMENT FOR JUDGMENT

NOW COME the parties to the above-captioned action and do hereby agree to allow judgment to enter in this action, as follows:

1. Judgment shall enter this day for the Plaintiff for possession of the property located at 110 Pleasant Street and 118 Pleasant Street, Marlborough, Massachusetts (hereinafter "the Premises").
2. Execution for possession of the Premises shall issue immediately forthwith, and shall not be levied upon until January 31, 2008 at midnight.
3. Defendant represents that it will vacate the Premises, together with all persons and property occupying the Premises, in any capacity, no later than 11:59 p.m. on January 31, 2008.
4. Defendant will not owe any rent or use and occupancy payments to the Plaintiff.
5. Defendant agrees to waive any and all right to appeal this Judgment.

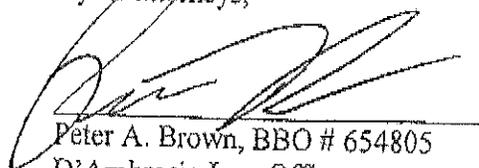
2011

6. Defendant agrees to waive its right to file an action in any other forum to extend its occupancy beyond the date set forth in this agreement and/or otherwise amend the terms and conditions of this Agreement.
7. Defendant agrees to waive its right to seek a stay of execution.
8. Defendant agrees to waive any and all claims and/or counterclaims it may have against the Plaintiff with regard to this action.
9. It is agreed and acknowledged hereby that no landlord-tenant relationship exists, or is created by the execution of this Agreement, as between the parties hereto.
10. Should the Defendant fail, in any way, to comply with any of the terms and conditions of this Agreement for Judgment, then, in that case, it shall be considered in default hereof. Plaintiff at any time thereafter may serve the execution issued in this action, and pursue further costs, expenses, and damages against the Defendant.
11. Upon the entry of this Agreement for Judgment, Defendant shall not perform any construction to the Premises or do any harm or cause damage to the Premises.
12. Defendant agrees to indemnify and hold Plaintiff harmless for any injury or damage to any person or property located on or within the Premises from the date of entry of this Agreement for Judgment until the date of removal and/or voluntary withdrawal of the Premises by the Defendant.
13. Defendant re-affirms that it has been served with a legally sufficient Notice to Quit and Summary Process Summons and Complaint.
14. Both parties state that they have been represented by Counsel and this Agreement for Judgment has been entered into knowingly and voluntarily.

2012

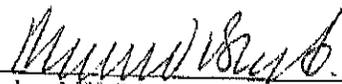
THE UNDERSIGNED PARTIES HAVE BOTH READ THIS AGREEMENT AND UNDERSTAND ITS CONTENTS.

For the Plaintiff/Landlord,  
The City of Marlborough,  
By its attorneys,



Peter A. Brown, BBO # 654805  
D'Ambrosio Law Offices  
185 Devonshire Street, 10<sup>th</sup> Floor  
Boston, MA 02110  
T. (617) 720-5657  
F. (617) 723-4967

For the Defendant/Tenant,  
Corbin Plaza Corporation,  
By its sole Corporate Officer,



Richard W. Bland, II, BBO # 045260  
110 Pleasant Street  
Marlborough, MA 01752  
T. (508) 620-1591

Allowed by:

---

Dated: December 17, 2007

2013

01/10/2008 16:36  
dpuleo  
01/10/2008  
16:36:30

CITY OF MARLBOROUGH  
TITLE FILE MAINTENANCE  
CITY OF MARLBOROUGH

PG 1  
ttlienmt  
PAGE 1  
ttlienmt

Year/Title 1989 2 Status A ACTIVE  
Parcel 00680462 0068-0462 Text? N  
Batch Deferred? N  
Hold/Remove Reason Foreclosure begun? N  
Next Action Interest Rate 16.00

Owner 17510 Name 1 CORBIN PLAZA CORP  
Name 2 C/O RICHARD BLAND CO  
Alpha Name CORBIN PLAZA CORP

DBA  
New owner Name 1  
Name 2  
Alpha Name

Location 110 PLEASANT ST  
Town/Prec Prop Type 1 LAND  
Juris Cd Reg land? N Doc/Cert  
Class Cd 322 DISCOUNT Deed book/page 17871/170-2  
Acres/SF 0.000 28425 Deed date/type 02/17/1987

Advertising date 08/10/1990 Recording date 09/25/1990 Book/Page 20786/546  
Posting date Recording doc/cert  
Taking date 08/30/1990 Land Crt ptn dt Docket no

Lender  
Attorney

Foreclosure date  
Foreclosure book/page

Redemption book/page  
Redeemer

Year	Bill	Unpaid Bal	Interest	Due Now
1989	5	.00	.00	.00
1990	1	.00	.00	.00
1990	2	.00	.00	.00
1990	3	22,188.38	56,341.92	78,530.30
1991	2	20,168.86	53,118.06	73,286.92
1992	1	20,708.85	51,698.82	72,407.67
1992	14	.00	.00	.00
1992	16	.00	.00	.00
1992	18	.00	.00	.00
1993	1	22,839.55	53,343.64	76,183.19
1994	1	22,056.45	48,082.27	70,138.72
1995	2	22,221.23	44,886.06	67,107.29
1996	1	24,701.36	45,878.61	70,579.97
1997	9	16,769.87	25,784.47	42,554.34
1998	18	7,960.04	9,899.34	17,859.38
1999	63	7,733.78	9,617.95	17,351.73
2000	49	1,813.34	2,110.45	3,923.79
2001	80	9,902.75	10,353.21	20,255.96
2002	25	.00	.00	.00

2014

01/10/2008 16:36  
dpuleo

CITY OF MARLBOROUGH  
TITLE FILE MAINTENANCE

PG 2  
ttlienmt

Year	Bill	Unpaid bal	Interest	Due now
2002	178	7,720.75	6,836.63	14,557.38
2003	16	12,854.27	7,894.35	20,748.62
2004	15	18,082.68	9,734.02	27,816.70
2005	30	18,721.92	7,616.03	26,337.95
2006	31	18,572.95	4,583.73	23,156.68
2007	33	20,648.36	1,873.65	22,522.01
Totals		295,665.39	449,653.21	745,318.60

\*\* END OF REPORT - Generated by Debbie Puleo \*\*

2015



Year/Type/Bill No.

2008 RE-R 2638

Property information

Parcel ID 0068-0462

Alt Parc 0055-6434

Prop Loc 110 PLEASANT ST

Customer account information

17510

CORBIN PLAZA CORP  
110 PLEASANT ST  
MARLBOROUGH, MA 01752

Special Conditions/Notes

- History
- Detail
- Orig Bill
- Effective Date
- Lien/Sale
- Quick Scan
- Specific Bill
- Utility Acct
- Customer
- Name
- Parcel
- Prop Code
- Billing Dates
- Bill Audit
- Reprint
- Preferences
- DBG BILL HDR

Int Dt	Billed	Abt/Adj	Pmt/Crd	Interest	Unpaid bal
08/02/07	4,705.64		.00	292.39	4,998.03
11/02/07	4,705.63		.00	126.34	4,831.97
02/02/08	6,715.22		.00	.00	6,715.22
05/02/08	6,715.20		.00	.00	6,715.20
Fees/Pen	.00		.00	.00	.00
Totals	22,841.69		.00	418.73	23,260.42

Notes/Alerts

TAX TITLE - 1989  
JAN 1 Owner: CORBIN PLAZA CORP

View prior unpaid bills

Due 01/10/2008

Per Diem 3.61

Int Paid .00

20/14

01/10/2008 16:36  
dpuleo  
01/10/2008  
16:36:40

CITY OF MARLBOROUGH  
TITLE FILE MAINTENANCE  
CITY OF MARLBOROUGH

PG 1  
ttlienmt  
PAGE 1  
ttlienmt

Year/Title 2000 13 Status A ACTIVE  
Parcel 00680463 0068-0463 Text? N  
Batch Deferred? N  
Hold/Remove Reason Foreclosure begun? N  
Next Action Interest Rate 16.00

Owner 17510 Name 1 CORBIN PLAZA CORP  
Name 2 C/O RICHARD BLAND CO  
Alpha Name CORBIN PLAZA CORP

DBA  
New owner Name 1  
Name 2  
Alpha Name

Location 118 PLEASANT ST  
Town/Prec Prop Type 1 LAND  
Juris Cd Reg land? N Doc/Cert  
Class Cd 337 Deed book/page 17871/170-2  
Acres/SF 0.000 6480 Deed date/type 02/17/1987

Advertising date 10/12/2000 Recording date 12/21/2000 Book/Page 32162/287  
Posting date Recording doc/cert  
Taking date 10/27/2000 Land Crt ptn dt Docket no

Lender  
Attorney

Foreclosure date  
Foreclosure book/page

Redemption book/page  
Redeemer

Year	Bill	Unpaid Bal	Interest	Due Now
2000	51	916.62	1,057.56	1,974.18
2000	52	25.66	29.61	55.27
2001	81	811.10	848.00	1,659.10
2002	24	.00	.00	.00
2002	177	790.89	700.32	1,491.21
2003	15	1,533.55	941.81	2,475.36
2004	16	1,605.51	864.25	2,469.76
2005	29	1,741.18	708.30	2,449.48
2006	32	1,574.62	388.61	1,963.23
2007	34	1,630.53	147.95	1,778.48
Totals		10,629.66	5,686.41	16,316.07

\*\* END OF REPORT - Generated by Debbie Puleo \*\*

2017

- History
- Detail
- Orig Bill
- Effective Date
- Lien/Sale
- Quick Scan
- Specific Bill
- Utility Acct
- Customer
- Name
- Parcel
- Prop Code
- Billing Dates
- Bill Audit
- Reprint
- Preferences
- DBG BILL HDR

Year/Type/Bill No. 2008 UB-U 205979

Property information  
 Parcel ID 0068-0462  
 UB Acct # 3-121400  
 Prop Loc 110 PLEASANT ST  
 MARLBOROUGH

Customer account information  
 208259  
 CORBIN PLAZA CORP  
 110 PLEASANT STREET  
 MARLBOROUGH, MA 01752  
 Special Conditions/Notes

Int Dt	Billed	Abt/Adt	Prnt/Crd	Interest	Unpaid bal
12/07/07	1,093.40	.00	.00	10.48	1,103.88
Fees/Pen	.00	.00	.00	.00	.00
Totals	1,093.40	.00	.00	10.48	1,103.88

Notes/Alerts  
 TAX TITLE - 1989  
 ACTIVE, Lien? Y  
 View prior unpaid bills

Due 01/10/2008  
 Per Diem 30  
 Int Paid .00

14 40 of 40

Display transaction history for the current bill.

OVR



Year/Type/Bill No.

2008 RE-R 2639

Customer account information

17510

CORBIN PLAZA CORP  
110 PLEASANT ST  
MARLBOROUGH, MA 01752

Special Conditions/Notes

Property information

Parcel ID 0068-0463

Alt Parc 0055-7001

Prop Loc 118 PLEASANT ST

Int Dt	Billed	Abt/Adj	Pmt/Crd	Interest	Unpaid bal
09/02/07	380.16		.00	23.62	403.78
11/02/07	380.15		.00	10.21	390.36
02/02/08	367.08		.00	.00	367.08
05/02/08	367.07		.00	.00	367.07
Fees/Pen	.00		.00	.00	.00
Totals	1,494.46		.00	33.83	1,528.29

Notes/Alerts

TAX TITLE - 2000  
JAN 1 Owner: CORBIN PLAZA CORP

View prior unpaid bills

Due 01/10/2008

Per Diem

Int Paid

1,161.22

29

.00

2018

2019

110 & 118 Pleasant Street (Corbin Plaza)

On December 17, 2007 the city entered into an agreement for judgment with the owner of Corbin Plaza. A summary of agreement is as follows:

- 1) The owner is allowed to live in his apartment until midnight, January 31, 2008;
- 2) In return the owner waves, any and all rights to appeal judgment, the right to file an action to extend his stay, right to seek a stay of execution, any claims and/or counterclaims;
- 3) Rents of tenants are to be paid to the city.

On December 29<sup>th</sup>, Land Court approved the agreement and gave possession of the Property located at 110 & 118 Pleasant Street to the City of Marlborough.

Taxes Owed By Corbin Plaza

110 Pleasant Street		
Tax	Interest	Total
\$318,507.08	\$450,071.94	\$768,579.02

118 Pleasant Street		
Tax	Interest	Total
\$12,124.12	\$5,720.24	\$17,844.36

Water Owed		
Water Bill	Interest	Total
\$1093.40	\$10.48	\$1,103.88

Total Owed Bills		
	Interest	Total
\$331,724.60	\$455,802.66	\$787,527.26

The Building has 5 tenants who pay a total monthly rent of \$4,875.

Attorneys Fees = approx \$20,000

Insurance = Approx \$9,000

2020

List of Tennants

110 Pleasant Street Marlborough, MA

- 1.) Atlantic Express, Inc.  
Attn: John McCarthy  
Rent: \$950/mo according to McCarthy, \$900/mo according to bankruptcy doc  
Private bus company, responsive so far  
McCarthy and Son is division of Atlantic Express  
4 W. Brookfield Road, Brookfield, MA 01506  
508-867-8704 and 781-718-5578
  
- 2.) Addiction Referral Center (ARC)  
Attn: Joan Simoneau  
Rent: \$800/mo according to tenant, \$1000/mo according to bankruptcy doc  
110 Pleasant Street (bottom floor)  
T. 508-766-3107  
F. 508-766-3163  
\*Another contact is Marie Roux-Cheetham 508-485-4357
  
- 3.) Grace & Truth Chapel  
T. 508-303-8677 (per white pages)  
Rent: \$1950/mo according to bankruptcy filings  
No word from tenant as of 1/3/08
  
- 4.) Metrowest Paintball and Dart Supply  
Attn: Matthew Rizzelli  
508-481-3791  
Rent: \$425/mo according to bankruptcy filing  
Hasn't paid rent in 'about 4 months', claims he had an arrangement with Dick
  
- 5.) Tamarin Healthcare Upholstery  
Attn: Tim Tamarin  
-Back rear of 3<sup>rd</sup> floor  
Rent is \$600 + \$150 to electric according to tenant, rent is \$750/mo according to bankruptcy docs  
T. 508-624-7448, C. 617-512-1691

Property Location: 110 PLEASANT ST

Vision ID: 7005

Account # 00556434

MAP ID: 68/462/1/1

Bldg #: 1 of 1

Card 1 of 1

State Use: 3220

Print Date: 01/04/2008 14:51

CURRENT OWNER	TOPO	UTILITIES	STRT ROAD	LOCATION	DESCRIPTION	Code	Appraised Value	Assessed Value
CORBIN PLAZA CORP C/O RICHARD BLAND CO 110 PLEASANT ST	1 Level	1 All Public	1 Paved	1 Urban	COMM BLDG	3220	584,800	584,800
MARLBOROUGH, MA 01752					COMM LAND	3220	157,500	157,500
Additional Owners:					COMM BLDG	3220	10,300	10,300

Other ID:	DEED REF #	SALE DATE	SALE PRICE	Y-C	Yr	Code	Assessed Value	Yr	Code	Assessed Value
68/462/1/1	60357-5	02/17/1987	1,300,000	1B	2008	3220	584,800	2007	3220	584,800
60357-5					2008	3220	157,500	2006	3220	157,500
					2008	3220	10,300	2006	3220	10,300

RECORD OF OWNERSHIP	BK VOL/PAGE	ASSOC PID#	ASSOC PID#	Total
CORBIN PLAZA CORP	17871/ 170			752,600

EXEMPTIONS	OTHER ASSESSMENTS	Amount	Number	Amount	Comm. Int.

ASSESSING NEIGHBORHOOD	STREET INDEX NAME	TRACING	BATCH

NOTES
(NO ONE ANSWERED DOOR) WENT INTO REST OF BLDG

BUILDING PERMIT RECORD	Amount	Insp. Date	% Comp.	Date Comp.	Comments

LANDLINE VALUATION SECTION	Zone	D	Frontage	Depth	Units	Unit Price	Acre	I. Factor	S.A. Disc	C. Factor	ST. Idx	Adj.
1 3220 Retail > 10,000 SF	RB				28,425	5.54	1.0000	1.00	E	1.00	E	1.00

APPRaised VALUE SUMMARY	Appraised Bldg. Value (Card)	Appraised XF (B) Value (Bldg)	Appraised OB (L) Value (Bldg)	Appraised Land Value (Bldg)	Special Land Value	Total
	539,300	45,500	10,300	157,500	0	752,600

VISIT/CHANGE HISTORY	Date	Type	IS	ID	Cd.	Purpose/Result
	3/6/2006			WH	00	Measured & Listed

NET TOTAL APPRAISED PARCEL VALUE	752,600
Adjustment:	0
Total Appraised Parcel Value	752,600
Valuation Method:	C

VISION

20  
2

Total Land Value: 157,500

26 22

[SEAL]

W

COMMONWEALTH OF MASSACHUSETTS  
LAND COURT  
DEPARTMENT OF THE TRIAL COURT

Case No.: 92 TL 096229



Bk: 50571 Pg: 59 Doc: JUD  
Page: 1 of 1 01/08/2008 01:33 PM

JUDGMENT IN TAX LIEN CASE

City of Marlborough

vs.

Corbin Plaza Corporation

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

**ADJUDGED and ORDERED** that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the City of Marlborough in Middlesex County and said Commonwealth:

<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	08/30/1990	20786	546		

By the Court: Deborah J. Patterson

Attest:

Deborah J. Patterson  
Recorder

Entered: December 28, 2007

Return to:

**D'AMBROSIO LAW OFFICES**

185 Devonshire Street

10th Floor

Boston, MA 02110

*Robert C. Paine*  
Middlesex S. Register

*Deborah J. Patterson*

20 23

[SEAL]

COMMONWEALTH OF MASSACHUSETTS  
LAND COURT  
DEPARTMENT OF THE TRIAL COURT

Case No.: 06 TL 134498

JUDGMENT IN TAX LIEN CASE

City of Marlborough

vs.

Corbin Plaza Corporation



2008 00003460

Bk: 50571 Pg: 58 Doc: JUD  
Page: 1 of 1 01/08/2008 01:33 PM

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<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	10/27/2000	32162	287		

By the Court: Deborah J. Patterson

Attest:

Deborah J. Patterson  
Recorder

Entered: December 28, 2007

Return to:

**D'AMBROSIO LAW OFFICES**

185 Devonshire Street

10th Floor

Boston, MA 02110

*Eugene C. Puma*  
Eugene C. Puma  
Middlesex S. Register

*Deborah J. Patterson*  
Deborah J. Patterson  
Recorder

2024

COMMONWEALTH OF MASSACHUSETTS  
LAND COURT  
DEPARTMENT OF THE TRIAL COURT

MIDDLESEX, ss.

LAND COURT  
TAX LIEN CASE NO. 96229

CITY OF MARLBOROUGH,	)
	)
Petitioner,	)
	)
v.	)
	)
CORBIN PLAZA CORPORATION,	)
	)
Respondent.	)

WITHDRAWAL OF APPEARANCE AND CONSENT TO FINAL JUDGMENT

TO THE CLERK OF THE ABOVE-NAMED COURT:

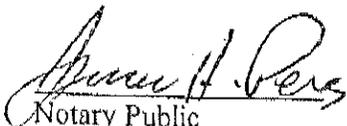
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1. On July 23, 2007, I filed an appearance in the Land Court relative to the above-captioned tax-lien case.
2. I wish to withdraw my appearance.
3. I consent to the Court's issuance of an immediate and final judgment.

Respectfully submitted,  
Corbin Plaza Corporation,  
By its attorney,



Richard W. Bland II  
B.B.O. #045260  
110 Pleasant Street  
Marlborough, MA 01752  
(508) 620-1591

  
Notary Public

My commission expires: 4-1-09

Dated: 12/17/07

20  
25

COMMONWEALTH OF MASSACHUSETTS  
LAND COURT  
DEPARTMENT OF THE TRIAL COURT

MIDDLESEX, ss.

LAND COURT  
TAX LIEN CASE NO. 134498

CITY OF MARLBOROUGH,	)
	)
Petitioner,	)
	)
v.	)
	)
CORBIN PLAZA CORPORATION,	)
	)
Respondent.	)

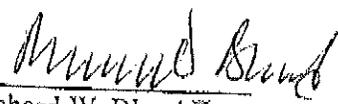
WITHDRAWAL OF APPEARANCE AND CONSENT TO FINAL JUDGMENT

TO THE CLERK OF THE ABOVE-NAMED COURT:

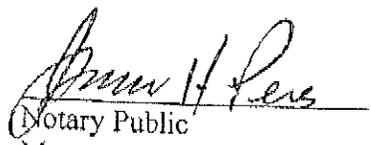
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By its attorney,



Richard W. Bland II  
B.B.O. #045260  
110 Pleasant Street  
Marlborough, MA 01752  
(508) 620-1591

  
Notary Public

My commission expires: 4-9-08

Dated: 12/17/07

2024

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

MARLBOROUGH DISTRICT COURT  
DOCKET NO.

_____		)
CITY OF MARLBOROUGH,		)
		)
Plaintiff/Landlord,		)
		)
v.		)
		)
CORBIN PLAZA CORPORATION		)
and all other occupants,		)
		)
Defendant/Tenant.		)
_____		)

AGREEMENT FOR JUDGMENT

NOW COME the parties to the above-captioned action and do hereby agree to allow judgment to enter in this action, as follows:

1. Judgment shall enter this day for the Plaintiff for possession of the property located at 110 Pleasant Street and 118 Pleasant Street, Marlborough, Massachusetts (hereinafter "the Premises").
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5. Defendant agrees to waive any and all right to appeal this Judgment.

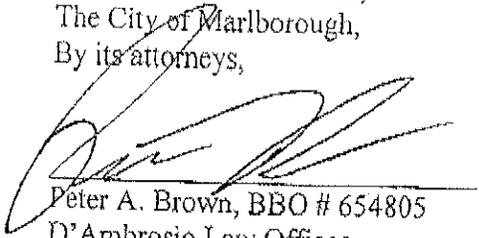
2027

6. Defendant agrees to waive its right to file an action in any other forum to extend its occupancy beyond the date set forth in this agreement and/or otherwise amend the terms and conditions of this Agreement.
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8. Defendant agrees to waive any and all claims and/or counterclaims it may have against the Plaintiff with regard to this action.
9. It is agreed and acknowledged hereby that no landlord-tenant relationship exists, or is created by the execution of this Agreement, as between the parties hereto.
10. Should the Defendant fail, in any way, to comply with any of the terms and conditions of this Agreement for Judgment, then, in that case, it shall be considered in default hereof. Plaintiff at any time thereafter may serve the execution issued in this action, and pursue further costs, expenses, and damages against the Defendant.
11. Upon the entry of this Agreement for Judgment, Defendant shall not perform any construction to the Premises or do any harm or cause damage to the Premises.
12. Defendant agrees to indemnify and hold Plaintiff harmless for any injury or damage to any person or property located on or within the Premises from the date of entry of this Agreement for Judgment until the date of removal and/or voluntary withdrawal of the Premises by the Defendant.
13. Defendant re-affirms that it has been served with a legally sufficient Notice to Quit and Summary Process Summons and Complaint.
14. Both parties state that they have been represented by Counsel and this Agreement for Judgment has been entered into knowingly and voluntarily.

2028

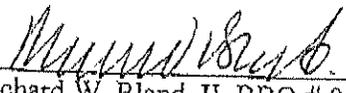
THE UNDERSIGNED PARTIES HAVE BOTH READ THIS AGREEMENT AND UNDERSTAND ITS CONTENTS.

For the Plaintiff/Landlord,  
The City of Marlborough,  
By its attorneys,



Peter A. Brown, BBO # 654805  
D'Ambrosio Law Offices  
185 Devonshire Street, 10<sup>th</sup> Floor  
Boston, MA 02110  
T. (617) 720-5657  
F. (617) 723-4967

For the Defendant/Tenant,  
Corbin Plaza Corporation,  
By its sole Corporate Officer,



Richard W. Bland, II, BBO # 045260  
110 Pleasant Street  
Marlborough, MA 01752  
T. (508) 620-1591

Allowed by:

---

Dated: December 17, 2007

2029

01/10/2008 16:36  
dpuleo  
01/10/2008  
16:36:30

CITY OF MARLBOROUGH  
TITLE FILE MAINTENANCE  
CITY OF MARLBOROUGH

PG 1  
ttlienmt  
PAGE 1  
ttlienmt

Year/Title 1989 2 Status A ACTIVE  
Parcel 00680462 0068-0462 Text? N  
Batch Deferred? N  
Hold/Remove Reason Foreclosure begun? N  
Next Action Interest Rate 16.00

Owner 17510 Name 1 CORBIN PLAZA CORP  
Name 2 C/O RICHARD BLAND CO  
Alpha Name CORBIN PLAZA CORP

DBA  
New owner Name 1  
Name 2  
Alpha Name

Location 110 PLEASANT ST  
Town/Prec Prop Type 1 LAND  
Juris Cd Reg land? N Doc/Cert  
Class Cd 322 DISCOUNT Deed book/page 17871/170-2  
Acres/SF 0.000 28425 Deed date/type 02/17/1987

Advertising date 08/10/1990 Recording date 09/25/1990 Book/Page 20786/546  
Posting date Recording doc/cert  
Taking date 08/30/1990 Land Crt ptn dt Docket no

Lender  
Attorney

Foreclosure date  
Foreclosure book/page

Redemption book/page  
Redeemer

Year	Bill	Unpaid Bal	Interest	Due Now
1989	5	.00	.00	.00
1990	1	.00	.00	.00
1990	2	.00	.00	.00
1990	3	22,188.38	56,341.92	78,530.30
1991	2	20,168.86	53,118.06	73,286.92
1992	1	20,708.85	51,698.82	72,407.67
1992	14	.00	.00	.00
1992	16	.00	.00	.00
1992	18	.00	.00	.00
1993	1	22,839.55	53,343.64	76,183.19
1994	1	22,056.45	48,082.27	70,138.72
1995	2	22,221.23	44,886.06	67,107.29
1996	1	24,701.36	45,878.61	70,579.97
1997	9	16,769.87	25,784.47	42,554.34
1998	18	7,960.04	9,899.34	17,859.38
1999	63	7,733.78	9,617.95	17,351.73
2000	49	1,813.34	2,110.45	3,923.79
2001	80	9,902.75	10,353.21	20,255.96
2002	25	.00	.00	.00

2030

01/10/2008 16:36  
dpuleo

CITY OF MARLBOROUGH  
TITLE FILE MAINTENANCE

PG 2  
ttlienmt

Year	Bill	Unpaid bal	Interest	Due now
2002	178	7,720.75	6,836.63	14,557.38
2003	16	12,854.27	7,894.35	20,748.62
2004	15	18,082.68	9,734.02	27,816.70
2005	30	18,721.92	7,616.03	26,337.95
2006	31	18,572.95	4,583.73	23,156.68
2007	33	20,648.36	1,873.65	22,522.01
	Totals	295,665.39	449,653.21	745,318.60

\*\* END OF REPORT - Generated by Debbie Puleo \*\*



Year/Type/Bill No: 2008 RE-R 2638

Customer account information: 17510

Property information: CORBIN PLAZA CORP, 110 PLEASANT ST, MARLBOROUGH, MA 01752

Special Conditions/Notes

Property information: 0068-0462

Parcel ID: 0055-8434

Alt Parc: 110 PLEASANT ST

Prop Loc:

Int Dt	Billed	Abt/Adj	Pmt/Crd	Interest	Unpaid bal
08/02/07	4,705.64	.00	.00	292.39	4,998.03
11/02/07	4,705.63	.00	.00	126.34	4,831.97
02/02/08	6,715.22	.00	.00	.00	6,715.22
05/02/08	6,715.20	.00	.00	.00	6,715.20
Fees/Pen	.00	.00	.00	.00	.00
Totals	22,841.69	.00	.00	418.73	23,260.42

Notes/Alerts: TAX TITLE - 1989, JAN 1 Owner: CORBIN PLAZA CORP

Due 01/10/2008

Per Diem: 3.61

Int Paid: .00

View prior unpaid bills

Navigation: 39 of 40

2032

01/10/2008 16:36  
dpuleo  
01/10/2008  
16:36:40

CITY OF MARLBOROUGH  
TITLE FILE MAINTENANCE  
CITY OF MARLBOROUGH

PG 1  
ttlienmt  
PAGE 1  
ttlienmt

Year/Title 2000 13 Status A ACTIVE  
Parcel 00680463 0068-0463 Text? N  
Batch Deferred? N  
Hold/Remove Reason Foreclosure begun? N  
Next Action Interest Rate 16.00

Owner 17510 Name 1 CORBIN PLAZA CORP  
Name 2 C/O RICHARD BLAND CO  
Alpha Name CORBIN PLAZA CORP

DBA  
New owner Name 1  
Name 2  
Alpha Name

Location 118 PLEASANT ST  
Town/Prec Prop Type 1 LAND  
Juris Cd Reg land? N Doc/Cert  
Class Cd 337 Deed book/page 17871/170-2  
Acres/SF 0.000 6480 Deed date/type 02/17/1987

Advertising date 10/12/2000 Recording date 12/21/2000 Book/Page 32162/287  
Posting date Recording doc/cert  
Taking date 10/27/2000 Land Crt ptn dt Docket no

Lender  
Attorney

Foreclosure date  
Foreclosure book/page

Redemption book/page  
Redeemer

Year	Bill	Unpaid Bal	Interest	Due Now
2000	51	916.62	1,057.56	1,974.18
2000	52	25.66	29.61	55.27
2001	81	811.10	848.00	1,659.10
2002	24	.00	.00	.00
2002	177	790.89	700.32	1,491.21
2003	15	1,533.55	941.81	2,475.36
2004	16	1,605.51	864.25	2,469.76
2005	29	1,741.18	708.30	2,449.48
2006	32	1,574.62	388.61	1,963.23
2007	34	1,630.53	147.95	1,778.48
Totals		10,629.66	5,686.41	16,316.07

\*\* END OF REPORT - Generated by Debbie Puleo \*\*

- History
- Detail
- Orig Bill
- Effective Date
- Lien/Sale
- Quick Scan
- Specific Bill
- Utility Acct
- Customer
- Name
- Parcel
- Prop Code
- Billing Dates
- Bill Audit
- Reprint
- Preferences
- DBG BILL HDR

Year/Type/Bill No.

2008 UB-U 205979

Property information

Parcel ID 0068-0462  
 UB Acct # 3-121400  
 Prop Loc 110 PLEASANT ST

MARLBOROUGH

Customer account information

208259  
 CORBIN PLAZA CORP  
 110 PLEASANT STREET  
 MARLBOROUGH, MA 01752

Special Conditions/Notes

Int Dt	Billed	Abt/Adj	Pmt/Crd	Interest	Unpaid bal
12/07/07	1,093.40	.00	.00	10.48	1,103.88
	Fees/Pen .00		.00	.00	.00
	Totals 1,093.40		.00	10.48	1,103.88

Notes/Alerts

TAX TITLE 1989

ACTIVE, Lien? Y

View prior unpaid bills

Due 01/10/2008  
 Per Diem 30  
 Int Paid .00

40 of 40

Display transaction history for the current bill.

OVR



Year/Type/Bill No. 2008 RE-R 2639

Customer account information  
 17510  
 CORBIN PLAZA CORP  
 110 PLEASANT ST  
 MARLBOROUGH, MA 01752

Special Conditions/Notes

Property information  
 Parcel ID 0068-0463  
 Alt Parc 0055-7001  
 Prop Loc 118 PLEASANT ST

Int Dt	Billed	Abt/Adj	Pmt/Crd	Interest	Unpaid bal
08/02/07	380.16		.00	23.62	403.78
11/02/07	380.15		.00	10.21	390.36
02/02/08	367.08		.00	.00	367.08
05/02/08	367.07		.00	.00	367.07
Fees/Pen	.00		.00	.00	.00
Totals	1,494.46		.00	33.83	1,528.29

Notes/Alerts  
 TAX TITLE - 2000  
 JAN 1 Owner: CORBIN PLAZA CORP

Due 01/10/2008  
 Per Diem .29  
 Int Paid .00

View prior unpaid bills

- History
- Detail
- Orig Bill
- Effective Date
- Lien/Sale
- Quick Scan
- Specific Bill
- Utility Acct
- Customer
- Name
- Parcel
- Prop Code
- Billing Dates
- Bill Audit
- Reprint
- Preferences
- DBG BILL HDR

2034



*City of Marlborough*  
*Office of the Mayor*

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

*Nancy E. Stevens*  
MAYOR

*Karen A. Kistly*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 9, 2008

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

Honorable President Vigeant and Councilors:

As a follow-up to R911 usage last August when the City was twice faced with notifying residents living and working within the vicinity of Locke Drive via R911 about the discovery of West Nile Virus in birds and mosquitoes, Don Cusson, the City's Emergency Management coordinator, has offered further updates to the City Council.

At present, the resident call list has been updated to add resident cell numbers as requested, the system continues to be tested on a monthly basis, and the DPW has found an additional practical application notifying snow removal contractors of storm event coordination plans.

Attached please find a budget transfer request in the amount of \$6,000 which will move funds from Account No. 100-35900 (Undesignated Funds) to Account No. 11210002-53182 (R911 Support). These additional funds will accommodate an expansion of 12 additional voice ports (\$3,500) and payment for the balance of the MassCall requirements from August (\$2,500).

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

Sincerely,

Nancy E. Stevens  
Mayor

2/2

### TRANSFER REQUEST

AVAILABLE BALANCE	AMOUNT	ORG	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT AVAIL
			Undesignated Fund				Emergency Management		
\$ 1,447,444.50	\$ 6,000.00	100	35900 Undesignated Fund		\$ 6,000.00	11210002	53182 991 Support		\$ 282.00
(after recertification)									

Reason: To fund the enhancement of the 911 system (see attachment)

213



*City of Marlborough*  
*Emergency Management*

696 CONCORD ROAD  
MARLBOROUGH, MASSACHUSETTS 01752-5617  
TEL. (508) 481-1933 ■ FACSIMILE (508) 460-3795 ■ TDD (508) 460-3610  
CELL (508) 726-1088 ■ PAGER (978) 803-2061

*Don Cusson*  
EMERGENCY MANAGEMENT  
DIRECTOR  
[dcusson@marlborough-ma.gov](mailto:dcusson@marlborough-ma.gov)

January 8<sup>th</sup>, 2008

Mayor Nancy Stevens  
140 Main Street  
Marlborough, Ma 01752-3897

Mayor Stevens,

Enclosed you will find a copy of the original letter of request for additional funds for the enhancement of the R911 system and the Budget Transfer Request form in the amount of \$6,000.00, to account line item number 12910004 53182.

This is for the 12 Port Voice Card (Expansion Module) for \$3,500. and additional funds for the balance of (MassCall), \$2,500.00 for a total of \$6,000.00.

Per the request of the Councils', "Public Safety Committee", meeting held in November they requested I post on the cities web, anyone wanting to have their cell phone listed, to add to the system and also test the system. It has been posted and I have received many request to have listed, which have been "GEO coded", and entered into the system. I have been testing the system monthly in different areas, also the DPW has been using the system for storm notification to the contractors.

If additional information is needed please feel free to call or email. Thank you.

Respectfully yours,

Donald E. Cusson  
Emergency Manager  
2910

Cc:TAbel

214



*City of Marlborough*  
*Emergency Management*

*Don Cusson*  
EMERGENCY MANAGEMENT  
DIRECTOR

696 CONCORD ROAD  
MARLBOROUGH, MASSACHUSETTS 01752-5617  
TEL. (508) 481-1933 FACSIMILE (508) 460-3795 TDD (508) 460-3610  
CELL (508) 726-1088 PAGER (978) 803-2061

October 18<sup>th</sup>, 2007

Mayor Nancy Stevens  
140 Main Street  
Marlborough MA. 01752

Mayor Stevens,

I am asking for an increase in line Item # 12910004 53182 - R911 Support, in Department # 2910 Emergency Management in the amount of \$6,000.00. These funds will be needed in order to process a purchase order for this up-grade.

Per our discussion on the enhancement of the R-911 system the additional funds that will need are \$6,000.00. The 12 Port Voice Card (Expansion Module) for \$3,500.00 and the additional funds for the (MassCall), \$2,500.00 for a total of \$6,000.00.

This will enable us to make 2,280 calls per hour, an increase by three times, with these addition lines and still have the MassCall available when needed in our system.

If additional information is needed, or any questions, please feel free to call or e-mail at any time.

Respectfully your,

*Donald E. Cusson*  
Donald E. Cusson  
Emergency manager

cc. T. Abel

**CITY OF MARLBOROUGH  
BUDGET TRANSFER REQUEST**

DEPT: 2910 Emergency Management      DATE: 1-8-2008      FY: FY 08

FROM ACCOUNT:		TO ACCOUNT:		
Amount	Fund	Dept	Object	Account Description:
\$6,000.00	100	2910	53182	R911 Support
Reason:	<u>12 port Expansion Card</u> <u>balance for MassCall</u> <u>enhancement of system</u>			

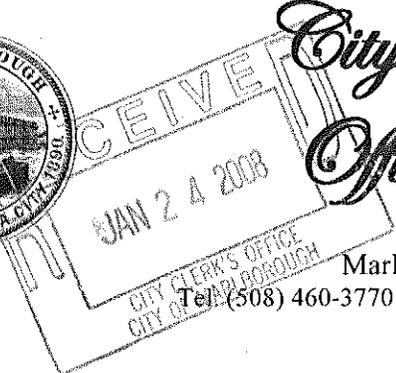
Amount	Fund	Dept	Object	Account Description:
_____	_____	_____	_____	_____
Reason:	_____			
_____	_____	_____	_____	_____

Amount	Fund	Dept	Object	Account Description:
_____	_____	_____	_____	_____
Reason:	_____			
_____	_____	_____	_____	_____

Line item transfers for individual budget lines may not exceed \$10,000.00 in any fiscal year.  
 Budget transfers may NOT be requested from Salary related lines.  
 Requests must include an explanation for why funds are no longer required in the "From" account and why additional funds are needed in the "To" account.  
 Transfer requests must include the Department Head signature indicating approval of the request.

Department Head Signature: *[Signature]*

21



*City of Marlborough*  
*Office of the Mayor*

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

*Nancy E. Stevens*  
MAYOR

*Karen A. Kistly*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 22, 2008

Council President Arthur Vigeant  
Marlborough City Council  
Marlborough City Hall – 2<sup>nd</sup> Floor  
140 Main Street  
Marlborough, MA 01752

RE: Solicitor's Term

Honorable President Vigeant and Councilors:

Attached please find correspondence from the Legal Department enclosing an order petitioning the General Court to approve an amendment to the City of Marlborough's Charter relative to the office of the city solicitor. The amendment would establish a term for the office of the city solicitor, as well as provide that that office be subject to the appointment and confirmation process to which other department head positions are likewise subject. Unbundling the solicitor's appointment from the two-year mayoral term would provide stability and continuity with respect to oversight of the City's legal issues. I believe this change to be in the City's best interest and is imperative to the success of the recent reorganization of the Legal Department.

Please note that the language of the order has already been reviewed and approved by counsel for the Massachusetts House of Representatives, as Council Order No. 07-1001459A had requested.

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

Sincerely,

Nancy E. Stevens  
Mayor

Attachment



*City of Marlborough*  
**Legal Department**

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

DONALD V. RIDER, JR.  
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN  
ASSISTANT CITY SOLICITOR

BEVERLY J. SLEEPER  
CHIEF PROCUREMENT OFFICER

KATHERINE M. KIMBER  
PARALEGAL

January 22, 2008

Nancy E. Stevens  
Mayor  
City of Marlborough

Dear Mayor Stevens:

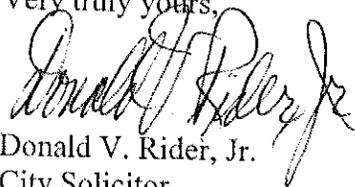
By enclosed Order No. 07-1001459A, the City Council voted on September 24, 2007 to refer to the Legal Department and the Massachusetts House of Representatives' counsel the Council's request that language be drafted necessary to effect a change in the City's Charter relative to the office of the city solicitor. Specifically, that change would involve establishing a term for the office of the city solicitor, as well as providing that that office be subject to the appointment and confirmation process to which other department head positions are likewise subject. Order No. 07-1001459A also requested that the Legal Department report back to the Council for its final approval of the petition.

Accordingly, I enclose a proposed home rule petition that has been reviewed and, in December 2007, approved by House counsel. Because of that late approval, there would not have been enough time for the Council to act upon the petition by the close of the Council's legislative year on December 31, when Order No. 07-1001459A itself expired by operation of Council rule. Thus, the House counsel-approved petition is enclosed for your consideration and submittal to the Council for its review and action at this time.

As you are aware, I have filed a conflict-of-interest disclosure on this matter with you, which you have approved as my appointing authority.

Thank you for your attention to this matter.

Very truly yours,

  
Donald V. Rider, Jr.  
City Solicitor

Enclosures



# IN CITY COUNCIL

223

Marlborough, Mass., SEPTEMBER 24, 2007

ORDERED:

That the SPECIAL ACT submitted by Mayor Stevens to establish the Term of the Office of the City Solicitor and the confirmation and removal process for the required steps needed to create a Charter Change, be and is herewith referred to the **Legal Department and the House Counsel** to draft the necessary language to effect this change and report back to City Council for final approval.

ADOPTED.

ORDER NO. 07-1001459A

224

ORDERED: That a petition to the General Court, accompanied by a bill for a special act relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article II, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

SECTION 1. Chapter 275 of the acts of 1922 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. Except as otherwise provided herein, and notwithstanding section 60 of chapter 43 of the General Laws pertaining to the appointment, removal and confirmation of the city solicitor, the city of Marlborough shall conduct its city government under the form provided in sections 56 to 63 inclusive of said chapter 43 of the General Laws, known as Plan B, and said sections 56 to 63 inclusive and sections 1 to 45 inclusive of said chapter 43, shall, except as otherwise provided herein and except to the extent that section 60 of said chapter 43 pertains to the appointment, removal and confirmation of the city solicitor, apply to the said city government to the same extent as if said plan was accepted by the said city in the manner provided in said chapter 43. The city solicitor of the city of Marlborough shall have the term of 5 years beginning on the effective date of this act. Upon the expiration of the first 5 year term, the mayor of the city of Marlborough may reappoint the individual then holding the office of city solicitor, and such reappointment shall be subject to confirmation by the city council of said city. In the event that, upon the expiration of the first 5 year term, the individual then holding the office of the city solicitor is not reappointed by the mayor, or if reappointed, not confirmed by the city council, the mayor may appoint another individual subject to confirmation by the council.

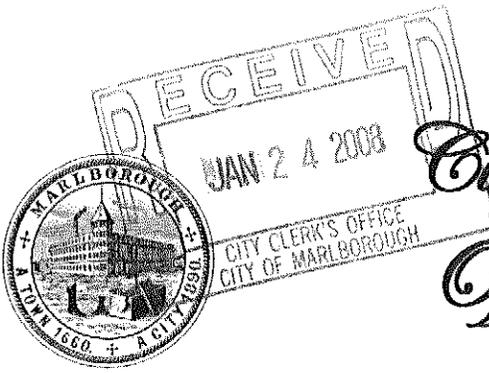
SECTION 2. This act shall take effect upon its passage.

ADOPTED  
In City Council  
Order No. 08-  
Adopted

Approved by Mayor  
Nancy E. Stevens  
Date:

A TRUE COPY  
ATTEST:

13,



*City of Marlborough*  
*Office of the Mayor*

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

*Nancy E. Stevens*  
MAYOR

*Karen A. Kistly*  
EXECUTIVE AIDE

*Diane C. Halper*  
EXECUTIVE SECRETARY

January 23, 2008

Council President Arthur Vigeant  
Marlborough City Council  
Marlborough City Hall – 2<sup>nd</sup> Floor  
140 Main Street  
Marlborough, MA 01752

RE: Municipal Aggregation

Honorable President Vigeant and Councilors:

Attached please find a proposed order regarding the City's municipal aggregation plan, which the Council approved in Order No. 06100-1337A on November 6, 2006 and amended on March 12, 2007. The proposed order, which is being recommended by Colonial Power Group, would allow for the City to enter into an agreement for a period not to exceed a 5-year maximum, as opposed to the current 1-year period that will soon be expiring. The rationale for the longer period is that it will allow the successful bidder to use market timing and hedging strategies that are likely to yield lower electricity rates as compared with the National Grid Basic Service Rate.

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

Sincerely,

Nancy E. Stevens  
Mayor

Attachment

ORDERED:

That City Council Order No. 06-100-1337A, as adopted on November 6, 2006, and as amended on March 12, 2007, is hereby further amended by authorizing the Mayor, after having conferred collectively with two City Councilors, the Chief Procurement Officer and the Public Facilities Director, to have the exclusive authority to execute a binding agreement, for a period not to exceed a 5-year maximum term inclusive of any renewals or extensions of said agreement, with the selected supplier once pricing bids have been received and reviewed, as well as the exclusive authority to amend such agreement with regard to non-substantive issues and to report same to the Council.

ADOPTED

In City Council

Order No.

Adopted

Approved by Mayor

Nancy E. Stevens

Date:

A TRUE COPY

ATTEST:

233



# IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 6, 2006

**ORDERED:**

That the City Council APPROVE the Municipal Aggregation as follows:

1) Accept the City of Marlborough "Aggregation Plan" (Community Choice Power Supply) as amended by the DTE, be and is herewith APPROVE.

2) Accept all three "Competitive Electric Supply Agreements" from Con Ed Solutions, Direct Energy and Dominion Retail as amended, be and is herewith APPROVE.

3) They also recommended that the initial contract would be limited to a 12 month maximum term, be and is herewith APPROVE.

4) Requirement that the R-1 (residential) class rate be lower than the prevailing National Grid Basic Service Rate, be and is herewith APPROVE.

5) The recommendation that the Council pass an order allowing the Mayor in concert with two City Councilors the Chief Procurement Officer, Public Facilities Director to have exclusive authority to execute a binding agreement with the selected supplier once pricing bids had been received and reviewed and would have the authority to amend the ESAs with regard to non-substantive issues and reporting same to the Council, be and is herewith APPROVE.

ADOPTED  
In City Council  
Order No. 06100-1337A

Approved by Mayor  
Nancy E. Stevens  
Date: November 28, 2006

A TRUE COPY  
ATTEST:

City Clerk

134



# IN CITY COUNCIL

Marlborough, Mass., MARCH 12, 2007 20

**ORDERED:**

That the Colonial Power Group recently received, on behalf of the City, two additional ESA's. These ESA's have been submitted by GEXA Energy LLC and Hess Corp. These electric suppliers wish to participate in the aggregation process. Council approval of these ESA's would be required as part of the decision to be issued by the Dept. of Telecommunications and Energy on the municipal aggregation for the City. The legislative and legal Affairs Committee requested both ESAs be amended in Section 17.3 Notices by adding the Mayor as a contact for notices to the City.

- a) Motion made by Councilor Ferro, seconded by chair, to approve the GEXA Energy, LLC ESA as amended, be and is herewith APPROVE.
- b) Motion made by Councilor Ferro, seconded by chair, to approve the Hess Corporation ESA as amended, be and is herewith APPROVE.

(Councilors Ossing and Schafer abstain)

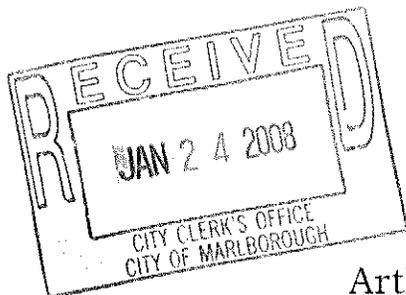
ADOPTED  
In City Council  
Order No. 06100-1337A

Approved by Mayor  
Nancy E. Stevens  
Date: March 15, 2007

A TRUE COPY  
ATTEST:

Acting City Clerk

24,



Arthur G. Vigeant, City Council President  
Marlborough City Council  
Phone: 508-460-3711  
Fax: 508-460-3710

January 24, 2008

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

Reference: Vacant Seat – Ward Five City Councilor

Dear Councilors:

I have been working with City Clerk Lisa Thomas on the steps necessary to fill the vacancy in the Ward 5 Councilor seat caused by the unexpected resignation of Ward Five Councilor Maura Navin Webster. **Marlborough City Charter Division 1, Section 59A. Filling Vacancies in office of mayor and in council** requires that the City Council order an election if a vacancy occurs before the last six months of the term of a councilor elected by and from the voters of a ward.

Ms. Thomas has drafted the attached schedule for the Special Election to fill said vacancy after consultation with Asst. Solicitor Panagore-Griffin and Celeste Wright, Head Elections Clerk. I respectfully request that the City Council order the election as set forth in the attachment.

Sincerely,

*Arthur G. Vigeant*  
Arthur G. Vigeant

CITY COUNCIL PRESIDENT

AV/kb  
enclosure

## Special Election Ward 5 Calendar Information

24  
2

**Feb 15<sup>th</sup>, 2008** - Final day to obtain nomination papers. (if city has accepted 53, § 9A)

**Feb 19<sup>th</sup>, 2008** - 5:00 P.M. last day and hour for submitting nomination papers to Registrars of Voters or Election commissioners for the certification of signatures.

G. L. c. 53, § 7; G. L. c. 53, § 7A

**March 4<sup>th</sup>, 2008** – 5:00 P.M. last day and hour for filing certified nomination papers, including Statement of Candidacy, with the City Clerk.

G. L. c. 53, § 10

**March 5<sup>th</sup>, 2008** – Posting List of Candidates

G. L. c. 43, § 44D

**March 6<sup>th</sup>, 2008** – 5:00 P.M. last day and hour for filing withdrawals of or objections to all nomination papers with the City Clerk.

G. L. c. 55B, § 7.

**March 7<sup>th</sup>, 2008** – Drawing for position for Ward 5 Preliminary ballot

G. L. c. 43, § 44D.

**March 19<sup>th</sup>, 2008** – Last day to register voters for the Ward 5 Preliminary Election; registration hours 9:00 A.M. to 8:00 P.M.

G. L. 51, §§ 26, 28.

**March 31<sup>st</sup>, 2008** – CAMPAIGN FINANCE REPORT DUE

**April 1<sup>st</sup>, 2008** – Posting Warrant for Preliminary

**April 7<sup>th</sup>, 2008** – Noon-last day and hour to apply for absentee ballots (If last day is on Sunday or holiday, deadline is 5:00 p.m. on last previous day the office is open).

**April 8<sup>th</sup>, 2008** – **WARD 5 PRELIMINARY ELECTION 7:00 A.M. TO 8:00 P.M.**

G. L. c. 43 § 44A.

**April 14<sup>th</sup>, 2008** – 5:00 P.M. last day and hour for filing withdrawals of or objections to nominations made at the preliminary and for filing written acceptances by write-in or sticker candidates who won in the preliminary with the City Clerk.

G. L. c. 53, § 13; G. L. c. 55B, § 5; G. L. c. 43, § 44F.

**April 14<sup>th</sup>, 2008** – Drawing for position after 5:00 PM

**April 16<sup>th</sup>, 2008** – Last day to register voters for the state election; registration hours 9:00 A.M. to 8:00 P.M.

G. L. c. 51, §§ 26, 28.

**April 28<sup>th</sup>, 2008** CAMPAIGN FINANCE REPORT DUE

**April 29<sup>th</sup>, 2008** – Posting Warrant for Ward 5 Election

**May 5<sup>th</sup>, 2008** – Noon - last day and hour to apply for absentee ballots. (If last day is on Sunday or holiday, deadline is 5:00 p.m. on last previous business day the office is open).

**May 6<sup>th</sup>, 2008** **WARD 5 ELECTION 7:00 A.M. TO 8:00 P.M.**

**January 20<sup>th</sup>, 2009** CAMPAIGN FINANCE REPORT DUE



CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK

That the City Clerk be and is herewith directed to have proper notices issued notifying the VOTERS of the City of Marlborough that the **PRESIDENTIAL PRIMARY ELECTION** will be held in the polling locations as noted below on **FEBRUARY 5, 2008** as follows: Presidential Preference, State Committee Man, State Committee Woman and City Ward Committees.

THE POLLS WILL OPEN AT 7:00 A.M. AND WILL CLOSE AT 8:00 P.M.

POLLING LOCATIONS ARE AS FOLLOWS:

- |                           |  |
|---------------------------|--|
| WARD ONE: Prec. 1 and 2   | Francis J. Kane School, 520 Farm Rd,                           |
| WARD TWO: Prec. 1 and 2   | Francis J. Kane School, 520 Farm Rd,                           |
| WARD THREE: Prec. 1       | Masonic Hall, 208 Main St (corner of Main/Newton Sts),         |
| WARD THREE: Prec. 2       | Raymond J. Richer School, 80 Foley Rd,                         |
| WARD FOUR: Prec. 1 and 2  | Boys & Girls Club, 169 Pleasant St,                            |
| WARD FIVE: Prec. 1        | Senior Center, 250 Main St,                                    |
| WARD FIVE: Prec. 2        | Masonic Hall, 208 Main St (corner of Main/Newton Sts),         |
| WARD SIX: Prec. 1 and 2   | Marlborough Middle (Intermediate) School, 25 Union St, Library |
| WARD SEVEN: Prec. 1 and 2 | Hildreth School Gymnasium, 85 Sawin St                         |



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**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

January 3, 2008

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

**RE: CHAPTER 225 OF THE ACTS OF 1943**  
**PLOWING OF PRIVATE WAYS**

Dear President and Members,

Below is a list of private ways being submitted for your approval under the above-stated acts of the legislature. These private ways include:

Du Fresne Drive – West Ridge Estates, off West Hill Road  
Goodwin Street – Cider Mill Estates, off West Hill Road  
Joseph North Road – O’Leary’s Landing, off Berlin Road  
Blake Circle – Acre Bridge Estates, off Cook Lane

I have attached herewith a draft council order which, if approved, would permit the removal of snow and ice from these private ways. 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 Nancy E. Stevens  
Donald Rider, City Solicitor  
Thomas P. Temple, Asst. Commissioner – Operations  
Thomas E. Cullen, City Engineer  
Dick Baldelli, Asst. City Engineer – Street Division

# IN CITY COUNCIL

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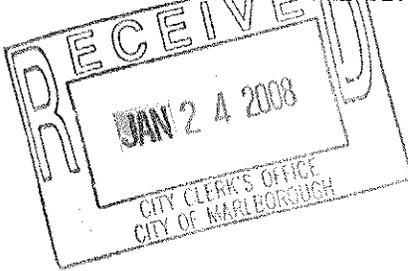


Marlborough, Mass \_\_\_\_\_, 2008

## ORDERED:

That the Department of Public Works be authorized to remove snow and ice from the following private ways, in accordance with the provisions of Chapter 225 of the Acts of 1943, provided said ways be of such construction and condition that, in the opinion of the Commissioner of Public Works, snow and ice removal may be performed safely and conveniently and with no potential risk to city personnel and equipment.

Du Fresne Drive – West Ridge Estates, off West Hill Road  
Goodwin Street - Cider Mill Estates, off West Hill Road  
Joseph North Road – O’Leary’s Landing, off Berlin Road  
Blake Circle – Acre Bridge Estates, off Cook Lane



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1

  
**Vital Site Services, Inc.**  
Andrew Pearsall, consultant  
68 Dolar Davis Rd  
Centerville, Ma. 02632  
(508)-292-8488 phone  
(866)-659-4994 Fax  
andrew@vazinc.net

**1-23-2008**

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

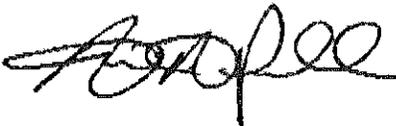
Dear President Vigeant,

My name is Andrew Pearsall; I am a consultant for Verizon Wireless currently researching areas for a Telecommunications facility within the areas of Rte. 85 (Bolton Road) and the Marlborough Fort Meadow Reservoir area. We are currently evaluating a number of privately owned parcels to fulfill the coverage objective in this area.

The city owned property located at 402 Hudson St. (retired DPW site) would be an area of consideration and review for a raw land tower if all other existing structures (buildings and existing towers, water tanks, etc) are deemed unfit for Verizon Wireless and the radio Frequency engineers.

At your convenience, a request for RFP availability for this property would be considered and analyzed.

Thank you,



Andrew Pearsall  
Vital Site Services Inc.  
68 Dolar Davis Rd  
Centerville Ma. 02632  
(508)292-8488 Phone  
(866)659-4994 Fax

281



January 7, 2007

43 Olympia Avenue  
Shrewsbury, Mass. 01545

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

Dear Ms. Thomas,

By this letter, The Sudbury Companies of Militia and Minute request permission to place a temporary sign on city property at the corner of U.S. Rt. 20 and Hagar Road at the Wayside Inn turn from September 20, 2008 to September 28, 2008.

Said Companies' petition for placement of the sign in order to advertise and give direction to the 2008 Colonial Faire and Muster to be held on September 27, 2008 (with a rain date of September 28, 2008). As in years past, the signs will ease traffic flow through this area by providing direction to the event to be held at the Wayside Inn.

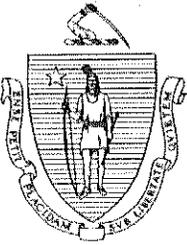
The Colonial Faire and Muster celebrates and honors our colonial heritage and patriotic past with over two dozen Fyfes and Drum companies, living history demonstrators, re-enactments, children's games and crafts. The members of the Sudbury Companies, many of whom live in this area, freely give of their time and treasure to keep the importance of our first struggle for liberty always before the citizenry, through demonstrations, encampments and re-enactments of the events surrounding April, 1775.

Your assistance, by granting this request, would be very much appreciated. Should you require any additional information please contact me by phone at 508 755 7988 or, e-mail at [L\\_R\\_leonard@hotmail.com](mailto:L_R_leonard@hotmail.com)

On behalf of The Sudbury Companies of Militia and Minute I am,

Your Obedient Servant,

Lawrence Leonard  
Faire Committee



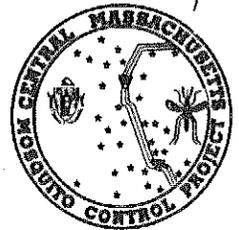
*The Commonwealth of Massachusetts*

STATE RECLAMATION & MOSQUITO CONTROL BOARD

**CENTRAL MASSACHUSETTS  
MOSQUITO CONTROL PROJECT**

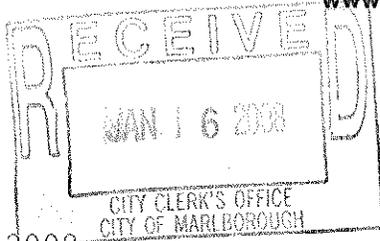
111 Otis Street, Northborough, MA 01532-2114  
Telephone (508) 393-3055 • Fax (508) 393-8492

[www.cmmcp.org](http://www.cmmcp.org)



**COMMISSION CHAIRMAN**  
RICHARD J. DAY

**EXECUTIVE DIRECTOR**  
TIMOTHY D. DESCHAMPS



January 15, 2008

To: Marlborough City Clerk

Enclosed please find a notice relative to pesticide exclusions which outlines the steps that should be taken by residents wishing to have their properties excluded from pesticide applications.

We ask that you please display this notice in a prominent place, and forward it to the local cable channel and local newspapers for inclusion. Please forward to any concerned parties that may have an interest in the mosquito/gypsy moth exclusion.

Members of our staff will be stopping by your office sometime after April 1 to collect copies of these exclusions.

We would like to thank you for your assistance in this matter.

Sincerely,

Timothy D. Deschamps  
Executive Director

TDD/klm

Enc: (Pesticide Exclusion)

## PESTICIDE EXCLUSION

The Exclusion Program was implemented by the Department of Food and Agriculture to allow land owners to exclude their property from public area-wide applications of pesticides (see 333 CMR 13.04 - Exclusions for Application - pg. 88-89). This reads in part:

Designations for exclusions may be made by supplying the clerk of the municipality in which such lands lie with a certified letter providing the name, address and telephone number (if any), names of all abutters, and defining programs from which exclusion is requested.

Designations may be made prior to March 1 of each year and shall be effective from April 1 of that year to March 31 of the following year. (333 CMR 13.04, paragraphs 2 & 3 - pg. 88)

Ground Applications: Boundaries or areas to be excluded shall be marked at least every fifty feet by paper plates or other appropriate means. These markings shall be made known to the person causing the application to be made who shall be responsible for communicating the details of this marking to those who will carry out the application. (333 CMR 13.04 - paragraph 6, subsection 1(b)- pg. 89)

This program began in 1983 in response to public concerns about pesticide exposure through public area-wide applications. Generally, the only pesticide application programs affected by this exclusion program are those for the gypsy moth and the mosquito.

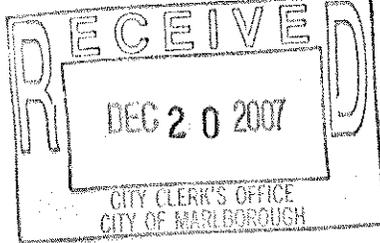
Requests for exclusion shall not be honored in those cases which:

- 1) *The Commissioner of Public Health has certified that the application is made to protect the public health.*
- 2) *The Commissioner of Environmental Management has certified that the application is necessary to contain an infestation of a recently introduced pest.*
- 3) *The Commissioner of Food and Agriculture has certified that an application is necessary to contain an infestation of a pest which is a significant threat to agriculture.*  
(333 CMR 13.04 - paragraph 6, subsection 2 - pg. 89)

The full text of this regulation may be found on the Internet at [www.lawlib.state.ma.us/cmr.html](http://www.lawlib.state.ma.us/cmr.html).

Please feel free to contact our office if you have any questions, and please access our website at [www.cmmcp.org](http://www.cmmcp.org) for more information on the Central Massachusetts Mosquito Control Project.

**RESOURCES:** The Pesticide Bureau at (617) 626-1777



*City of Marlborough*  
*Commonwealth of Massachusetts*

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**PLANNING BOARD**

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

**PLANNING BOARD MINUTES**  
December 3, 2007  
7:00 PM

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

The Planning Board for the City of Marlborough met on Monday, December 3, 2007 in Memorial Hall, 3<sup>rd</sup> floor, City Hall, Marlborough, MA 01752. Members present: Barbara Fenby, Chairperson, Steve Kerrigan, Clerk, Edward Coveney, Robert Hanson, and Sean Fay. Also present: City Engineer Thomas Cullen.

**MINUTES**

*Meeting Minutes November 19, 2007*

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

To accept and file the meeting minutes of November 19, 2007.

**CHAIR'S BUSINESS**

**APPROVAL NOT REQUIRED PLAN**

*107 Phelps Street*

Mr. Fay left the room as he is an abutter to the property.

Mr. Cullen made a recommendation to the Board to approve the ANR plan for 107 Phelps Street. He also suggested that a subsequent ANR plan and an "approvable" site plan will be the next two steps in the process for these lots.

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

To accept and endorse a plan of land believed to be Approval Not Required of James J. and Noel M. Cain, 11 Bridle Ridge Road, North Grafton, MA 01536. Name of Engineer: Inland Survey, Inc. DBA Zanca Land Surveying, 16 Gleasondale Road, Stow, MA 01775. Deed of property recorded in South Middlesex Registry of Deeds book 4143, page 497. Location and description of property: located at 107 Phelps Street shown as Parcel 11A on Assessor's Map 72.

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**PUBLIC HEARING**

**SUBDIVISION PROGRESS REPORTS**

***Update from City Engineer***

Mr. Cullen stated there has been utility work performed at the Commonwealth Heights Subdivision. He also secured a contractor to make the necessary repairs at the Fiddlehead Subdivision however the asphalt plants have closed for the winter.

***Acre Bridge Estates (Blake Circle)***

*City Engineer Correspondence*

Correspondence from the City Engineer to the developer, Steve Garafalo, stated that it has come to his attention during a routine inspection that the following items need to be corrected prior to any road construction:

- Hydrants were placed in the wrong locations
- Catch basins are located too far away from curb lines
- Granite edging has not been installed according to plans
- Driveways will have to be saw-cut to meet and pavement removed to meet areas of proposed sidewalks
- Top course of pavement for sidewalks need to be meet a thickness of 1 ½ inches and ½ inch lip at end of driveway aprons to prevent the adverse affect of grading the existing driveways

Mr. Cullen did state that most of the issues have been resolved.

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

To accept and file all correspondence.

***Crystal Ridge Estates (Danjou Drive)***

*Correspondence from City Engineer*

The City Engineer was requested by the Planning Board to review the Subdivision for acceptance at the previous meeting. Mr. Cullen's lengthy notes including work to be done on the As-built plans, questions on the sidewalk easements, legal descriptions that need to be reviewed and outstanding items that needs to be completed prior to him recommending the subdivision for acceptance.

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

To accept and file all correspondence.

***Davis Estates (Bouvin Drive)***

*Correspondence from Councilor Katz*

Mr. Katz asked the Planning Board if it was possible to review an email he received from a prospective buyer at the Davis Estates Subdivision asking if it was possible to change the name of the street Bouvin Drive back to the original naming of Bette Davis Drive. The developer was originally seeking the name of the late actress for the street from forming the Hollywood Cantina for the military back in the late 1940s since the original farmhouse was in Ms. Davis' family.

However with the naming rights for Bette Davis Drive and licensing costs the developer asked for the naming of the street to follow the naming to be of a veteran just as all the other new streets are named after veterans.

Mr. Gary Brown, the City of Marlborough Veterans Agent, explained how the naming of streets is important to those who have died in action. He stated that are veterans who have been buried abroad and the families have no where to "visit" or call something of their own. He stated there were more then 50 Veterans at this present time on the list.

There was a motion of the floor made by Mr. Hanson to review the ordinance for the possibility of changing the ordinance. There was no support for this motion.

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

To table any motion until the board has thought if the policy is worthy of a review and to have Mrs. Lizotte send correspondence to the developer asking him to attend the next meeting so the Planning Board can discuss this matter with him.

***Elm Farm Realty Trust (Cleversy Drive)***

The City Engineer was asked by the Planning Board to review the subdivision for acceptance. At this time Mr. Cullen can not make a recommendation until the following is completed:

- Label "30' wide easement correctly on as built plans
- Clarify easement on acceptance plans
- "30' wide sewer easement should be designated as a "utility easement"
- Legal descriptions need to be clarified.

Once the above has been met, Mr. Cullen will review the subdivision. Mr. Cullen also asked "Whose responsibility it is for the stop sign?" He stated that there were issues at this subdivision of the placement of stripe for the stop sign. Mr. Cullen, who is on the traffic commission for the City, will ask at the next meeting who's regulating the stop signs.

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

To accept and file all correspondence.

***Sterling Woods (Peltier Street, Brazeau Circle & Wyman Lane)***

*Correspondence from City Engineer*

Mr. Cullen stated that his review is not complete yet.

***The Residences of Oak Crest (Graves Lane)***

*Certificate of Performance (Lot release)*

The developer is requesting for the lots to be released since his covenant and tri party bond have been recorded.

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

To accept and file correspondence; to allow Ms. Fenby to sign as agent on the certificate of performance.

**PENDING SUBDIVISION PLANS: Updates and Discussion**

**PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS**

***Marlborough Elm Industrial Park (Elm Street)***

*Correspondence from City Engineer*

Mr. Cullen has started his general review of this subdivision and he had many questions for the developer. Some of his general comments included sewerage issues, traffic studies, drainage analysis and plans for the next stage will have to be clarified before proceeding.

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

To accept and file correspondence.

*Correspondence from Highland Engineering*

Mr. Campbell of Highland Engineering is requesting to withdraw the Marlborough Elms Industrial Park submission without prejudice.

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

To accept the withdrawal of the preliminary plans known as "Marlborough Elm Industrial Park" without prejudice.

**DEFINITIVE SUBDIVISION SUBMISSIONS**

**SCENIC ROADS**

**SIGNS**

**INFORMAL DISCUSSION**

*Limited Development Subdivision*

At this time there is not further information.

*Abutters Literature*

At this time there is not further information.

**COMMUNICATIONS/CORRESPONDENCE**

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

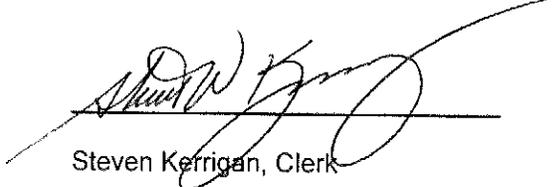
To accept all of the items listed under communications and/or correspondence.

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

To adjourn at 7:50 p.m.

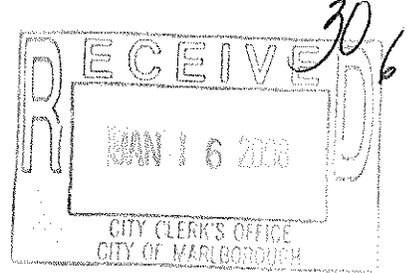
A TRUE COPY

ATTEST:



Steven Kerrigan, Clerk

*City of Marlborough*  
*Commonwealth of Massachusetts*



**PLANNING BOARD**

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

**PLANNING BOARD MINUTES**  
December 17, 2007  
7:00 PM

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

The Planning Board for the City of Marlborough met on Monday, December 17, 2007 in Memorial Hall, 3<sup>rd</sup> floor, City Hall, Marlborough, MA 01752. Members present: Barbara Fenby, Chairperson, Steve Kerrigan, Clerk, Philip Hodge, Edward Coveney, Clyde Johnson and Sean Fay. Also present: City Engineer Thomas Cullen.

**MINUTES**

*Meeting Minutes December 3, 2007*

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

To accept and file the meeting minutes of December 3, 2007.

**CHAIR'S BUSINESS**

Correspondence from Attorney Arthur Bergeron

Mr. Bergeron's client is looking to build a new home on Map 18 parcels 129 and 130 and he needs a variance from the Zoning Board of Appeals. Although he is looking to do an 81X plan to remove the lot line, Mr. Natale (chairperson of the ZBA) has asked for a Planning Board vote confirming that no approval from the Planning Board is required. Mr. Cullen did send a letter to the ZBA noting that the board should consider having the proponent balance the "final" lots which would require increasing the lot size of parcel 131 and moving the northerly direction.

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

To send correspondence to the Zoning Board of Appeals notifying them that Planning Board Approval is not required to remove lots lines (81X Plan).

Ms. Fenby did state the Planning Board is not in favor of property owners creating their own hardships.

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

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To move the item 10-A-I (Lakeside Ave Signs) to the portion of the meeting.

*419-435 Lakeside Ave*

Arthur Bergeron's client is seeking a variance from the sign ordinance for the denial of a secondary sign on Landry Drive. An 11sq ft sign was approved by the Building Commissioner and in November the owner of the property was denied a larger sign by the Commissioner. Mr. Bergeron argued that his client is entitled to a larger sign since the façade length is 164 feet for both buildings and that would allow 82 feet for both freestanding signs. The freestanding sign located along the frontage of Lakeside Ave is at the maximum of 50 square feet leaving 32 square feet for an additional sign.

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

To send correspondence to Mr. Reid asking him to attend or send a letter for the next meeting to discuss this matter with the Planning Board.

### **APPROVAL NOT REQUIRED PLAN**

### **PUBLIC HEARING**

### **SUBDIVISION PROGRESS REPORTS**

#### *Update from City Engineer*

Mr. Cullen stated that the final revision of detention basin plans for Berlin Farms is forthcoming. He is also working on finalizing Orchard Estates III and Sterling Woods.

#### *Davis Estates (Bouvin Drive)*

Mr. Gary Brown, the Veterans Agent for the City of Marlborough, did state that the naming of the street is important to the Veterans Family for a place to call their own and for the family.

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

To send correspondence to Councilor Katz thanking him for his request, however if the developer does not request the change the Planning Board will not discuss this further.

#### *Orchard Estates III (Balcom & Miele Road)*

Correspondence from the Conservation Officer to the developer states that before their request for road acceptance several more items need to be performed for the Conservation Commission to be satisfied. The items include a walking trail for Open Space A and B parking lot, the Open Space parcels need to be deed to the City of Marlborough and a list of order of conditions need to be completed.

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

To accept and file correspondence.

#### *Waters Edge (Worster Drive)*

After an extensive review of the subdivision the City Engineer has a list of items that needs to be completed prior to him recommending the approval of the road acceptance.

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

To accept and file correspondence.

**PENDING SUBDIVISION PLANS: Updates and Discussion**

**PRELIMINARY/ OPEN SPACE SUBDIVISION SUBMITTALS**

**DEFINITIVE SUBDIVISION SUBMISSIONS**

*Mauro Farms*

Certificate of Organization

Correspondence from the developers stated that Mauro Farms, LLC has been established with the Commonwealth of Massachusetts. The Planning Board can now sign the Covenant and the Definitive Subdivision Plans.

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

To accept and file the Certificate of Organization.

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

To endorse the Covenant and the Definitive Subdivision Plans.

**SCENIC ROADS**

**SIGNS**

*Hooligans*

The Building Commissioner sent an update to the Planning Board regarding the Hooligans sign. Mr. Brandt has not attempted to resolve any of the sign issues or has not paid any of the fines issued by the City. At this time there is enforcement actions are pending at the district court level and Mr. Reid has requested if the Planning Board does hear a variance that he is notified so he can attend the meeting.

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

To accept and file correspondence.

**INFORMAL DISCUSSION**

*Limited Development Subdivision*

At this time there is not further information.

*Abutters Literature*

At this time there is not further information.

**COMMUNICATIONS/CORRESPONDENCE**

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

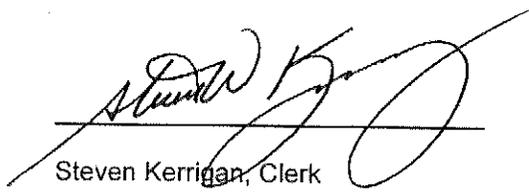
To accept all of the items listed under communications and/or correspondence.

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

To adjourn at 7:50 p.m.

**A TRUE COPY**

ATTEST:



Steven Kerrigan, Clerk