

REGULAR MEETING
FEBRUARY 11, 2008

IN CITY COUNCIL
ABSENT:

CONVENED:
ADJOURNED:

1. Minutes, City Council Meeting, January 28, 2008.
2. Communication from the Mayor re: a request to increase the salary of Officer Brian Cox from the minimum contractual amount of \$41,009.37 to a Step III figure of \$51,041.72.
3. Communication from the Mayor re: transfer in the amount of \$6,657.60 to provide for the proposed Senior Clerk position to assist the Code Enforcement Officer.
4. Communication from the Mayor re: a transfer in the amount of \$58,490.03 in order to address costs associated with the City's taking of Corbin Plaza.
5. Communication from the Mayor re: Capital Bond Request for FY08.
6. Communication from the Assistant City Solicitor, Cynthia Panagore Griffin re: the confirmation of the Order of Taking pertinent to Robin Hill St. (Order No. 07-001743A) and confirmation of the \$9,000.00 award from the \$405,000.00 Robin Hill Water Line Account.
7. Application for Wireless Special Permit from Michael Giaimo for Bell Atlantic Mobile of Massachusetts Corp, Ltd. for co-location of antennas and equipment at 75 Donald J. Lynch Boulevard.
8. Minutes, Planning Board, January 14, 2008.
9. CLAIMS:
 - A. Kevin Dauphinais, 45 Woodruff Rd., Clinton, MA, vehicle damage
 - B. Angela Doherty, 127 Donahue Dr., property damage
 - C. Ping Huang, 53 Lancaster Rd., Unit 9, Clinton, MA, vehicle damage
 - D. Matthew Langlois, 14 McDermot Way, property damage
 - E. John MacDonald, 20 Donahue Dr., property damage
 - F. Thelma Balser, 125 Framingham Rd., property damage
 - G. Louis Turieo, Sr., 15 West St., vehicle damage
 - H. Ann Marie Kett-O'Doherty, 99 St. Nicholas Ave., Worcester, MA, vehicle damage
 - I. Nicole Fallon, 35 Evelina Dr., vehicle damage
 - J. Nicholas Mbogo, 218 Providence St., Putnam, CT, vehicle damage

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From City Council

10. **Order No. 08-1001766** - That an oversight was made in the closing of the FY2007 books regarding funds in the amount of \$1,451,150.50 were not encumbered for the June 30th retirement fund payment and these funds were closed out at year end and became part of the free cash calculation. **It was referred back to Mayor, Comptroller and Auditor and to be placed on the February 11, 2008 agenda.**
MOTION: Councilor Schafer requested that the Mayor, Comptroller and Auditor can address City Council regarding the oversight.

11. **Order No. 08-1001775** - That a part-time Senior Clerk be dedicated to the Code Enforcement Officer. It was referred back to the Mayor and to be placed on the February 11, 2008 agenda.
MOTION: Councilor Ossing requested the Mayor provide the City Council with the salary associated with this position, thus the City Council will know the financial ramifications of the position.



CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
Lisa M. Thomas
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
(508)460-3775 FAX (508)624-6504
JANUARY 28, 2008

Regular meeting of the City Council held on Monday JANUARY 28, 2007 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Levy, Ossing, Pope, Vigeant, Delano, Ferro, Schafer, Juare, Clancy and Landers. Meeting adjourned at 8:42 p.m.

ORDERED: Minutes, City Council meeting, DECEMBER 17, 2007 & January 28, 2008, **FILE**; adopted.

ORDERED: That the appointments of the following persons to the positions indicated effective January 7, 2008, **FILE**; adopted.

Donald V. Rider, Jr. – City Solicitor

Karen A. Kisty – Executive Aide to the Mayor

Diane C. Halper – Executive Secretary to the Mayor

ORDERED: That Jean Peters' reappointment to the Library Board of Trustees for a term of three years expiring of February 1, 2011, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That Mark Gibbs' reappointment as Information Systems Director for a term of three years expiring January 1, 2011, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That Police Chief Mark Leonard's reappointment as Keeper of the Lock for a term of one year expiring the 1st Monday of February 2009, **FILE**; adopted.

ORDERED: That Stephen F. Reid's reappointment as Building Inspector for a term of three years expiring February 1, 2011, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That Deborah A. Puleo's reappointment as City Collector effective February 1, 2008, refer to **PERSONNEL COMMITTEE**; adopted.

Suspension of the Rules requested – granted, adopted to allow the Mayor to speak to inform City Council that the referral to the Personnel Committee would not adversely affect the bond renewal for Deborah Puleo.

ORDERED: That Daniel C. Brogie's reappointment as Senior Assessor for a term of three years expiring on February 1, 2011, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That Dr. Kevin Cozzi's reappointment to the Board of Health for a term of three years commencing on February 4, 2008 and terminating on February 7, 2011, refer to **PERSONNEL COMMITTEE**; adopted.

12

ORDERED: That an oversight was made in the closing of the FY2007 books regarding funds in the amount of \$1,451,150.50 were not encumbered for the June 30th retirement fund payment and these funds were closed out at year end and became part of the free cash calculation, **REFER BACK TO MAYOR, COMPTROLLER AND AUDITOR AND TO BE PLACED ON THE FEBRUARY 11, 2008 AGENDA**; adopted.

MOTION: Councilor Schafer requested that the Mayor, Comptroller and Auditor can address City Council regarding the oversight.

ORDERED: That the following transfer of \$130,649.98 from Reserve for Salaries to Various Accounts, refer to **FINANCE COMMITTEE AND REQUEST THE MAYOR TO PROVIDE THE CITY COUNCIL WITH A SUMMARY OF CONTRACT CHANGES PRIOR TO THE ITEM BEING ADDRESSED IN FINANCE COMMITTEE**; adopted.

REQUEST TO FUND MARLBORO MUNICIPAL EMPLOYEE ASSOC CONTRACT

FROM : ACCOUNT 11990006-57820 RESERVE FOR SALARIES

\$130,649.98

TO: THE FOLLOWING ACCOUNTS

COMPTROLLER

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

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

13

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

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
		YNG	
	-50471	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

14

ORDERED: That the following budget transfer in the amount of \$4,285.00 which would move funds from Undesignated Funds to Printing to cover the cost of programming voting machines for the upcoming Presidential Primary, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 100-35900 \$4,285.00
Undesignated Fund

TO:

Acct. # 11620004-53930 \$4,285.00
Stabilization

ORDERED: That the following budget transfer in the amount of \$2,125.44 which would move funds from Animal Inspector to Professional & Technical Services to allow payment to Critter Control, **APPROVED**; adopted.

FROM:

Acct. # 15120003-50830 \$2,125.44
Animal Inspector

TO:

Acct. # 15120006-53180 \$2,125.44
Professional & Technical Services

ORDERED: That the following budget transfer in the amount of \$12,200.00 which would move funds from Equipment Operator-Streets to Interim Foreman-Streets to fill foreman position on an interim basis, and \$2,000.00 from Equipment Operator-Forestry/Parks/Cemetery to fill a temporary vacancy due to retirement, **APPROVED**; adopted.

FROM:

Acct. # 14001303-50740 \$12,200.00
Equipment Operator-Streets

Acct. # 14001503-50740 \$2,000.00
Equipment Operator-Forestry/Parks/Cemetery

TO:

Acct. # 14001303-51470 \$12,200.00
Interim Foreman-Streets

Acct. # 14001503-51470 \$2,000.00
Interim Foremen-Forestry/Parks/Cemetery

ORDERED: That the Marlborough Police Department has been awarded a Community Policing grant in the amount of \$35,952.00 from the Commonwealth's Executive Office of Public Safety for various expenses associated with the City's successful community policing efforts, **APPROVED**; adopted.

ORDERED: That the Marlborough Police Department has been awarded a reimbursement grant in the amount of \$3,609.60 from the Commonwealth's Executive Office of Public Safety for salary overtime charges related to underage alcohol enforcement, **APPROVED**; adopted.

ORDERED: That the Marlborough Fire Department has been awarded a grant in the amount of \$1,000.00 from the Wal-Mart Community Grants Program for the purpose of Fire Department staff attendance at grant writing seminars, **APPROVED**; adopted.

(Councilor Juare abstained)

ORDERED: That the correspondence from Public Facilities Director, John Ghiloni regarding the current lease allowing for a private school property to occupy the Bigelow School property will be expiring on June 30th of this year, refer to the **OPERATIONS & OVERSIGHT COMMITTEE**; adopted.

ORDERED: That a part-time Senior Clerk dedicated to the Code Enforcement Officer, **REFER BACK TO THE MAYOR AND TO BE PLACED ON THE FEBRUARY 11, 2008 AGENDA**; adopted.

MOTION: Councilor Ossing requested the Mayor provide the City Council with the salary associated with this position, thus the City Council will know the financial ramifications of the position.

ORDERED: That the summary as to the status of the property located at 110 Pleasant St., Corbin Plaza, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

MOTION: Councilor Juairé requested to amend the motion to include that the Mayor attend the Operations and Oversight Committee meeting to declare the intention of the City and long term plans regarding this property. Additionally request that the Building Inspector, Plumbing Inspector, Wiring Inspector, Fire Department and the Code Enforcement Officer thoroughly examine the property and report back to the Operations and Oversight Committee.

ORDERED: That the following budget transfer in the amount of \$6,000.00 which would move funds from Undesignated Funds to R911 support to accommodate an expansion of 12 additional voice ports (\$3,500.00) and payment for the balance of the MassCall requirements from August (\$2,500.00), refer to **FINANCE COMMITTEE AND REQUEST THAT THE MAYOR PROVIDE CORRECTED TRANSFER SHEETS WHICH ACCURATELY DEPICT THE ACCOUNTS THAT ARE AFFECTED IN THE TRANSFER**; adopted.

FROM:

Acct. # 100-35900	\$6,000.00
Undesignated Fund	

TO:

Acct. # 11210002-53182	\$6,000.00
R911 Support	

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, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

Note: Councilor Pope noted that if this ordinance is approved, hence amending the City of Marlborough's charter, that agenda Item 2 of January 28, 2008, regarding the appointment of the City Solicitor shall be null and void.

ORDERED: That City Council Order No. 06100-1337A, 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, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

(Councilor Ossing and Councilor Juairé abstained)

ORDERED: That the Special Election for the Ward 5 seat to fill the vacancy caused by the unexpected resignation of Maura Navin Webster, **APPROVED**; adopted.

ORDERED: That the following notification from the City Clerk re: the **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.

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 & 2 Francis J. Kane School, 520 Farm Rd,
WARD TWO: Prec. 1 & 2 Francis J. Kane School, 520 Farm Rd,
WARD THREE: Prec. 1 Masonic Hall, 8 Newton St, corner of Main/Newton Sts,
WARD THREE: Prec. 2 Raymond J. Richer School, 80 Foley Rd,
WARD FOUR: Prec. 1 & 2 Boys & Girls Club, 169 Pleasant St,
WARD FIVE: Prec. 1 Senior Center, 250 Main St,
WARD FIVE: Prec. 2 Masonic Hall, 8 Newton St, corner of Main/Newton Sts,
WARD SIX: Prec. 1 & 2 Marlborough Middle (Intermediate) School, 25 Union St,
Library,
WARD SEVEN: Prec. 1 & 2 Hildreth School Gymnasium, 85 Sawin St

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 risks to city personnel and equipment, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

Du Fresne Dr. – West Ridge Estates, off West Hill Rd.

Goodwin St. – Cider Mill Estates, off West Hill Rd.

Joseph North Rd. – O’Leary’s Landing, off Berlin Rd.

Blake Circle – Acre Bridge Estates, Off Cook Lane

ORDERED: That the communication from Andrew Pearsall, consultant for Verizon Wireless, who is currently researching areas for a Telecommunications facility within areas of Rt. 85 and the Marlborough Fort Meadow Reservoir area, refer to **WIRELESS COMMUNICATIONS COMMITTEE**; adopted.

ORDERED: That the communication from the Sudbury Companies of Militia and Minute requesting permission 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, **APPROVED**; adopted.

ORDERED: That the communication from the Central Massachusetts Mosquito Control Project, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, December 3, & 17, 2007, **FILE**; adopted.

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

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

(Councilor Juare abstained)

MOTION: Councilor Levy requested to amend the motion to include that the claims also be referred to the Operations and Oversight Committee.

18

Note: Councilor Pope requested a report from the DPW Commissioner as to whether these claims are pertinent to plow operators who are repeat offenders. Councilor Schafer requested a report from the DPW Commissioner as to whether the plow operators are outside contractors or DPW employees.

Suspension of the Rules requested – granted; adopted.

ORDERED: That the communication from Andy Candiello, agent to MetroPCS regarding request for issuance of an RFP for water tank/standpipe located on Onamog St. on Fairmont hill, refer to **WIRELESS COMMUNICATION COMMITTEE**, adopted.

Suspension of the Rules requested – granted; adopted.

ORDERED: That application from Benjamin Smith of Tunison Smith Co. regarding sewer connection permit for Mauro Farm, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:42 p.m.



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. Kirby
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

February 6, 2008

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

Honorable President Vigeant and Councilors:

At the request of Police Chief Leonard, I am submitting a request to increase the salary of Officer Brian Cox from the minimum contractual amount of \$41,009.37 to a Step III figure of \$51,041.72.

Officer Cox assumed a position with the Marlborough Police Department effective January 22, 2008. The hire of Officer Cox, a fully academy trained officer with experience, provided the City with immediate Police Department staffing, thereby avoiding overtime costs required to cover the prior position vacancy. In addition, the City was able to save approximately \$25,000 normally associated with academy training for new recruits.

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

Sincerely,


Nancy E. Stevens
Mayor



City of Marlborough POLICE DEPARTMENT

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

MARK F. LEONARD
Chief of Police

February 6, 2008

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

Dear Mayor Stevens:

I respectfully request that you consider submitting an order to authorize payment of Officer Brian Cox at the contractual Step III salary (\$51,041.72), instead of the contractual Minimum salary (\$41,009.37). Payment at the Step III level would be consistent with his actual, full-time experience as a police officer in the City of Woburn, where he was a police officer for two years. Officer Cox started employment with the Marlborough Police Department on January 22, 2008.

This request is based on the fact that the employment of Officer Cox, who is an experienced, academy-trained officer, allowed this department to avoid both the costs and the substantial period of non-productivity that are associated with the need to provide academy training and field training to new hires. The savings is substantial, approximately \$25,000 for the training portion alone, plus the overtime costs associated with having a vacancy in the patrol ranks during the training period. I have attached calculations of the training costs and estimated overtime costs to this letter.

Should you have any questions regarding this request, please contact me.

Sincerely,

Mark F. Leonard
Chief of Police

cc: S. Ellis

23

Breakdown of Training Costs of Newly Hired Officers
(January 2008 figures)

Minimum patrol officer salary: \$41,009.73 (\$788.65 weekly)

Student officer salary: \$32,807.72 (\$630.92 weekly)
(80% of minimum step (\$41,009.73) while attending the academy)

TRAINING COSTS:

20 weeks @ Police Academy:	\$12,618.40 (\$630.92 x 20)
10 weeks of Field Training:	\$ 7,886.50 (\$788.65 x 10)
Cost of Field Training Officer OT:	\$ 4,500.00 (10 hrs. OT/wk for 10 weeks)

TOTAL TRAINING COSTS: \$25,004.90

TOTAL ESTIMATED OT COSTS: \$10,800.00

Additional overtime costs are incurred during this 30 week period, due to the backfilling of the vacant position while the new officer is trained. I would conservatively estimate this cost to be \$10,800 (one overtime shift per week at 8hrs./shift using an average OT rate of \$45/hr.).

TOTAL ESTIMATED COSTS: \$35,804.90



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

3,
Nancy E. Stevens
MAYOR

Karen H. Kisty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

February 6, 2008

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

Honorable President Vigeant and Councilors:

I am submitting a budget transfer request to provide for the proposed Senior Clerk position to assist the Code Enforcement Officer (Reference Order No. 08-1001775/letter from Mayor dated January 18, 2008). Attached herewith is the request for \$6,657.60 to be transferred from Account No. 100-35900 (Undesignated Funds) to Account No. 12410002-50770 (Senior Clerk) which will provide funding through the remainder of FY08.

No salary ordinance is required concerning this position as provisions are already in place for a Senior Clerk in the Inspectional Services Department; this request would simply add supplemental funds to said budget line item.

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

Sincerely,

Nancy E. Stevens
Mayor



34

- Detail
- Months
- Seg Find
- Totals

Fund 100 GEN FUND Acct 100-02-00-2410-00-0-0000-2-50770
 Org 12410002 INSPECT CS Acct name SENIOR CLERK
 Object 50770 SNR CLERK Type Expense Status Active Bud Group
 Project MultiYr Fund Account N

Current Year 3 Year Comparison History

FY 2008 as of 2008/01 JUL

	Current Year	Carry Forward	GAAP Totals
Original Approp	101,165.00	2,996.22	101,165.00
Amendments	.00	.00	.00
Revised Budget	101,165.00	2,996.22	104,161.22
YTD Actual	66,834.25	.00	66,834.25
Encumbrance	.00	.00	.00
Requisitions	.00		.00
Incep To Date	.00		.00
Available Budget	34,330.75	2,996.22	37,326.97
% Used	66.06	.00	64.16

Display detail information for current account.

02/01/2008 09:59 CITY OF MARLBOROUGH
tabel SALARY TABLE

EFF. DATE GROUP/BU GRADE/RANK DESCRIPTION PAY BASIS FREQUENCY CALC PERIODS DAY HRS/DAY HRS/PERIOD DAYS/PERIOD YEAR ANNUAL SALARY

07/01/2007 CMUN MUNICIPAL SRCL SENIOR CLERK A ANNUAL W WEEKLY 11 52.0000 7.00 35.00 5.00 1820.00 260.00

Change was made by 3.0000%
No Dollar amount used.

STEP/LEVEL	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	17.5180	122.6268	613.13	31,882.96
01	18.2191	127.5336	637.67	33,158.73
02	18.9474	132.6330	663.16	34,484.58
03	19.7054	137.9371	689.69	35,863.64



07/01/2007 CMUN MUNICIPAL SYOP SYSTEM OPERATOR A ANNUAL W WEEKLY 11 52.0000 7.00 35.00 5.00 1820.00 260.00

Change was made by 3.0000%
No Dollar amount used.

STEP/LEVEL	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	23.6514	165.5599	827.80	43,045.58
01	24.5974	172.1824	860.91	44,767.42
02	25.5814	179.0696	895.35	46,558.10
03	26.6046	186.2313	931.16	48,420.14

07/01/2007 CMUN MUNICIPAL TMPU TEMP HELP-UNION H HOURLY W WEEKLY 01 52.0000 7.00 35.00 5.00 1820.00 260.00

Change was made by 3.0000%
No Dollar amount used.

STEP/LEVEL	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	11.9913	.0000	.00	.00

07/01/2007 CMUN MUNICIPAL UPAG LIB PAGE UNION H HOURLY W WEEKLY 01 52.0000 7.00 35.00 5.00 1820.00 260.00

Change was made by 3.0000%
No Dollar amount used.

STEP/LEVEL	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	10.3924	.0000	.00	.00

07/01/2007 CMUN MUNICIPAL YALI YOUNG ADULT LIB A ANNUAL W WEEKLY 11 52.0000 7.00 35.00 5.00 1820.00 260.00

Change was made by 3.0000%
No Dollar amount used.

STEP/LEVEL	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	20.4431	143.1027	715.51	37,206.69
01	21.2611	148.8283	744.14	38,695.35
02	22.1117	154.7826	773.91	40,243.47
03	22.9960	160.9717	804.86	41,852.64

35



IN CITY COUNCIL

Marlborough, Mass., _____

JANUARY 28, 2008

RECEIVED
FEB 04 2008
MAYOR'S OFFICE
MARLBOROUGH, MASS. 01752

ORDERED:

That a part-time Senior Clerk dedicated to the Code Enforcement Officer, be and is herewith **REFER BACK TO THE MAYOR AND TO BE PLACED ON THE FEBRUARY 11, 2008 AGENDA.**

MOTION:

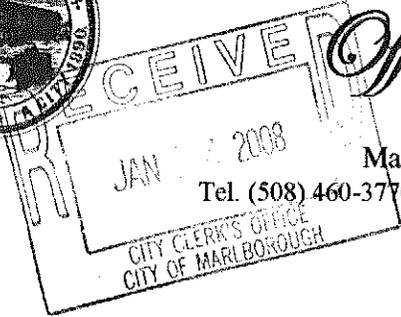
Councilor Ossing requested the Mayor provide the City Council with the salary associated with this position, thus the City Council will know the financial ramifications of the position.

ADOPTED

ORDER NO. 08-1001775



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

191
Nancy E. Stevens
MAYOR 37

Karen A. Kisty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

January 18, 2008

Council President Arthur G. Vigeant
Marlborough City Council
Marlborough City Hall – 2nd 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.

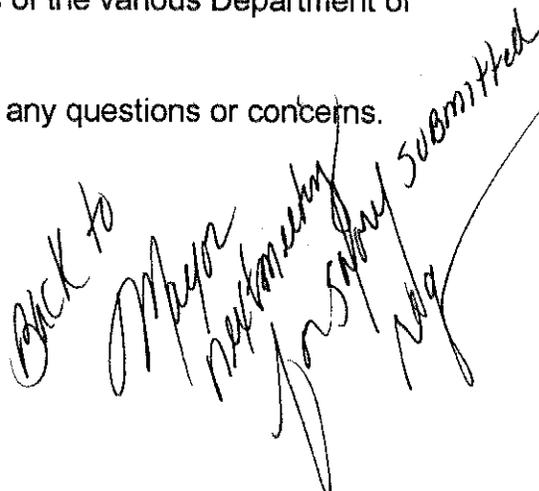
A key component to the success of Code Enforcement efforts is the careful and timely tracking of all events and related documentation to ensure that all is in proper order for any potential court proceedings. This responsibility will fall to the proposed Part-Time Senior Clerk thereby allowing the Code 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

Back to Mayor next meeting for salary submitted


CITY OF MARLBOROUGH

Marlborough, MA 01752

1/2
38

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

Resumes must be received by: _____

The City of Marlborough is an AA/EOE employer.

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

193
39

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

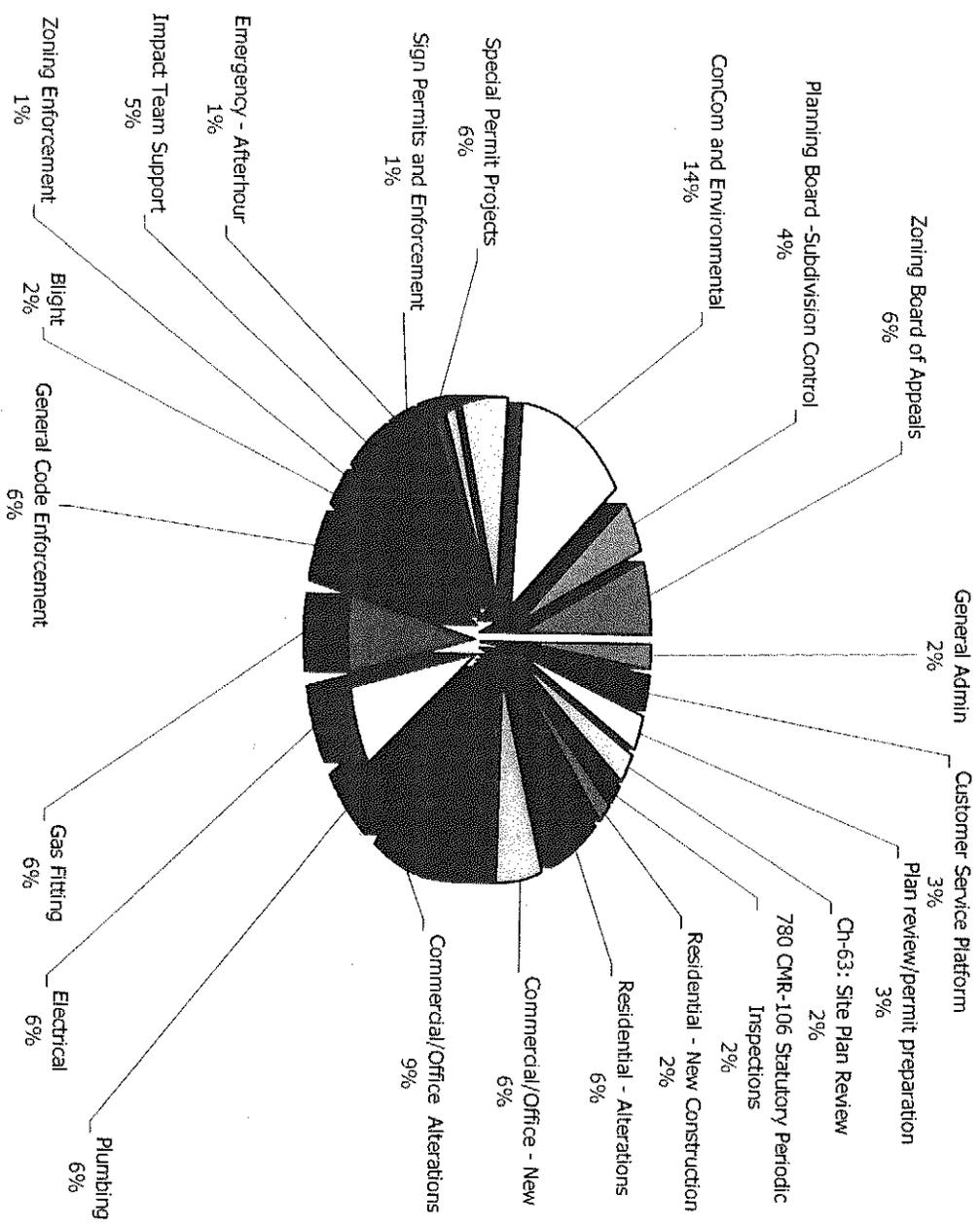
- Prepares correspondence on team initiatives (i.e. trash, noise, disturbances, snow removal) after review with ceo*
- Assists in preparation of correspondence, tickets, warnings, etc after review with ceo*

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.*

194
310

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

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41
Nancy E. Stevens
MAYOR

Karen A. Risty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

February 4, 2008

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

Honorable President Vigeant and Councilors:

In order to address costs associated with the City's taking of Corbin Plaza, I am providing the attached budget transfer request. I am requesting that \$58,490.03 be transferred from Account No. 100-35900 (Undesignated Funds) as follows: \$26,255.83 to Account No. 11930006-57415 (Legal-Corbin Plaza), \$10,400 to Account No. 11930006-57416 (Building Insurance-Corbin Plaza), \$2,834.20 to Account No. 11930006-57417 (Liability Insurance-Corbin Plaza), \$10,000 to Account No. 11920006-52445 (Maintenance-Corbin Plaza), and \$9000 to Account No. 11920006-52121 (Electricity-Corbin Plaza).

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

Sincerely,


Nancy E. Stevens
Mayor

TRANSFER REQUEST

FROM ACCOUNT		TO ACCOUNT	
AVAILABLE BALANCE	AMOUNT	ORG OBJECT	ACCOUNT DESCRIPT
\$ 1,430,501.90	\$ 58,490.03	100 35900	Undesignated Fund
			Corbin Plaza
			AMOUNT
	\$ 26,255.83		Corbin Legal
	\$ 10,400.00		Build Ins
	\$ 2,834.20		Liability Ins
	\$ 10,000.00		Maintenance
	\$ 9,000.00		Electricity
	\$ 58,490.03		

Reason: To fund expenses associated with Corbin Plaza Tax Taking

AMOUNT AVAIL \$ -



City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
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Nancy E. Stevens
MAYOR

Karen A. Kisty
EXECUTIVE AIDE

Diane C. Halper
EXECUTIVE SECRETARY

February 6, 2008

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

Honorable President Vigeant and Councilors:

Attached please find for your approval the Capital Bond Request for FY08.

This bond request represents the collaborative efforts of Director of Public Facilities John Ghiloni, Commissioner of Public Works Ron LaFreniere, Police Chief Mark Leonard, Fire Chief David Adams, IT Director Mark Gibbs, Assistant Superintendent Jim Jolicoeur, Building Inspector Steve Reid, Recreation Director David Grasso, Comptroller Tom Abel and Auditor Diane Smith.

We collectively developed a bond package that addresses many priorities within the City. Included in these requests are numerous street paving reconstruction projects, technology upgrades, facility upgrades, advancement of the old landfill redevelopment, new fire equipment and other noteworthy projects.

We will be available to the Finance Committee as well as the full Council during your deliberations to answer any and all questions that arise.

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

Sincerely,

Nancy E. Stevens
Mayor



CITY OF MARLBOROUGH

CAPITAL BUDGET

FISCAL YEAR 2008



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

ORDERED:

That the sum of \$2,635,500 (two million six hundred thirty five thousand five hundred) dollars be and is hereby appropriated for departmental equipment.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$ 2,635,500.

Pursuant to the provisions of Chapter 44, Section 7 (9) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

54

DEPARTMENT EQUIPMENT

EQUIPMENT BONDS

Equip. Number	Description	Add / Replace / Transfer / Other	New Description	Cost
<u>DPW STREETS</u>				
13	1997 Pick up w/4 wheel drive & plow	Replace	Ford F250 w/4 wheel - plow	30,000
23	1995 Ford F 350 1 Ton Dump	Replace	Upgrade F-450 (1 Ton) w/4 plow/sander	63,000
41	1991 Dump Sander	Replace	6-Wheeler Dump Sander w plow	140,000
24	1995 Bombardier w/plow	Replace	Multi purpose Tractor with attac blower/sander/mower deck	132,000
42	1993 Dump Sander w/plow	Replace	6 Wheeler w/plow & wing & sander	155,000
	Street Sign Replacement			64,000
			Subtotal	584,000
<u>DPW WATER / WASTEWATER</u>				
55	92 Ford F-800 Dump Truck to 6- Wheeler Dump w/plow & sander	Replace	6 Wheeler w/plow	130,000
			Subtotal	130,000
<u>DPW FORESTRY, PARKS, & CEMETERY</u>				
	2000 580 Toro (16" cut)	Replace	w 2 9' cut mowers & trailer	84,000
			Subtotal	84,000
<u>ENGINEERING</u>				
84	88 GMC pick up 1/2 ton	Replace	F150 W/4WHEEL DRIVE & PLOW	30,000
			Subtotal	30,000
<u>DPW OTHER EQUIPMENT</u>				
	Vehicle GPS	NEW		50,000
			Subtotal	50,000
			DPW SUB TOTAL	\$878,000
Public Facilities				
	School Equipment			200,000
	High School Life Safety Systems			1,000,000
	DPW East Plant HVAC			100,000
	Security Systems (DPW, Kane, H.S.)			250,000
	Vehicle			30,000
	See attached sheet		Public Facilities Sub Total	1,580,000

55

DEPARTMENT EQUIPMENT

Police

Two Unmarked Police Vehicles	54,000	
Investigative Equipment	30,000	
Mobile Data Terminals	40,000	
4 Wheel Drive Vehicle	35,000	
See attached sheet	Police Sub Total	159,000

Inspectional Services

Ford Pick Up 1/2 Ton	18,500
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44s7(9) TOTAL FIVE YEAR EQUIPMENT BOND \$ 2,635,500



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

ORDERED:

That the sum of \$4,355,000 (four million three hundred fifty five thousand) dollars be and is hereby appropriated for street construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$4,355,000.

Pursuant to the provisions of Chapter 44, Section 7 (5) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue.



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

ORDERED:

That the sum of \$327,000 (three hundred twenty seven thousand) dollars be and is hereby appropriated for sidewalk construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$327,000.

Pursuant to the provisions of Chapter 44, Section 7 (6) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

58

STREET MAINTENANCE AND SIDEWALK PROJECTS

STREET AND SIDEWALK BONDS

RECONSTRUCTION NEW BONDS

Goodale (Cameron to Hutchinson)	\$	535,000
Highland Street (entire length)	\$	400,000
Meadow Street (entire length)	\$	120,000
Spring (entire length)	\$	80,000
Vega Road (entire length)	\$	1,425,000
Windsor Street (entire length)	\$	50,000
Butler Circle (entire length)	\$	370,000
Juniper Road (entire length)	\$	230,000
Woodland Drive (entire length)	\$	690,000
Subtotal	\$	3,900,000

RECONSTRUCTION EXISTING BONDS (funds not included in FY 08 bonding request)

Belleview Avenue (entire length)	\$	240,000
McNeil Circle (Vega Road to end of cul-de-sac)	\$	320,000
Subtotal	\$	560,000

STREET OVERLAYS

Rawlins Avenue (entire length)	\$	25,000
River Street (entire length)	\$	20,000
Subtotal	\$	45,000

Richer School

Guardrail	\$	20,000
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CRACK SEALING

Various Streets		\$75,000
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SUB TOTAL \$75,000

PAVING Projects

Library Parking Lot	\$	35,000
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SUB TOTAL \$35,000

OTHER STREET CONSTRUCTION

Stow Road sub drainage near Concord Road		\$30,000
Signalization (Design and Construction - Pleasant & Chestnut)		\$250,000

SUB TOTAL \$280,000

44s7(5) Total ten year street bond \$4,355,000

STREET MAINTENANCE AND SIDEWALK PROJECTS

Sidewalk Repair		\$50,000
Sidewalk construction/replacement		
<i>Walker Street</i>	\$	80,000
<i>Williams Street (Courthouse to Lizotte Drive)</i>	\$	85,000
<i>Prospect / Union Streets</i>	\$	40,000
<i>Edinboro Street (Maple St. to Church St. Supplemental)</i>	\$	72,000
44s7(6) Total five year sidewalk bond		\$327,000
Total Street Maintenance & Construction Projects		\$5,242,000

510



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

ORDERED:

That the sum of \$728,000 (seven hundred twenty eight thousand) dollars be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$ 728,000.

Pursuant to the provisions of Chapter 44, Section 8 (15) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than thirty (30) years from its date of issue.

511

SEWER PROJECTS

SEWER BONDS

SEWER MAINS

Sudbury Street (Design & Takings)	\$	556,000
Evergreen Cemetery Sewer	\$	30,000
Replace Video Equipment	\$	72,000
Subtotal	\$	658,000

EASTERLY WASTEWATER TREATMENT PLANT

Effluent Pump Replacement (Pump 2)	\$	52,000
Nitrification Pump Rebuild w/new VFD and Motor (Pump 3)	\$	18,000
Subtotal	\$	70,000

44s8(15) Total 30 Year Sewer Project Bond **\$728,000**



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

ORDERED:

That the sum of \$810,464 (eight hundred ten thousand four hundred sixty four) dollars be and is hereby appropriated for fire departmental equipment.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$ 810,464.

Pursuant to the provisions of Chapter 44, Section 7 (9) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue.

5/13

TRANSFER REQUEST

FIRE DEPARTMENT

FROM ACCOUNT		TO ACCOUNT	
AVAILABLE BALANCE	AMOUNT	AMOUNT	AMOUNT AVAIL
	ORG CODE	OBJEC	ACCOUNT DISCRIP
	SALE OF REAL ESTATE		
\$ 649,536.38	27000099	48511	Sale of Real Estate
	19300006	58512	Fire Dept Equipment
			\$ 1,094.77
			CAPITAL OUTLAY

Reason: For the purchase of fire trucks as defined in the FY 08 Capital Request

5/14

FIRE DEPARTMENT
PROJECTS

Fire

Ladder Truck	\$985,000
Pumper	\$475,000

SUB TOTAL	\$1,460,000
-----------	-------------

Sale of Fire Station Revenue	-\$649,536
------------------------------	------------

44s7(9) TOTAL TEN YEAR EQUIPMENT BOND	\$810,464
See attached sheet	

515



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

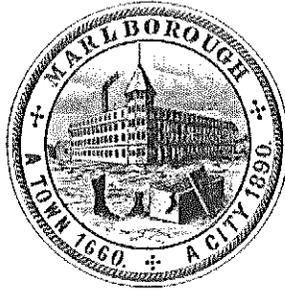
ORDERED:

That the sum of \$1,356,000 (one million three hundred fifty six thousand) dollars be and is hereby appropriated for building renovations.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$1,356,000.

Pursuant to the provisions of Chapter 44, Section 7 (3A) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than twenty (20) years from its date of issue.

5/14



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

ORDERED:

That the sum of \$200,000 (two hundred thousand) dollars be and is hereby appropriated for energy improvements to buildings.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$200,000.

Pursuant to the provisions of Chapter 44, Section 7 (3B) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue.

517

BUILDING PROJECTS

BUILDING RENOVATION

PUBLIC FACILITIES

ROOF KANE	\$400,000
WINDOWS CITY HALL	\$150,000
PARKING DECK CITY HALL	\$600,000
SUB TOTAL	\$1,150,000

Municipal Garage

Drainage Relocation near Fleet after UG Tank is Removed	\$6,000
Salt Storage Shed	\$200,000

44s7(3A) TOTAL 20 YEAR BUILDING RENOVATION BONDS \$1,356,000

PUBLIC FACILITIES

Energy Upgrades	\$200,000
-----------------	-----------

44s7(3B) TOTAL 10 YEAR BUILDING RENOVATION BONDS \$200,000

518



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

ORDERED:

That the sum of \$95,000 (ninety five thousand) dollars be and is hereby appropriated for developing cemetery roads and paths.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$95,000.

Pursuant to the provisions of Chapter 44, Section 7 (20) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

519

FORESTRY, PARKS AND CEMETERY PROJECTS

CEMETERY BONDS

PROJECTS

Cemetery Projects

Evergreen Cemeteries		
<i>Reconstruct Roadways (Evergreen Phase 2 & 3)</i>	\$	70,000
<i>Replace Water Lines (Evergreen)</i>	\$	25,000
Total Forestry, Parks and Cemetery Projects	\$	95,000

44s7(20) TOTAL 5 YEAR CEMETERY BOND **\$95,000**

5
20



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

ORDERED:

That the sum of \$75,000 (seventy five thousand) dollars be and is hereby appropriated for engineering and architectural design.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$75,000.

Pursuant to the provisions of Chapter 44, Section 7 (22) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

521

ENVIRONMENTAL AND SITE UPGRADES

LAKE WILLIAMS

Old Lakeside Ave Storm water/Streetscape Improvements (design) \$75,000

44s7(22) TOTAL FIVE YEAR DESIGN BOND 75,000

5
22



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

ORDERED:

That the sum of \$1,092,500 (one million ninety two thousand five hundred) dollars be and is hereby appropriated for park reconstruction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$1,092,500.

Pursuant to the provisions of Chapter 44, Section 7 (25) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue.

523

PLAYGROUND BOND

RECREATION
HUDSON STREET LANDFILL

Phase 1, New Field Construction; Final Design and Construction	\$1,050,000
Williams Stree Ballfields - Relocate outfield and batting cages	\$42,500
Total Recreation Projects	\$1,092,500

44s7(25) TOTAL 15 YEAR PLAYGROUND BOND **\$1,092,500**

524



CITY OF MARLBOROUGH

IN CITY COUNCIL

Marlborough, MA February 11, 2008

ORDERED:

That the sum of \$402,000 (four hundred two thousand) dollars be and is hereby appropriated for computer hardware.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$ 402,000.

Pursuant to the provisions of Chapter 44, Section 7 (28) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

525

COMPUTER HARDWARE BOND

INFORMATION SYSTEMS

City	
Replace User Machines	\$ 20,000.00
Switch Replacement	\$ 20,000.00
Mail Server Replacement	\$ 10,000.00
Email Archiving	\$ 50,000.00
Contingency Planning	\$ 6,500.00
Schools	
DEC Admin Server	\$ 8,000.00
Server Student Portfolio	\$ 5,000.00
Replace User Machines	\$ 10,000.00
Jaw Sch Replace User Machines	\$ 10,000.00
Smart Boards	\$ 5,500.00
Kane Replace User Machines	\$ 40,000.00
Smart Boards	\$ 5,500.00
Richer Replace User Machines	\$ 40,000.00
Smart Boards	\$ 5,500.00
Interm. Replace User Machines	\$ 40,000.00
Smart Boards	\$ 5,500.00
Middle	\$ 40,000.00
Smart Boards	\$ 5,500.00
High Replace User Machines	\$ 40,000.00
Install Technology	\$ 35,000.00

44S7(28) TOTAL TEN YEAR COMPUTER HARDWARE BOND \$ 402,000.00

526

EXECUTIVE SUMMARY

TOTAL DEPARTMENTAL REQUEST

TOTAL DPW	\$8,316,500.00
TOTAL PUBLIC FACILITIES PROJECTS	\$2,930,000.00
TOTAL INFORMATION SYSTEMS	\$402,000.00
TOTAL POLICE PROJECTS	\$159,000.00
TOTAL FIRE PROJECTS	\$1,460,000.00
TOTAL INSPECTIONAL SERVICES	\$18,500.00

Total Capital Requests: \$13,286,000.00

NEW BONDING REQUEST

TOTAL DPW	\$7,756,500.00
TOTAL PUBLIC FACILITIES PROJECTS	\$2,930,000.00
TOTAL INFORMATION SYSTEMS	\$402,000.00
TOTAL POLICE PROJECTS	\$159,000.00
TOTAL FIRE PROJECTS	\$810,463.62
TOTAL INSPECTIONAL SERVICES	\$18,500.00

Total Bonding Request \$12,076,463.62

FIVE YEAR BONDS	\$3,132,500.00
TEN YEAR BONDS	\$5,767,463.62
FIFTEEN YEAR BONDS	\$ 1,092,500.00
TWENTY YEAR BONDS	\$ 1,356,000.00
THIRTY YEAR BONDS	\$ 728,000.00

TOTAL \$12,076,463.62

WITHIN DEBT LIMIT	\$11,348,463.62
OUTSIDE DEBT LIMIT	\$ 728,000.00

TOTAL \$12,076,463.62



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

February 7, 2008

Arthur Vigeant
President
Marlborough City Council

Dear President Vigeant and Members:

As you know, the City Council voted on December 17, 2007 (Order No. 07-1001743A) to approve a taking by eminent domain of a strip of land adjacent to Robin Hill Street, including a \$9,000 award of damages, from the Hillside School. As you further know, the taking is necessary for two reasons: to allow MassHighway to construct a new Robin Hill Street bridge, and to allow the DPW to extend the water line along Robin Hill Street.

As was indicated during the course of Council deliberations on the taking vote, the Robin Hill Water Line Account is being used as the source of funding for the award of damages. Nonetheless, it is prudent for the Council to formally confirm that a \$9,000 portion of the Account is the source of funding for the award of damages.

Accordingly, a two-part confirmatory order is enclosed. The first part is the confirmatory vote relative to the \$9,000 portion of the Account, and requires a two-thirds majority. The second part is the confirmatory taking vote, and requires a simple majority.

We are available to answer your questions. Thank you for your attention to this matter.

Very truly yours,

Cynthia Panagore Griffin
Cynthia Panagore Griffin
Assistant City Solicitor

Enclosure

cc: Nancy E. Stevens, Mayor
Donald V. Rider, Jr., City Solicitor
Ronald LaFreniere, DPW Commissioner

Ordered:

That the City Council of the City of Marlborough confirms the transfer of \$405,000 from the Robin Hill Stabilization account to the Robin Hill Water Line account, Order No. 07-1001657, of which \$9,000 shall be used to provide funds for the eminent domain taking of land needed 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.

ADOPTED
In City Council
Order No. 08 -

Adopted

Lisa M. Thomas, Clerk of the
City Council

Approved by Mayor
Nancy E. Stevens, Mayor
Date:

Nancy E. Stevens, Mayor

A TRUE COPY
ATTEST:
Date:

Lisa M. Thomas, Clerk of the
City

3-H



IN CITY COUNCIL



782

63

2007 00226283

Bk: 50509 Pg: 289 Doc: ORD
Page: 1 of 3 12/24/2007 11:08 AM

Marlborough, Mass., DECEMBER 17, 2007

PAGE 1

ORDERED:

Suspension of the Rules requested – granted.

Eminent Domain Order of Taking

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;

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.

Robin Hill Street
PA # 1368 of 2007

City of Marlborough
140 Main St
Marlborough Ma 01752

64



IN CITY COUNCIL

Marlborough, Mass., DECEMBER 17, 2007
PAGE 2

ORDERED:

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.

65



IN CITY COUNCIL

Marlborough, Mass., DECEMBER 17, 2007
PAGE 3

ORDERED:

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, Juaira, Webster, Clancy, Towle, Ossing, Levy

Nay: Pope, Vigeant

ADOPTED

In City Council

Order No. 07-1001743A

Adopted

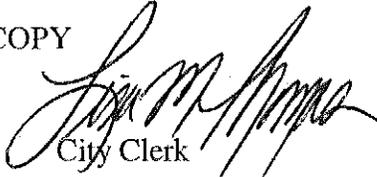
Approved By Mayor

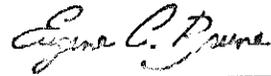
Nancy E. Stevens

Date: December 18, 2007

A TRUE COPY

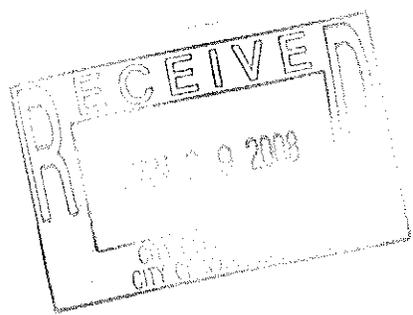
ATTEST:


City Clerk



Attest: Madaleno S. Register

One Boston Place
Boston, MA 02108-4404
Main (617) 557-5900
Fax (617) 557-5999
mgiaimo@rc.com
Direct (617) 557-5959



January 29, 2008

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

Re: Application for Special Permit by Bell Atlantic Mobile of Massachusetts Corporation, Ltd. d/b/a Verizon Wireless ("Verizon Wireless") for Co-Location of Antennas and Equipment at an Existing Wireless Communications Facility – 75 Donald J. Lynch Boulevard

Dear Madame Clerk:

Enclosed is an application for special permit on behalf of Bell Atlantic Mobile of Massachusetts Corporation, Ltd., d/b/a Verizon Wireless ("Verizon Wireless"). The application seeks a special permit to install antennas at the 90-foot elevation on an existing wireless communications tower at the Site and to place a 12'x 20' prefabricated shelter and install related equipment on the ground nearby.

As provided in Section 200-59.C(1)(c) of the Zoning Code, we are filing three (3) full sets (original and two copies) of the application and supporting material with your office.

We are also filing 11 full sets with the office of the City Council, and are filing copies with the other offices as specified in the Code.

The application consists of the following:

1. Form -- Application to City Council for Issuance of Special Permit
2. Form – Special Permit – Summary Impact Statement
3. Form – Special Permit Application Certification (signed by the City’s Director of Planning)
4. Abutters List
5. Statement in Support of Application



Law Offices

BOSTON

HARTFORD

NEW LONDON

STAMFORD

WHITE PLAINS

NEW YORK CITY

SARASOTA

www.rc.com

BOST1-935674-1

Lisa Thomas, City Clerk
January 29, 2008
Page 2

6. Report by Doug Sheadel, Modeling Specialties Inc.
7. Signal Coverage Maps
8. Plans

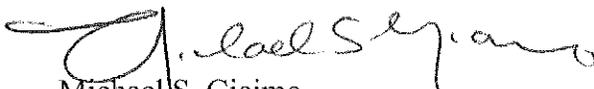
Also enclosed is a check for \$500.00 payable to the City of Marlborough to satisfy the required filing fee.

Please acknowledge receipt of the application materials and filing fee by date-stamping and returning the enclosed extra copy of this letter and application to the person filing this application after it has been date-stamped by the Office of the City Clerk.

This application is submitted with a full reservation of the Applicant's rights under all applicable federal, state and local laws and regulations.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me directly.

Sincerely,


Michael S. Giaimo

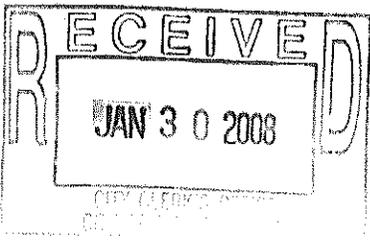
Enclosures

Copy with enclosures to:

Office of the City Council (11 copies of enclosures)
Police Chief
Fire Chief
City Engineer
Al Lima, Director of Planning
Building Inspector
Chuck Webberly, Structure Consulting Group



81



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
January 14, 2008
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, January 14, 2008 in Memorial Hall, 3rd floor, City Hall, Marlborough, MA 01752. Members present: Barbara Fenby, Chairperson, Steve Kerrigan, Clerk, Philip Hodge, Edward Coveney, Robert Hanson and Sean Fay. Also present: City Engineer Thomas Cullen.

ELECTION OF OFFICERS

ELECTION OF PLANNING BOARD OFFICERS 2007

The gavel was turned over to Sean Fay to serve as Chairman Pro Tem for the election process.

Barbara Fenby was unanimously re-elected as Chair for the year of 2008.

Steve Kerrigan was unanimously re-elected as Clerk for the year of 2008.

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

To appoint Barbara L. Fenby as Chairperson and Steve Kerrigan as Clerk for a term to expire on December 31, 2008.

Sean Fay returned the gavel was returned to Chairperson Fenby.

MINUTES

Meeting Minutes December 17, 2007

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

To accept and file the meeting minutes of December 17, 2007.

CHAIR'S BUSINESS

Correspondence from Marlborough Historical Society

Mr. Kane sent a copy of the correspondence to Mr. Schorer, owner of land the Historical Society currently resides. The Historical Society is asking him to entertain a proposal for transferring the land or a long term lease for the property for which the historical home.

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

To accept and file correspondence.

APPROVAL NOT REQUIRED PLAN

116 Broad Street

Arthur Bergson has asked the planning board to refer the submittal of the ANR plan to the City Engineer via verbal confirmation to the Board Secretary.

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

To accept and refer the proposed plan to the City Engineer for his review and recommendation at the next meeting on Monday, January 28, 2008.

PUBLIC HEARING

SUBDIVISION PROGRESS REPORTS

Update from City Engineer

Mr. Cullen gave the Planning Board a new update. He now has the funding to finish the Fiddlehead subdivision, has spoken to the Engineers for Sterling Woods and has spoken to the lawyers for Elm Farm Valley for descriptions for the as-builts.

Berlin Farms (Long Drive)

Correspondence from City Engineer

Correspondence from the City Engineer stated there were still some issues that needed to be completed on the plan modifications. The plans still needed a revised drainage report which would reflect the latest changes and plan views need to be addressed.

Amendment to the Covenant

The City Solicitor has revised the covenant to reflect the changes made in the new lotting plan to include the change to the detention basin. He advised the Planning Board to sign the amended covenant.

Modification to subdivision plan

The developer's attorney provided the Board with the new lotting plan. Mr. Rider, the City Solicitor, did state that the current revised detention basin plan was before the Conservation Commission and they will be making their final comments at their next meeting. Mr. Kerrigan did ask the City Engineer if he has reviewed the new plan. Mr. Cullen has not reviewed the revised plan and did make an appointment with the developers Engineer during the meeting. Mr. Cullen did state he will have a recommendation at the next meeting.

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

The newly revised plan did not require a public hearing on the new lot lines created for the detention basin.

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

To accept and refer the new lotting plan to the City Engineer for his review and comments to be made at the next scheduled meeting.

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

To table all correspondence until the next regular scheduled meeting.

Blackhorse Farms (Slocumb Lane)

Mr. O'Brien who resides at 29 Slocumb Lane sent correspondence to the Board detailing the blight that exists at the Blackhorse Subdivision. Mr. O'Brien stated that since this summer Fafard Development has only cut the common grass once this summer and fill from a different site was "dumped" into the subdivision where weeds and clover overran into his yard. He also stated that there in no security and children in the neighborhood are using the area as a play area for their dirt bikes. Mr. O'Brien feels that he has been patient and is asking the Planning Board what they are able to do to rectify this issue.

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

To accept and file correspondence, send the correspondence to the Code Enforcement Officer and send a letter to Mr. O'Brien thanking him for his patience in this matter.

Ms. Fenby urged the members to survey the subdivision.

Davis Estates (Bouvin Drive)

The Developers Attorney sent correspondence stating that the developer, Robert Valchuis, has no intention of changing the name of the street. The prior independent request of an individual was unwarranted by Mr. Valchuis.

On a motion by Mr. Kerrigan, seconded by Mr. Coveney 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

Mr. Coveney signed the mylar plans at the end of the meeting.

SCENIC ROADS

SIGNS

419-435 Lakeside Ave

A verbal request was made to Mrs. Lizotte by attorney Bergeron to ask the Planning Board to table any decision until Mr. Reid has a written decision.

On a motion made by Mr. Kerrigan, seconded by Mr. Coveney it was duly voted:
To table the sign appeal until the next scheduled meeting.

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:

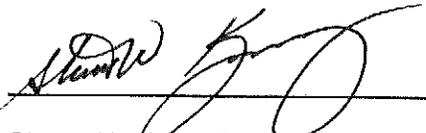
To accept all of the items listed under communications and/or correspondence.

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

To adjourn at 7:45 p.m.

A TRUE COPY

ATTEST:



Steven Kerrigan, Clerk