

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 JAN -9 P 12:49

1. Minutes of the City Council Meeting, December 16, 2013.
2. Minutes, Organizational Meeting, January 6, 2014.
3. PUBLIC HEARING On the Proposed Amendment to the Code of the City of Marlborough, Zoning, Section 650-17, Medical and Dental Clinics, Order No. 13-1005578A.
4. PUBLIC HEARING On the Application for Special Permit from Attorney Bergeron on behalf of Sandra & Anthony Antico Real Estate LLC and Sky Studios, Inc. to open commercial recreation establishment at the property, specifically an exercise and fitness facility at 289 Elm Street, Order No. 13-1005582A.
5. Communication from the Mayor re: Police Department transfer request in the amounts of \$168,090.00 and \$4,000.00 which moves funds from and to various accounts to fund overtime costs associated with retirements of and injuries to officers in the department and for in-service training for newly promoted officers as well as increased membership dues respectively.
6. Communication from the Mayor re: Fire Department transfer request in the amount of \$100,000.00 which moves from Firefighter to Overtime due to injuries, unanticipated retirements and long term illnesses of several members of the department.
7. Communication from the Mayor re: Public Facilities Department transfer request in the amount of \$10,000.00 which moves funds from Custodian to Gross Overtime due to weather related emergencies and HVAC issues.
8. Communication from the Mayor re: Three Grants Awarded to the Police Department as follows:
 - a) Commonwealth of Massachusetts Executive Office of Public Safety Grant and United States Department of Justice Grant in the amounts of \$15,595.10 each for purchasing tactical bulletproof vests.
 - b) Executive Office of Public Safety and Security Grant in the amount of \$8,400.00 to fund traffic safety patrols throughout the City.
9. Communication from the Mayor re: Executive Office and Public Safety and Security Grants awarded to the Fire Department in the amounts of \$5,786.00 and \$3,217.00 for Student Awareness Fire Education and for Senior Awareness Fire Education programs respectively.
10. Communication from the Mayor re: Gifts awarded to the Police Department from Digital Federal Credit Union in the amount of \$2,000.00 to be used for youth programs and from Companion Pet Sitting/K-9 Hydrotherapy of Northborough in the amount of \$1,501.00 acquired from donated funds.
11. Communication from the Mayor re: Proposed Order to Revoke Acceptance of MGL Chapter 41, Section 100B.
12. City Council Meeting Schedule and Committee Assignments from Council President Pope.
13. From Legislative and Legal Affairs Committee Chairman Clancy – re-filing of Bi-Directional/Uni-directional Antenna Specifications Ordinance for referral to Legislative and Legal Affairs Committee.
14. Communication from Central Massachusetts Mosquito Control Project re: Pesticide Exclusion for Residents.
15. Minutes, Traffic Commission, November 26, 2013.
16. Minutes, Commission on Disabilities, March 5, April 2, May 7, June 11, August 26, September 10, November 5, 2013.
17. Minutes, Planning Board, November 4 and December 2, 2013.
18. Minutes, Marlborough High School Council, December 4, 2013

- 19. Communication from Amica Mutual Insurance Co. re: Ray White, 14 Wilshire Way, Unit 60
- 20. CLAIMS:
 - A. Trevor Campbell, 65 Conrad Rd., residential mailbox claim 2(a)
 - B. Paul Stonemetz, 28 Jackson Cir., pothole or other road defect
 - C. Barbara Nelson, 760 Stevens St., residential mailbox claim 2(a)

REPORTS OF COMMITTEES:

- 21. That the DPW Commissioner and Mayor review the hours of operation of the resident drop-off facility (Transfer Station) to possibly extend the hours until 5 PM on Saturdays (currently closes at 3PM sharp), and potentially to explore some Sunday hours as well.Submitted by: Councilor Joseph Delano
- 22. That the Marlborough Economic Development Corporation (MEDC) be requested to submit an annual report and FY2014 budget overview to the Marlborough City Council; with a presentation to the full City Council to occur, if possible, within the next sixty days.Submitted by: Councilors Oram and Elder



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

**Lisa M. Thomas
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Marlborough, MA 01752
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DECEMBER 16, 2013

Regular meeting of the City Council held on Monday, December 16, 2013 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Ossing, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, and Landers. Meeting adjourned at 9:35 PM.

President Pope recognized the following Marlborough residents who were in attendance at the Purple Heart Ceremony held earlier in City Hall: Usy Comier, Jerry Elliott, Ross Flagg, Ed Jolley, Henry Marchant, Louis Monti, and Jim Winbush.

ORDERED: That the minutes of the City Council Meeting DECEMBER 2, 2013, **FILE**; adopted.

ORDERED: That there being no objection thereto set **Monday, January 13, 2014** as date for a **PUBLIC HEARING** on the Application for Special Permit from Attorney Bergeron on behalf of Sandra & Anthony Antico Real Estate LLC and Sky Studios, Inc. to open commercial recreation establishment at the property, specifically an exercise and fitness facility at 289 Elm Street, refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That the Communication from Attorney Bergeron of Sandra & Anthony Antico Real Estate LLC and Sky Studios, Inc. requesting to extend Time Limitations for a Public Hearing on to February 1, 2014 on the Application for Special Permit, to open commercial recreation establishment at the property, specifically an exercise and fitness facility at 289 Elm Street, **FILE**; adopted

ORDERED: That Communication from the Mayor re: Employee Recognition of Mr. Harry Butland, Jr. as a recipient of the 2013 Regional Wastewater Treatment Plant Operator Excellence Award, **FILE**; adopted.

ORDERED: That the Veteran Service's transfer request in the amount of \$75,000.00 which moves funds from Undesignated to Veterans Benefits due to a rise in demand for benefits afforded to eligible veterans and their families, **APPROVED**; adopted.

FROM:

Acct. # 10000-35900 \$75,000.00
Undesignated Fund

TO:

Acct. # 1543006-57710 \$75,000.00
Veterans Benefits

ORDERED: That the Legal Department transfer request in the amount of \$75,000.00 from Undesignated to Legal Services to fund anticipated legal expenses for the remainder of the fiscal year, refer to **FINANCE COMMITTEE AND CARRY OVER TO 2014**; adopted.

FROM:

Acct. # 10000-35900 \$75,000.00
Undesignated Funds

TO:

Acct. # 11510004-53110 \$75,000.00
Legal Services

ORDERED: That the IT/Building Department transfer request in the amount of \$27,000.00 which moves funds from Undesignated to Computer Software due to an increase in the size of building permits and said funds budgeted for use of GeoTMS software, refer to **FINANCE COMMITTEE AND CARRY OVER TO 2014**; adopted.

FROM:

Acct. # 10000-35900 \$27,000.00
Undesignated Funds

TO:

Acct. # 11550004-52541 \$27,000.00
Maint/Computer Software

ORDERED: That the Building Department transfer requests totaling \$17,500.00 for various reasons as noted on the attached spreadsheet, refer to **FINANCE COMMITTEE AND CARRY OVER TO 2014**; adopted.

BUDGET TRANSFERS --									
DEPT:		Inspectional Services				FISCAL YEAR:		2014	
Available Balance		FROM ACCOUNT:				TO ACCOUNT:		Available Balance	
Amount	Org Code	Object	Account Description:		Amount	Org Code	Object	Account Description:	
\$17,000.00	83600	32703	Stabilizaiton - Bldg Dept		\$7,650.00	12410001	50260	Assistant Bldg Inspector	
	Reason: To offset additional costs & promote timely inspections					To ensure adequate funding through FY14			
\$500.00	83600	32717	Stabilizaiton - Bldg Dept		\$6,850.00	12410001	50380	Electrical Inspector	
	Reason: To offset additional costs & promote timely inspections					To ensure adequate funding through FY14 and to account for pending salary ordinance amendments			
					\$3,000.00	12410001	50960	Assistant Plumbing Inspector	
	Reason: _____					To ensure adequate funding through FY14 and to account for pending salary ordinance amendments			
	Reason: _____					_____			
\$17,500.00	Total				\$17,500.00	Total			

ORDERED: That the Council on Aging transfer request in the amount of \$308.64 which moves funds from Principal Clerk to Social Services Coordinator correcting a 2% COLA increase, **APPROVED**; adopted.

FROM:

Acct. # 15410002-50520 \$308.64

Principal Clerk

TO:

Acct. # 15410001-50996 \$308.64

Social Services Coordinator

ORDERED: That the Council on Aging Gift Acceptance in the amount of \$20,000.00 to be utilized for services and programs provided by the Council on Aging, **APPROVED**; adopted.

ORDERED: That the Communication from the Mayor re: Municipal Sewer Tie-In Requests pertinent to Sudbury and Berlin, refer to **OPERATIONS AND OVERSIGHT COMMITTEE AND CARRY OVER TO 2014**; adopted

ORDERED: That the reaffirmation of the vote taken on December 2, 2013 to Offset the Tax Levy by transferring \$30,275.00 from the Sale of Graves, \$368,714.86 from Aquifer Protection and \$2,000,000.00 in Undesignated Free Cash AND further approve the FY2014 Residential Factor of .79911 with a Corresponding CIP Shift of 1.40 and Board of Assessor's recommendation of a FY2014 Residential Property Tax Levy of 53.21% (Residential Property Valuation 66.57% of total valuation) and Commercial, Industrial and Personal Property FY2014 Tax Levy of 46.79% (CIP Valuation 33.43% of total valuation), **APPROVED**; adopted.

Councilor Oram requested to be recorded in opposition to the Corresponding CIP Shift of 1.40.

Yea: 11 – Nay: 0

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

ORDERED: That the Communication from City Solicitor Rider re: Special Permit, Jump In with Us, 19 Brigham St., Unit 6, in proper legal form, Order No. 13-1005482C, **MOVED TO ITEM 24**; adopted.

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

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

Yea: 11 – Nay: 0

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

ORDERED: That the Communication from Mass Development re: Final Approval to a Revenue Bond Project to be Financed on Behalf of Partners Healthcare System, Inc., **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, November 18, 2013, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, October 22, 2013, **FILE**; adopted.

ORDERED: That the Communication from Hanover Insurance Group on behalf of Hillside School Inc., 404 Robin Hill St., refer to the **LEGAL DEPARTMENT**; adopted.

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

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

Suspension of the Rules requested – granted

ORDERED: That the MMEA Contract Transfer request to fund the recently ratified collective bargaining contract between the City of Marlborough and the Marlborough Municipal Employees Association (MMEA) for FY 2013, 2014, and 2015, refer to **FINANCE COMMITTEE AND CARRY OVER TO 2014**.

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$460,696	\$133,345	11990006	57820	Reserve for Salaries	\$5,285	11330002	50062	Finance Assistant	\$64,418
	Reason:					Contractual Increase			
					\$2,185	11350002	50062	Finance Assistant	\$30,390
	Reason:					Contractual Increase			
					\$2,090	11350002	50550	Head Clerk	\$27,716
	Reason:					Contractual Increase			
					\$925	11350002	50770	Senior Clerk	\$10,555
	Reason:					Contractual Increase			
					\$2,925	11410002	50550	Head Clerk	\$23,328
	Reason:					Contractual Increase			
					\$2,480	11410002	50770	Senior Clerk	\$27,771
	Reason:					Contractual Increase			
					\$4,955	11440002	50770	Senior Clerk	\$45,883
	Reason:					Contractual Increase			
					\$2,285	11550001	50210	Senior System Analyst	\$33,039
	Reason:					Contractual Increase			
					\$2,570	11550001	50213	Network Engineer	\$42,983
	Reason:					Contractual Increase			

		\$2,540	11610002	50770	Senior Clerk	\$21,372
Reason:			Contractual Increase			
		\$2,120	11620002	50141	Clerk	\$8,184
Reason:			Contractual Increase			
		\$1,940	11620002	50520	Principal Clerk	\$23,728
Reason:			Contractual Increase			
		\$8,055	11920001	50292	Bldg Maint. Craftsman	\$102,814
Reason:			Contractual Increase			
		\$2,130	11920001	50385	Electrician	\$28,826
Reason:			Contractual Increase			
		\$1,975	11920002	50520	Principal Clerk	\$12,316
Reason:			Contractual Increase			
		\$5,145	11920003	50560	Custodian	\$89,656
Reason:			Contractual Increase			
		\$1,940	12100002	50520	Principal Clerk	\$24,271
Reason:			Contractual Increase			
		\$1,845	12100002	50770	Senior Clerk	\$21,107
Reason:			Contractual Increase			
		\$2,030	12100003	50540	Chief Dispatcher	\$27,009
Reason:			Contractual Increase			
		\$15,200	12100003	51213	Public Safety Dispatcher	\$204,842
Reason:			Contractual Increase			
		\$2,110	12100003	51214	Public Safety Admin Asst	\$29,323
Reason:			Contractual Increase			
		\$2,150	12200002	51214	Public Safety Admin Asst	\$29,362
Reason:			Contractual Increase			
		\$5,235	12410001	50260	Asst Bldg Inspector	\$61,519
Reason:			Contractual Increase			
		\$2,285	12410001	50370	Plumbing Inspector	\$33,038
Reason:			Contractual Increase			
		\$7,160	12410002	50770	Senior Clerk	\$74,943
Reason:			Contractual Increase			
		\$1,975	14001002	50520	Principal Clerk	\$24,631
Reason:			Contractual Increase			
		\$2,090	14001002	50550	Head Clerk	\$27,716
Reason:			Contractual Increase			
		\$1,845	14001002	50770	Senior Clerk	\$21,108
Reason:			Contractual Increase			
		\$1,975	11090002	50520	Principal Clerk	\$24,631
Reason:			Contractual Increase			

			\$2,110	14920001	50166	Recreation Program Mgr.	\$28,324
Reason:				Contractual Increase			
			\$1,845	14920002	50770	Senior Clerk	\$21,107
Reason:				Contractual Increase			
			\$2,020	15120001	50611	Assistant Sanitarian	\$25,857
Reason:				Contractual Increase			
			\$1,845	15120002	50770	Senior Clerk	\$21,107
Reason:				Contractual Increase			
			\$1,905	15410001	50312	Outreach Worker	\$23,485
Reason:				Contractual Increase			
			\$2,805	16100001	50470	Children's Librarian	\$24,451
Reason:				Contractual Increase			
			\$1,975	16100001	50471	Young Adult Librarian	\$24,665
Reason:				Contractual Increase			
			\$1,975	16100001	50480	Cataloguer	\$24,631
Reason:				Contractual Increase			
			\$2,090	16100001	50656	Head of Circulation	\$27,715
Reason:				Contractual Increase			
			\$1,975	16100002	50520	Principal Clerk	\$24,631
Reason:				Contractual Increase			
			\$3,680	16100003	50490	Library Staff	\$42,214
Reason:				Contractual Increase			
			\$1,630	16100003	50860	Clerk	\$15,335
Reason:				Contractual Increase			
			\$10,045	16100003	51261	Library Staff Assistant	\$89,813
Reason:				Contractual Increase			

ORDERED: That the Comptroller's Office transfer request in the amount of \$1,800.00 from Finance Assistant to Longevity to fund the longevity payment associated with the transfer of a School Department employee to the Comptroller's Office, **APPROVED**; adopted.

FROM:

Acct. # 11330002-50062

\$1,800.00

Finance Assistant

TO:

Acct. # 11330003-51430

\$1,800.00

Sick Longevity

ORDERED: That the following transfer requests to fund the contractual obligations associated with the recently signed contract between the Department of Public Works Engineers Local 176 and the City **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
Available Balance	FROM ACCOUNT:				Amount	TO ACCOUNT:			Available Balance
	Amount	Org Code	Object	Account Description:		Org Code	Object	Account Description:	
\$240,170.00	\$2,498	11990006	57820	Reserve for Salaries	\$2,498	14001101	50108	GIS Administrator	\$44,956
	Reason:					Contractual Increase			
\$240,170.00	\$2,838	11990006	57820	Reserve for Salaries	\$2,838	14001101	50660	Assistant City Engineer	\$53,453
	Reason:					Contractual Increase			
\$240,170.00	\$3,577	11990006	57820	Reserve for Salaries	\$3,577	14001101	50700	Senior Engineering Aide	\$67,418
	Reason:					Contractual Increase			
\$240,170.00	\$2,576	11990006	57820	Reserve for Salaries	\$2,576	14001101	50705	Assistant Civil Engineer	\$47,726
	Reason:					Contractual Increase			
\$240,170.00	\$7,313	11990006	57820	Reserve for Salaries	\$7,313	14001101	50710	Junior Civil Engineer	\$125,621
	Reason:					Contractual Increase			
	\$18,802	Total			\$18,802	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
Available Balance	FROM ACCOUNT:				Amount	TO ACCOUNT:			Available Balance
	Amount	Org Code	Object	Account Description:		Org Code	Object	Account Description:	
\$240,170.00	\$1,233	11990006	57820	Reserve for Salaries	\$1,233	14001103	51430	Longevity Pay	\$8,318
	Reason:					Contractual Increase			
\$240,170.00	\$443	11990006	57820	Reserve for Salaries	\$443	14001103	51920	Sick Leave Buyback	\$11,063
	Reason:					Contractual Increase			
\$240,170.00	\$2,838	11990006	57820	Reserve for Salaries	\$2,838	14001301	50660	Assistant City Engineer	\$53,453
	Reason:					Contractual Increase			
\$240,170.00	\$3,215	11990006	57820	Reserve for Salaries	\$3,215	14001303	51430	Longevity Pay	\$50,812
	Reason:					Contractual Increase			
\$240,170.00	\$126	11990006	57820	Reserve for Salaries	\$126	14001303	51920	Sick Leave Buyback	\$34,707
	Reason:					Contractual Increase			
	\$7,855	Total			\$7,855	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT:		FROM ACCOUNT:				FISCAL YEAR:				TO ACCOUNT:		Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	Balance	Balance	
\$240,170.00	\$2,838	11990006	57820	Reserve for Salaries	\$2,838	14001401	50692	Supt. Of Auto Maintenance	\$53,453			
				Reason:				Contractual Increase				
\$240,170.00	\$89	11990006	57820	Reserve for Salaries	\$89	14001403	51430	Longevity Pay	\$2,204			
				Reason:				Contractual Increase				
\$240,170.00	\$126	11990006	57820	Reserve for Salaries	\$126	14001403	51920	Sick Leave Buyback	\$3,145			
				Reason:				Contractual Increase				
\$240,170.00	\$2,838	11990006	57820	Reserve for Salaries	\$2,838	14001501	50680	General Foreman	\$53,453			
				Reason:				Contractual Increase				
\$240,170.00	\$158	11990006	57820	Reserve for Salaries	\$158	14001503	51430	Longevity Pay	\$31,123			
				Reason:				Contractual Increase				
	\$6,049	Total			\$6,049	Total						

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT:		FROM ACCOUNT:				FISCAL YEAR:				TO ACCOUNT:		Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	Balance	Balance	
\$240,170.00	\$126	11990006	57820	Reserve for Salaries	\$126	14001503	51920	Sick Leave Buyback	\$14,760			
				Reason:				Contractual Increase				
\$240,170.00	\$2,796	11990006	57820	Reserve for Salaries	\$2,796	60080001	50570	Chemist	\$43,424			
				Reason:				Contractual Increase				
\$240,170.00	\$2,024	11990006	57820	Reserve for Salaries	\$2,024	60080001	50580	Assistant Chemist	\$33,096			
				Reason:				Contractual Increase				
\$240,170.00	\$2,498	11990006	57820	Reserve for Salaries	\$2,498	60081001	50910	Head Treatment Pl. Op	\$46,838			
				Reason:				Contractual Increase				
\$240,170.00	\$305	11990006	57820	Reserve for Salaries	\$305	60081003	51430	Longevity Pay	\$6,492			
				Reason:				Contractual Increase				
	\$7,749	Total			\$7,749	Total						

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT:		FROM ACCOUNT:				FISCAL YEAR:				TO ACCOUNT:		Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	Balance	Balance	
\$240,170.00	\$2,498	11990006	57820	Reserve for Salaries	\$2,498	60085001	50910	Head Treatment Pl. Op	\$49,448			
				Reason:				Contractual Increase				
\$240,170.00	\$169	11990006	57820	Reserve for Salaries	\$169	60085003	51430	Longevity Pay	\$13,185			
				Reason:				Contractual Increase				
\$240,170.00	\$2,838	11990006	57820	Reserve for Salaries	\$2,838	61090001	50680	General Foreman	\$53,453			
				Reason:				Contractual Increase				
	\$5,505	Total			\$5,505	Total						

ORDERED: That the Communication from the Mayor re: Gift Acceptance from Partners Healthcare System, Inc. in the amount of \$750,000.00 specifically earmarked for renovation and/or replacement of a Senior Center in the City, **APPROVED**; adopted.

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

Councilor Elder abstained

Yea: 7 – Nay: 3 – Abstain: 1

Yea: Delano, Jenkins, Tunnera, Seymour, Landers, Pope, & Oram

Nay: Clancy, Ossing, & Robey

Abstain: Elder

ORDERED: That a petition to the General Court, accompanied by a bill for a special law 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 2, 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:

**AN ACT ESTABLISHING
A PARKS & FIELDS CAPITAL ENHANCEMENTS SPECIAL REVENUE FUND
IN THE CITY OF MARLBOROUGH**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding section fifty-three of chapter forty-four of the General Laws or any other general or special law to the contrary, the city of Marlborough shall establish in the city treasury a special revenue account to be known as the Parks & Fields Capital Enhancements Special Revenue Fund, into which shall be deposited certain receipts comprising a portion of the total local meals tax received annually by the city under section two of chapter sixty-four L of the General Laws, as provided in section 2 herein. The purpose of this act, and of the Parks & Fields Capital Enhancements Special Revenue Fund, shall be to enrich the quality of life for the residents by enhancing the parks and fields in the city of Marlborough.

SECTION 2. (a) Notwithstanding any general or special law to the contrary, the amount of the local option meal tax based on a rate in excess of 6.25 percent collected under said section two of said chapter sixty-four L by the city of Marlborough for the fiscal year beginning July 1, 2014 and each fiscal year thereafter shall be credited to the Parks & Fields Capital Enhancements Special Revenue Fund, and shall be subject to further appropriation by a majority vote of the city council of the city of Marlborough. (b) Notwithstanding any general or special law to the contrary, any interest accruing on any amount on deposit in the Parks & Fields Capital Enhancements Special Revenue Fund shall be credited to the General Fund of the city of Marlborough.

SECTION 3. Nothing in or resulting from this act shall affect amounts distributed in any fiscal year to the city of Marlborough from the Local Aid Fund.

SECTION 4. If the city of Marlborough revokes, by a majority vote of the city council of the city, pursuant to section four B of chapter four of the General Laws, its acceptance of the local option meals tax rate in excess of 6.25 percent under said section two of said chapter sixty-four L, the city of Marlborough shall thereupon decide, by a two-thirds vote of the city council of the city, the separate question of whether the Parks & Fields Capital Enhancements Special Revenue Fund shall cease to have effect in the city. If two-thirds of the city council of the city votes that the Parks & Fields Capital Enhancements Special Revenue Fund shall cease to have effect in the city, all unexpended and uncommitted amounts on deposit in said Fund, as of the date of the vote to revoke the rate in excess of 6.25 percent, shall be credited to the General Fund of the city on the first day of the calendar quarter following 30 days after the date of the revocatory vote, provided, however, that if two-thirds of the city council of the city does not vote that the Parks & Fields Capital Enhancements Special Revenue Fund shall cease to have effect in the city, said Fund shall continue to have effect in the city, and all unexpended and uncommitted amounts on deposit in the fund, as of the date of the vote to revoke the rate in excess of 6.25 percent, shall be subject to further appropriation by a majority vote of the city council of the city of Marlborough.

SECTION 5. The city of Marlborough may amend this act by a two-thirds vote of the city council of the city of Marlborough. Such amendatory vote shall designate: (a) that the Parks & Fields Capital Enhancements Special Revenue Fund shall cease thereupon to have effect in the city of Marlborough; (b) that all unexpended and uncommitted amounts on deposit in the Parks & Fields Capital Enhancements Special Revenue Fund, as of the date of the amendatory vote, shall forthwith be credited to the General Fund of the city of Marlborough; and (c) that the portion of the total local option meals tax in excess of 6.25 percent received annually by the city of Marlborough under said section two of said chapter sixty-four L and theretofore credited to the Parks & Fields Capital Enhancements Special Revenue Fund, as set forth in section 2 herein, shall thereafter be credited to the General Fund of the city of Marlborough.

SECTION 6. This act shall take effect upon its passage.
APPROVED; adopted.

Councilor Elder abstained

MOTION made by Councilor Robey to amend SECTION 2 (a) to replace "majority" with "2/3 vote" – DOES NOT CARRY BY THE FOLLOWING ROLL CALL VOTE:

Nay: 6 – Yea: 4 – Abstain: 1

Nay: Delano, Jenkins, Tunnera, Seymour, Landers, & Pope

Yea: Clancy, Ossing, Oram & Robey

Abstain: Elder

Yea: 6 – Nay: 4 – Abstain: 1

Yea: Delano, Jenkins, Tunnera, Seymour, Landers, & Pope

Nay: Clancy, Ossing, Oram & Robey

Abstain: Elder

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

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

FINDINGS OF FACTS AND CONDITIONS

1. The landlord is Foothills Corporation, a duly organized and existing Massachusetts corporation with its principal place of business located at 929 Boston Post Road East, Marlborough, MA 01752. Applicant Tenant is a duly organized and existing Massachusetts Corporation with its principal place of business at 85 Commons Drive, Unit 402, Shrewsbury, MA 01545 and has duly filed its Articles of Incorporation with the City Clerk of the City of Marlborough to operate his business at the subject location.
2. The landlord is the title owner of the property located at 19 Brigham Street (the "Site"). The landlord and Applicant Tenant have executed or will execute a lease regarding Unit 6 at the Site, and its use pursuant to the terms of this special permit regarding Unit 6 at the Site.
3. The Applicant Tenant seeks permission to utilize Unit 6 at the Site as a commercial indoor recreation establishment and place of amusement.
4. The Applicant Tenant, on June 27, 2013, filed with the City Clerk of the City of Marlborough, an Application for a Special Permit under the provisions of § 650-17 and pursuant to the procedures specified in § 650-59 of the Marlborough Zoning Ordinance (the "Application").

5. The Site contains an existing commercial building. Unit 6 is shown in that building on plans submitted with or subsequent to the Application, the first said plan entitled "Overall Building Plan," and the second plan being a sketch floor plan entitled "19 Brigham St. Unit # 6" (collectively, the "Plans"), both of which Plans are attached hereto. No modifications are proposed to the exterior of the building, no structural modifications are proposed to the interior of the building, and no parking areas will be created or modified.
6. The Applicant Tenant seeks a special permit allowing the establishment of an indoor recreation area that will include various children's entertainment features for birthday parties and other special occasions, and for children who, accompanied by an adult, can take advantage of these same play features.
7. The Plans have been certified by the Building Inspector, acting on behalf of the City Planner, as having complied with Rule 7 of the Rules and Regulations promulgated by the City Council for the issuance of a special permit.
8. Pursuant to the Rules and Regulations of the City Council and the provisions of M.G.L. c. 40A, the City Council established a date for public hearing for the Application and the City Clerk caused to be advertised said date in the MetroWest Daily News and sent written notice of said hearing to those abutters entitled to notice under law.
9. The Marlborough City Council pursuant to M.G.L. c. 40A held a public hearing on October 21, 2013, concerning the Application. The hearing was opened and closed at that meeting.
10. The Applicant presented evidence at the public hearing detailing the proposed use and its limited impact upon City services, the neighborhood and traffic.
11. At the public hearing, Thomaz DeMoura, representing Luiza DeMoura who will be managing the operation of the business and is the Applicant Tenant, described the proposed business as being one that would provide an indoor venue for children's birthday parties and for children who, accompanied by an adult, can take advantage of the proposed indoor play facilities. He indicated that the business would not include a child care component, and that all children using the facility would need to be accompanied by an adult to provide supervision. In response to questions from city councilors, he indicated that:
 - a) the parties would be scheduled for weekdays and weekends;
 - b) no food would be prepared on the premises;
 - c) the facility would be open to the general public to provide indoor play space for children on a daily basis; and
 - d) all recreation would occur indoors.
12. No member of the public spoke, either in favor or in opposition to the proposal.
13. Following the public hearing, the Urban Affairs Committee held a meeting on November 13, 2013 during which this Application was discussed. At that meeting, the parties discussed various issues and proposed permit conditions to deal with them.

REASONS FOR APPROVAL OF APPLICATION FOR SPECIAL PERMIT

- A. The City Council finds that the Applicant Tenant has complied with all Rules and Regulations promulgated by the Marlborough City Council for an application as they pertain to the Special Permit.
- B. The use of Unit 6 for an indoor recreation establishment and place of amusement is an appropriate use of the Unit 6-portion of the Site and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough, subject to appropriate terms and conditions provided for herein. The use sought and its impacts and characteristics are not in conflict with the public health, safety, convenience and welfare, provided the safeguards and limitations imposed herein are met.
- C. The City Council, pursuant to its authority under M.G.L. c. 40A, § 9 and Chapter 650 of the Marlborough City Code, GRANTS the Applicant Tenant, its successors and assigns, a Special Permit to operate an indoor recreation establishment and place of amusement as per plans filed with the City Council and the City Clerk, SUBJECT TO THE FOLLOWING CONDITIONS, which shall be applicable to Applicant Tenant's successors and assigns, and a violation of which shall be a violation of this Special Permit:
 1. Signage: Any signage installed or erected on the Site shall meet the requirements of the Sign Ordinance of the City of Marlborough, without variance.
 2. Compliance with Local, State and Federal Laws: The Applicant Tenant agrees to comply with all rules, regulations and ordinances from the City of Marlborough, the Commonwealth of Massachusetts, and Federal Government as they may apply to the construction, maintenance of equipment and operation of the facility and public peace and good order in the event that the Chief of Police determines that either the business or the applicant tenant are acting contrary to public peace and good order. The Chief shall notify the applicant in writing and deem corrective measures be put into effect in seven days. Upon the failure or inability of the applicant tenant to correct such measures, the Police Chief may require the applicant tenant to employ one or more police detail officers during such hours or days that he Police Chief in exercise of the sole discretion deemed to be necessary for the purpose of correcting the conditions.
 3. Public Peace and Good Order: Applicant Tenant shall obtain appropriate CORI information regarding all employees of Applicant Tenant, and shall keep said information available for inspection by local police upon request.
 4. Parking: No on-street parking shall be permitted on Brigham Street or any other abutting side street or public way.
 5. Hours of Operation: The hours of operation of the facility shall not be earlier than 8:00 AM or later than 8:00 PM on any day. If the Ward Councilor, Chief of Police or other Councilor has not heard of any complaints in a year's time, then the hours of operation can remain the same.

6. Limits of Use: The proposed use of the premises is to provide a place for birthday parties and other parties for children, and to otherwise provide an indoor play facility for children who are accompanied and supervised by an adult. No other kinds of public amusement shall be allowed on the premises except those ancillary to this use, including but not limited to the use of inflatable devices.
7. Food Preparation: No food shall be prepared, handled, or consumed by the public at or in Unit 6 unless and until the Applicant Tenant obtains a permit and any other approvals from the Director of the Marlborough Board of Health and pays the accompanying fees.
8. Certificate of Occupancy Required: No use of the premises will be made pursuant to this special permit unless and until a Certificate of Occupancy has been obtained from the Building Inspector regarding the change of use of the premises.
9. No Expansion of Use Area or Change in Area Configuration: Only the area of Unit 6, containing approximately 6,000 sq. ft., which has been specified in the Plans attached hereto, will be used for the proposed use. To the extent that a substantial increase in, or a change in the configuration of, the area used for this use is desired, the Building Inspector shall determine whether such increase or change constitutes a substantial change of the permitted use, and if so, no such area increase or configuration change shall be permitted unless and until this special permit has been modified by the City Council.
10. Subsequent Users: Before any successor tenant uses Unit 6 for the uses allowed in this special permit, the Director of the Marlborough Health Department shall determine in writing that any permit required of Applicant Tenant, and any other permit determined by the Director to be necessary, has been obtained.
11. Required Approval Regarding Sanitary Conditions: Prior to the beginning of operation of the business, the Director of the Marlborough Health Department shall determine in writing what, if any, special sanitary requirements are necessary in order to assure that the facility does not cause unusual health risks to those using the facility or to the public. The Director may later, in writing, amend and/or add to said requirements as he deems necessary. Such determination, and any such amendments and/or additions, shall be provided by the Director to the City Council. Any failure to comply with said sanitary requirements shall be a violation of this permit.
12. Recordation: In accordance with the provisions of M.G.L. c. 40A, § 11, the Applicant Tenant shall, at its expense, record this Special Permit with the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal hearing being filed. The Applicant Tenant shall provide a copy of the recorded Special Permit to the City Clerk, the City Solicitor, and the Building Inspector.

Yea: 11 – Nay: 0

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

Councilor Clancy recognized the two Councilors who will be departing and President Pope read and presented proclamations to Councilor Seymour and Councilor Jenkins.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:35 PM.



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

**Lisa M. Thomas
140 Main St.**

**Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723
JANUARY 6, 2014**

ORGANIZATIONAL MEETING

The City Clerk called the meeting to order at 11:00 AM. Nominations called for the election of City Council President Pro-Tem of the Marlborough City Council for the term 2014-2015. Councilor Tunnera nominated Councilor Elder as President Pro-Tem. Councilor Clancy seconded the motion for nomination of Councilor Elder as President Pro-Tem. Councilor Elder received eleven votes for President Pro-Tem. Yea – Delano, Page, Elder, Tunnera, Irish, Clancy, Landers, Oram, Ossing, Pope, & Robey.

Councilor Elder called for the election of the City Council President of the Marlborough City Council for the term 2014-2015. Councilor Delano nominated Councilor Pope as President. Councilor Clancy seconded the motion for nomination of Councilor Pope as President. Councilor Pope received eleven votes for President. Yea – Delano, Page, Elder, Tunnera, Irish, Clancy, Landers, Oram, Ossing, Pope, & Robey.

Councilor Pope called for the Election of the City Council Vice-President of the Marlborough City Council for the term 2014-2015. Councilor Landers nominated Councilor Clancy as Vice-President. Councilor Delano seconded the motion for nomination of Councilor Clancy as Vice-President. Councilor Clancy received eleven votes for Vice-President. Yea – Delano, Page, Elder, Tunnera, Irish, Clancy, Landers, Oram, Ossing, Pope, & Robey.

Council President Pope announced that the City Council schedule and Committee assignments will be released by the end of the week and that the next meeting of the City Council will be held on Monday, January 13, 2014 at 8:00 PM.

Councilor Clancy announced that the Public Hearing dates must be set for VNG Co. (CNG) & DBK Realty (KTRON Inc.) and ordered to duly advertise which so moved by Council President Pope. All were in Favor – adopted.

Motion made by Councilor Clancy to adopt the Rules and Regulations of the Rules Committee from the 2014-2015 term; **CARRIES**.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 11:07 AM; adopted.



IN CITY COUNCIL

DECEMBER 2, 2013
Marlborough, Mass., _____

ORDERED:

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

Ninety days after public hearing 04/13/14 which falls on a Sunday, therefore 04/14/14 would be considered the 90th day.

ADOPTED

ORDER NO. 13-1005578A



IN CITY COUNCIL

DECEMBER 16, 2013

Marlborough, Mass., _____

ORDERED:

That there being no objection thereto set **Monday, January 13, 2014** as date for a **PUBLIC HEARING** on the Application for Special Permit from Attorney Bergeron on behalf of Sandra & Anthony Antico Real Estate LLC and Sky Studios, Inc. to open commercial recreation establishment at the property, specifically an exercise and fitness facility at 289 Elm Street, be and is herewith refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE.**

Ninety days after public hearing 04/13/14 which falls on a Sunday, therefore 04/14/14 would be considered the 90th day.

ADOPTED

ORDER NO. 13-1005582A



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
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RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN -9 A 11:48

Arthur G. Vigeant
MAYOR
Michael C. Berry
EXECUTIVE AIDE
Patricia Bernard
EXECUTIVE SECRETARY

January 9, 2014

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

Re: Transfer Request – Police Department

Honorable President Pope and Councilors:

Enclosed, for your approval, are two separate transfer requests from the Police Department in the amounts of \$168,090.00 and \$4,000.00 respectively.

The first, larger request is necessary to fund overtime costs associated with the retirements of and injuries to officers in the Department. All funds needed to cover this request are coming from existing line items within the police budget.

The second transfer request, in the amount of \$4,000.00 will pay for in-service training for newly promoted officers, as well as increased membership dues to professional and law enforcement associations and organizations.

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

Sincerely,

Arthur G. Vigeant
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

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

January 7, 2014

Dear Mayor Vigeant:

Per the attached transfer request forms, I am requesting seven internal transfers to allow for sufficient funds to be properly allocated to the appropriate line items within the police department budget. Three requests are to transfer funds to the Regular Overtime account, which will be in deficit without the transfer due to the large number of injuries and vacancies due to retirements we have experienced since July. There are also requests to transfer funds into the Cell Watch, Holiday, In Service Training, and Dues and Subscription accounts to allow for sufficient funds to fully cover these accounts for the remainder of the fiscal year.

Sincerely,

A handwritten signature in cursive script that reads "Mark F. Leonard".

Mark F. Leonard
Chief of Police

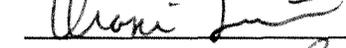
Cc: D. Smith

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Police

FY: 2014

FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$1,319,816</u>	<u>\$91,000.00</u>	<u>12100001</u>	<u>50420</u>	<u>Police Officers</u>	<u>\$91,000.00</u>	<u>12100003</u>	<u>51310</u>	<u>OT - Regular</u>	<u>\$40,164</u>
	Reason:	<u>Surplus due to vacancies and injuries</u>				<u>Funds needed because of high use due to vacancies and injuries</u>			
<u>\$204,841</u>	<u>\$47,590.00</u>	<u>12100003</u>	<u>51213</u>	<u>Public Safety Disp.</u>	<u>\$47,590</u>	<u>12100003</u>	<u>51310</u>	<u>OT - Regular</u>	<u>\$40,164</u>
	Reason:	<u>Surplus due to vacancy and grant funds</u>				<u>Funds needed because of high use due to vacancies and injuries</u>			
<u>\$137,903</u>	<u>\$14,000.00</u>	<u>12100003</u>	<u>51320</u>	<u>OT - Court</u>	<u>\$14,000</u>	<u>12100003</u>	<u>51310</u>	<u>OT - Regular</u>	<u>\$40,164</u>
	Reason:	<u>Fewer officers needed for court thus far</u>				<u>Funds needed because of high use due to vacancies and injuries</u>			
<u>\$137,903</u>	<u>\$5,500.00</u>	<u>12100003</u>	<u>51320</u>	<u>OT - Court</u>	<u>\$5,500.00</u>	<u>12100003</u>	<u>51319</u>	<u>OT - Cell Watch</u>	<u>\$183</u>
	Reason:	<u>Fewer officers needed for court thus far</u>				<u>More prisoners needing suicide watch</u>			
<u>\$137,903</u>	<u>\$10,000.00</u>	<u>12100003</u>	<u>51320</u>	<u>OT - Court</u>	<u>\$10,000</u>	<u>12100003</u>	<u>51490</u>	<u>Holiday</u>	<u>\$99,171</u>
	Reason:	<u>Fewer officers needed for court thus far</u>				<u>Several mid week holidays resulting in higher holiday pay</u>			
	\$168,090.00	Total			\$168,090.00	Total			

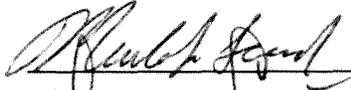
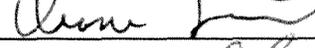
Department Head signature: 
 Auditor signature: 
 Comptroller signature: 

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Police

FY: 2014

Available Balance	Amount	FROM ACCOUNT:			Amount	TO ACCOUNT:			Available Balance
		Org Code	Object	Account Description:		Org Code	Object	Account Description:	
<u>\$137,903</u>	<u>\$2,000.00</u>	<u>12100003</u>	<u>51320</u>	<u>OT - Court</u>	<u>\$2,000.00</u>	<u>12100003</u>	<u>51395</u>	<u>In Service Training</u>	<u>\$1,883</u>
	Reason:	<u>Fewer officers needed for court thus far</u>				<u>More funds needed due to new FTO's and Sgts.</u>			
<u>\$137,903</u>	<u>\$2,000.00</u>	<u>12100003</u>	<u>51320</u>	<u>OT - Court</u>	<u>\$2,000</u>	<u>12100006</u>	<u>57340</u>	<u>Dues and Subscriptions</u>	<u>\$32</u>
	Reason:	<u>Fewer officers needed for court thus far</u>				<u>Increases in dues and subscription costs</u>			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____				_____			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____				_____			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____				_____			
	<u>\$4,000.00</u>	<u>Total</u>			<u>\$4,000.00</u>	<u>Total</u>			

Department Head signature: 
 Auditor signature: 
 Comptroller signature: 



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN -9 A 11:48
Arthur G. Vigeant MAYOR
Michael C. Berry EXECUTIVE AIDE

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

Patricia Bernard
EXECUTIVE SECRETARY

January 9, 2014

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

Re: Transfer Request – Fire Department

Honorable President Pope and Councilors:

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

- 1) Transfer in the amount of \$100,000.00 from 12200001-50450 (Firefighter) to 12200003-51300 (Overtime).

This transfer request is needed due to injuries, some unanticipated retirements, and long term illnesses of several members of the Department.

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

Sincerely,

Arthur G. Vigeant
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
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RECEIVED
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Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 9, 2014

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

Re: Transfer Request – Public Facilities Department

Honorable President Pope and Councilors:

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

- 1) Transfer in the amount of \$10,000.00 from 11920003-50560 (Custodian) to 11920003-51300 (Gross Overtime).

This transfer request is needed due to weather related emergencies and building facility HVAC issues that required the call-in of personnel.

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

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough
Office of the Mayor

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Marlborough, Massachusetts 01752
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RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN -9 A 11:48
Arthur G. Vigeant
MAYOR
Michael C. Berry
EXECUTIVE AIDE
Patricia Bernard
EXECUTIVE SECRETARY

January 9, 2014

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

Re: Grant Acceptances – Police Department

Honorable President Pope and Councilors:

I am pleased to inform you that the Marlborough Police Department is the recipient of **three** grants opportunities that I respectfully seek your acceptance of in order for them to be utilized for their intended purposes.

The first grant is in the amount of \$15,595.10 and is from the Commonwealth of Massachusetts' Executive Office of Public Safety. The second grant is in the same amount, \$15,595.10, and comes from the United States Department of Justice. Both grants will be used to purchase tactical bulletproof vests for members of the Police Department.

The third grant award is in the amount of \$8,400.00 and comes from the Executive Office of Public Safety and Security. This grant will fund traffic safety patrols throughout the city.

Enclosed for your information is the relevant back up paperwork for all three grants. As always, please do not hesitate to let me know if you have any questions.

Sincerely,

Arthur G. Vigeant
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

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

January 8, 2014

Dear Mayor Vigeant:

The Marlborough Police Department has been awarded two Bulletproof Vest Reimbursement Grants. One is from the Executive Office of Public Safety in the amount of \$15,595.10 and the other is from the U.S. Department of Justice in the amount of \$15,595.10. The grants will be used to purchase bulletproof vests for members of the Police Department.

Attached are the corresponding "Notice of Grant Award" forms and copies of the grant contract and approval letters. I am requesting that the grant awards 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

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Police Department DATE: January 8, 2014

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief Mark F. Leonard

NAME OF GRANT: US Department of Justice Bulletproof Vest Program

GRANTOR: United States Department of Justice

GRANT AMOUNT: \$15,595.10

GRANT PERIOD: Present to June 30, 2014

SCOPE OF GRANT/
ITEMS FUNDED To assist the Department in purchasing
tactical vests for police officers

IS A POSITION BEING
CREATED: No

CAN FRINGE BENEFITS BE PAID FROM GRANT?

IF YES: No

ARE MATCHING CITY
FUNDS REQUIRED? None

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

IF MATCHING IS
MONETARY PLEASE
GIVE ACCOUNT None

ANY OTHER EXPOSURE TO CITY? No

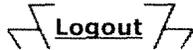
IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: Approval needed asap to begin
the use of the grant.

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 GI



[NIJ Standards](#) [Glossary](#) [BVP Manuals](#)

- 1. Registration**
- 1.1 [Agency Information](#)
- 1.2 [Agency Contacts](#)
- 2. Application**
- 2.1 [Application Profile](#)
- 2.2 [Manage Application](#)
- 2.3 [Review Application](#)
- 2.4 [Submit Application](#)
- 3. Payment**
- 3.1 [Bank Information](#)
- 3.2 [Print Bank Form](#)
- 3.3 [Manage Receipts](#)
- 3.4 [Payment Request](#)
- 3.5 [Payment History](#)
- 4. Status**
- 4.1 [Current Status](#)
- 4.2 [LEA Status](#)
- 4.3 [Application History](#)
- 5. Personal Information**
- 5.1 [User Profile](#)
- 5.2 [Change Password](#)



BVP HELP DESK
(Toll-Free 1-877-758-3787)

Application Profile

Participant	MARLBOROUGH CITY
Fiscal Year	2013
Number of Agencies Applied	0
Total Number of Officers for Application	65
Number of Officers on Approved Sub-Applications	65
Unspent BVP Funds Remaining	\$0.00
Unspent BVP Funds <u>Obligated</u> for Vest Purchases	\$0.00

Sub-Application Profile

Fiscal Year	2013
Vest Replacement Cycle	5
Number of Officers	65
Zylon Replacement	0
<u>Emergency Replacement Needs</u> Stolen or Damaged Officer Turnover	0
	0

Application Details

Date Submitted to BVP: 05/15/13
Application Status: Approved by BVP

Application Summary for FY2013 Regular Fund

Applicant	Quantity	Total Cost	Date Submitted	Status
MARLBOROUGH CITY	50	\$42,030.97	05/15/13	Approved by BVP View Details
Grand Totals:	50	\$42,030.97		

Award Summary for FY2013 Regular Fund

Funds Type	Eligible Amount	Award	Date Approved	Status
Regular Fund	\$42,030.97	\$15,595.10	09/11/13	Approved by BVP
Grand Totals:	\$42,030.97	\$15,595.10		

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Police Department DATE: January 8, 2014

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief Mark F. Leonard

NAME OF GRANT: Executive Office of Public Safety Bulletproof Vest Program

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: \$15,595.10

GRANT PERIOD: Present to June 30, 2014

SCOPE OF GRANT/
ITEMS FUNDED To assist the Department in purchasing
tactical vests for police officers

No

IS A POSITION BEING
CREATED:

CAN FRINGE BENEFITS BE PAID FROM GRANT?

IF YES: No

ARE MATCHING CITY
FUNDS REQUIRED?

None

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

IF MATCHING IS
MONETARY PLEASE
GIVE ACCOUNT

None

ANY OTHER EXPOSURE TO CITY? No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: Approval needed asap to begin
the use of the grant.

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 GI

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form 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) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/osc under Guidance For Vendors - Forms or www.mass.gov/osd under OSD Forms.

CONTRACTOR LEGAL NAME: (and d/b/a): City of Marlborough	COMMONWEALTH DEPARTMENT NAME: Executive Office of Public Safety & Security MMARS Department Code: EPS
Legal Address: (W-9, W-4,T&C): 140 Main Street, Marlborough, Mass 01752	Business Mailing Address: Ten Park Plaza, Suite 3720, Boston MA 02116
Contract Manager: Chief of Police Mark F. Leonard	Billing Address (if different):
E-Mail: mleonard@marlborough-ma.gov	Contract Manager: Kevin Stanton
Phone: 508-624-6970 Fax: 508-624-6938	E-Mail: kevin.stanton@state.ma.us
Contractor Vendor Code:	Phone: (617) 725-3363 Fax: (617) 725-0260
Vendor Code Address ID (e.g. "AD001"): AD (Note: The Address ID must be set up for EFT payments.)	MMARS Doc ID(s):
<input checked="" type="checkbox"/> NEW CONTRACT	<input type="checkbox"/> CONTRACT AMENDMENT
PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach <u>Employment Status Form</u> , scope, budget) <input type="checkbox"/> Legislative/Legal or Other: (Attach authorizing language/justification, scope and budget)	Enter Current Contract End Date <u>Prior</u> to Amendment: ____, 20 ____, Enter Amendment Amount: \$ _____. (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) <input type="checkbox"/> Amendment to Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Legislative/Legal or Other: (Attach authorizing language/justification and updated scope and budget)
The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services	
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input checked="" type="checkbox"/> Rate Contract (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input type="checkbox"/> Maximum Obligation Contract Enter Total Maximum Obligation for total duration of this Contract (or <u>new</u> Total if Contract is being amended). \$ <u>21,015,48</u>	
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days __% PPD; Payment issued within 15 days __% PPD; Payment issued within 20 days __% PPD; Payment issued within 30 days __% PPD. If PPD percentages are left blank, identify reason <input type="checkbox"/> agree to standard 45 day cycle <input type="checkbox"/> statutory/legal or Ready Payments (G.L.c. 29, § 23A); <input type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)	
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Grant funds from the Bulletproof Vest Grant program administered by the Office of Grants and Research in the Executive Office of Public Safety and Security.	
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input type="checkbox"/> 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 2. may be incurred as of ____, 20 ____, a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input checked="" type="checkbox"/> 3. were incurred as of <u>2/29</u> , 20 <u>12</u> , a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.	
CONTRACT END DATE: Contract performance shall terminate as of <u>2/28</u> , 20 <u>17</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.	
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the <u>Instructions and Contractor Certifications</u> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.	
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>[Signature]</u> Date: <u>12/19/13</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: Arthur Vigeant Print Title: Mayor of Marlborough	AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: <u>[Signature]</u> Date: <u>12-23-13</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: Ellen J. Frank Print Title: Executive Director

Paul Valianti

From: Stanton, Kevin (CCJ) [kevin.stanton@state.ma.us]
Sent: Tuesday, December 24, 2013 11:47 AM
To: Paul Valianti
Cc: Stanton, Kevin (CCJ)
Subject: Marlboro/Bulletproof Vest
Attachments: img-Z24091312-0001.pdf

Attached is a copy of your signed 5yr Bulletproof Vest contract. Your reimbursement request for the state share totaling \$15,595.10 has been approved. This will likely take a few weeks before it is received in your town account but it was approved and is forthcoming.

Please let me know if you have any questions.

Happy Holidays,
Kevin

Kevin Stanton, State Director
US Attorney's Project Safe Neighborhood Initiative,
Bulletproof Vest, Municipal Police Staffing &
Justice Assistance Grant Programs
Executive Office of Public Safety and Security/OGR
Ten Park Plaza, Suite 3720
Boston, MA 02116
Tele: 617-725-3363
Email: kevin.stanton@state.ma.us



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 Arthur Vigeant
City Hall
140 Main Street
Marlborough, MA 01752

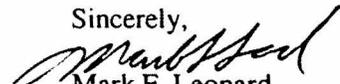
11/07/2013

Dear Mayor Vigeant,

The Marlborough Police Department has been awarded a grant in the amount of \$8,400 from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security. The grant is a reimbursement grant and will be used for high visibility traffic enforcement patrols.

Attached is a copy of the grant approval letter. 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

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Police Department DATE: 11/7/2013

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Captain Timothy Naze

NAME OF GRANT: Traffic Enforcement and Equipment Grant

GRANTOR: Executive Office of Public Safety Highway Safety Div

GRANT AMOUNT: \$8,400.00

GRANT PERIOD: 12/13/2013-09/1/2014

SCOPE OF GRANT/ High visibility Traffic Enforcement

ITEMS FUNDED Traffic enforcement patrols

IS A POSITION BEING
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED? N/A

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: ASAP

**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**

Timothy Naze

From: Timothy Naze
Sent: Wednesday, November 13, 2013 10:12 AM
To: 'Firlit, Deborah (EPS)'
Subject: RE: Marlborough - FFY 2014 Traffic Enforcement Grant Program Authorization

Message received

From: Firlit, Deborah (EPS) [<mailto:deborah.firlit@state.ma.us>]
Sent: Thursday, November 07, 2013 11:43 AM
To: Mark Leonard; Timothy Naze
Subject: Marlborough - FFY 2014 Traffic Enforcement Grant Program Authorization
Importance: High

Good morning Chief Leonard and Capt. Naze,

On behalf of the Executive Office of Public Safety and Security, please accept this email and attachments (Scope of Services, Budget) **as authorization** to proceed with the FFY 2014 Traffic Enforcement Grant Program, **effective December 13, 2013**. A formal letter from Secretary Cabral will follow later in the year. In the meantime, please keep a copy of this email in your files. *(You will not be reimbursed for any costs incurred in advance of this date nor any costs incurred after the conclusion of the August/September 2014 mobilization.)*

Reporting Forms and Sample News Release for the December *Drive Sober or Get Pulled Over* Mobilization will be posted on our website, www.mass.gov/highwaysafety under the 'FFY 2014 Traffic Enforcement Grant Program' link in early December. Please note there is no In-Kind Match report for this grant year. If there are any questions, please don't hesitate to contact me.

I look forward to working with you again during this grant year.

Thank you,
Deb

PLEASE CONFIRM RECEIPT OF THIS EMAIL.

Deborah Firlit
Program Coordinator
EOPSS/Highway Safety Division
Ten Park Plaza, Suite 3720
Boston, MA 02116
T: 617-725-3356 F: 617-725-0260
Don't Text and Drive

FFY 2014 Traffic Enforcement Grant

Budget B (\$2,800 per mobilization)

First Mobilization	<i>Click It or Ticket (CIOT)</i> October 18, 2013 – November 1, 2013 Reporting Deadline: November 18, 2013
Second Mobilization	<i>Drive Sober or Get Pulled Over</i> December 13, 2013 – January 1, 2014 Reporting Deadline: January 17, 2014
Third Mobilization	<i>Click It or Ticket (CIOT)</i> May 12, 2014 – May 26, 2014 Reporting Deadline: June 10, 2014
Fourth Mobilization	<i>Drive Sober or Get Pulled Over</i> August 13, 2014 – September 1, 2014 Reporting Deadline: September 16, 2014

Maximum obligation for three mobilizations = \$8,400



City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Michael C. Berry
2014 JAN -9 4:11:48
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 9, 2014

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

Re: S.A.F.E. Grant Acceptances

Honorable President Pope and Councilors:

The Marlborough Fire Department has been awarded two grants in the amount of \$5,786.00 and \$3,217.00 by the Executive Office of Public Safety and Security.

One grant is for the **Student** Awareness Fire Education (S.A.F.E.) program and the second grant is for the **Senior** Awareness Fire Education (S.A.F.E.). These grant opportunities do not require any matching funds from the city. Both programs have been instrumental in educating different populations in our community on various fire safety techniques and protection.

In accordance with Massachusetts General Laws, Chapter 44: Section 53A these grants were applied for and accepted by the Fire Department. In order for both to be expended for their intended purposes, I respectfully request your acceptance of these worthy grants.

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

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough
FIRE DEPARTMENT
215 MAPLE STREET
MARLBOROUGH, MASSACHUSETTS 01752

December 17, 2013

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

RE: FY14 SAFE Grant

Dear Mayor Vigeant,

Attached please find documentation in support of a grant in the amount of \$5,786.00 which has been awarded to the Fire Department through The Commonwealth of Massachusetts Executive Office of Public Safety and Security.

The FY14 SAFE Grant has been approved for funding and granted to the Marlborough Fire Department in order to provide student awareness of fire education programs.

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

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

Sincerely,

James M. Fortin
Fire Chief

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: FIRE DATE: 12/17/2013

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: JAMES M. FORTIN, FIRE CHIEF

NAME OF GRANT: FY14 STUDENT AWARENESS OF FIRE EDUCATION (S.A.F.E.)

GRANTOR: COMMONWEALTH OF MASSACHUSETTS

GRANT AMOUNT: \$5,786.00

GRANT PERIOD: 12 MONTHS

SCOPE OF GRANT/
ITEMS FUNDED ANNUAL STUDENT AWARENESS OF FIRE SAFETY PROGRAMS.
EDUCATIONAL MATERIALS FOR VARIOUS FIRE SAFETY PROGRAMS,
LECTURES, SCHOOL VISITS, OPEN HOUSE, SEASONAL SAFETY
AWARENESS PROGRAMS.

IS A POSITION BEING
CREATED: NO

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED? NO

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

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

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: GRANT EXPIRATION 12 MONTHS

**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**



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Department of Fire Services



P.O. Box 1025 ~ State Road

Stow, Massachusetts 01775

(978) 567~3100 Fax: (978) 567~3121

www.mass.gov/dfs

DEVAL L. PATRICK
GOVERNOR

ANDREA J. CABRAL
SECRETARY

STEPHEN D. COAN
STATE FIRE MARSHAL

December 13, 2013

Chief James M. Fortin
Marlborough Fire Department
215 Maple Street
Marlborough, MA 01752

Dear Chief Fortin:

I am pleased to inform you that your FY 2014 Student Awareness of Fire Education (S.A.F.E.) and Senior SAFE grant applications have been approved for funding. The Marlborough Fire Department has been awarded \$5786 for the S.A.F.E. grant and \$3217 for Senior SAFE.

Be sure to alert your treasurer and to check with them to ensure receipt of the funds. We expect the funds to be electronically distributed on or about December 20, 2013.

All grantees are required to submit the FY 2013 year-end report to DFS by December 31, 2013. If there are any unexpended funds, the grantee may apply for a one-time 6-month extension, which will be part of the year-end report form. At the close of the single 6-month extension, all unexpended funds must be returned to the Commonwealth. At this time, any prior year remaining funds must be returned to the Commonwealth.

Nineteen years ago, the fire service advocated to the legislature for the creation of the S.A.F.E. program. Since that time average annual child fire deaths have been reduced by 70%. In FY 2014, the S.A.F.E. program was expanded to offer funds to local communities in support of senior fire prevention training. Seniors are the most vulnerable of populations at risk of fire related deaths. This program is aimed at educating seniors on fire prevention, general home safety and how to be better prepared in the event of a fire. It is our hope that with this opportunity we can recreate the success with our older population that we have had with children.

I thank you for your commitment to the S.A.F.E. program and for your continuing efforts to promote fire prevention for all citizens. If you have any questions, please feel free to contact Cynthia Ouellette at (978) 567-3381 or the S.A.F.E. staff at (978) 567-3388.

Sincerely,

Stephen D. Coan
State Fire Marshal

Administrative Services • Division of Fire Safety
Hazardous Materials Response • Massachusetts Firefighting Academy



City of Marlborough
FIRE DEPARTMENT
215 MAPLE STREET
MARLBOROUGH, MASSACHUSETTS 01752

December 17, 2013

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

RE: FY14 Senior SAFE Grant

Dear Mayor Vigeant,

I am pleased to announce that the Marlborough Fire Department has been awarded a grant in the amount of \$3,217.00. The FY14 Senior SAFE Grant has been approved for funding and granted to the Marlborough Fire Department in order to provide senior fire prevention training. Seniors are the most vulnerable of populations at risk of fire related deaths. This program is aimed at educating seniors on fire prevention, general home safety and how to be better prepared in the event of a fire.

The grant has been awarded to the Fire Department through The Commonwealth of Massachusetts Executive Office of Public Safety and Security. In accordance with Massachusetts General Laws, Chapter 44 Section 53A, this grant was applied for and accepted by the Fire Department but in order for it to be expended for the purposes of the grant, the Mayor must recommend and the City Council must vote to approve the expenditure.

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

Sincerely,

James M. Fortin
Fire Chief

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: FIRE DATE: 12/17/2013

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: JAMES M. FORTIN, FIRE CHIEF

NAME OF GRANT: FY14 SENIOR SAFE

GRANTOR: COMMONWEALTH OF MASSACHUSETTS

GRANT AMOUNT: \$3,217.00

GRANT PERIOD: 12 MONTHS

SCOPE OF GRANT/
ITEMS FUNDED ANNUAL SENIOR AWARENESS OF FIRE SAFETY PROGRAMS.
EDUCATIONAL MATERIALS FOR VARIOUS FIRE SAFETY PROGRAMS,
LECTURES, SEASONAL SAFETY AWARENESS PROGRAMS.

IS A POSITION BEING
CREATED: NO

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? _____

ARE MATCHING CITY
FUNDS REQUIRED? NO

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

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

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: GRANT EXPIRATION 12 MONTHS

**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**



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Department of Fire Services



DEVAL L. PATRICK
GOVERNOR

ANDREA J. CABRAL
SECRETARY

P. O. Box 1025 ~ State Road

Stow, Massachusetts 01775

(978) 567~3100 Fax: (978) 567~3121

www.mass.gov/dfs

STEPHEN D. COAN
STATE FIRE MARSHAL

December 13, 2013

Chief James M. Fortin
Marlborough Fire Department
215 Maple Street
Marlborough, MA 01752

Dear Chief Fortin:

I am pleased to inform you that your FY 2014 Student Awareness of Fire Education (S.A.F.E.) and Senior SAFE grant applications have been approved for funding. The Marlborough Fire Department has been awarded \$5786 for the S.A.F.E. grant and \$3217 for Senior SAFE.

Be sure to alert your treasurer and to check with them to ensure receipt of the funds. We expect the funds to be electronically distributed on or about December 20, 2013.

All grantees are required to submit the FY 2013 year-end report to DFS by December 31, 2013. If there are any unexpended funds, the grantee may apply for a one-time 6-month extension, which will be part of the year-end report form. At the close of the single 6-month extension, all unexpended funds must be returned to the Commonwealth. At this time, any prior year remaining funds must be returned to the Commonwealth.

Nineteen years ago, the fire service advocated to the legislature for the creation of the S.A.F.E. program. Since that time average annual child fire deaths have been reduced by 70%. In FY 2014, the S.A.F.E. program was expanded to offer funds to local communities in support of senior fire prevention training. Seniors are the most vulnerable of populations at risk of fire related deaths. This program is aimed at educating seniors on fire prevention, general home safety and how to be better prepared in the event of a fire. It is our hope that with this opportunity we can recreate the success with our older population that we have had with children.

I thank you for your commitment to the S.A.F.E. program and for your continuing efforts to promote fire prevention for all citizens. If you have any questions, please feel free to contact Cynthia Ouellette at (978) 567-3381 or the S.A.F.E. staff at (978) 567-3388.

Sincerely,

Stephen D. Coan
State Fire Marshal



City of Marlborough
Office of the Mayor

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN -9 A 11:49

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 9, 2014

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

Re: Gift Acceptances – Police Department

Honorable President Pope and Councilors:

Enclosed for your acceptance are two gift awards for the Marlborough Police Department.

The first gift is from Digital Federal Credit Union (DCU) in the amount of \$2,000.00 and is to be used for youth programs within the Department.

The second gift is in the amount of \$1,501.00 and is from Companion Pet Sitting/K-9 Hydrotherapy of Northborough. The donated funds were gained through a picture with Santa Claus fundraiser held by this organization.

I ask that the Council accept these very generous gifts with gratitude.

Sincerely,


Arthur G. Vigeant
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

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

January 8, 2014

Dear Mayor Vigeant:

The Marlborough Police Department has recently been given two gift donations. Digital Federal Credit Union (DCU) has donated \$2,000 to the police department for general use involving the youth of the city. Companion Pet Sitting/K-9 Hydrotherapy of Northboro, MA held a "Pictures with Santa" fundraiser and donated the proceeds to the Marlborough Police Department's K-9 program. The total raised and donated is \$1501.00.

Attached are the corresponding "Notice of Grant Award" forms and a letter from DCU that accompanied the donation. I am requesting that the donation awards 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

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Police DATE: 1/8/2014

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief Mark F. Leonard

NAME OF GRANT: Donation/Gift

GRANTOR: DCU - Digital Federal Credit Union

GRANT AMOUNT: \$2,000.00

GRANT PERIOD: _____

SCOPE OF GRANT/
ITEMS FUNDED General donation for department use
Programs with youth and K-9 program

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**



December 16, 2013

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

Chief Leonard,

On behalf of DCU (Digital Federal Credit Union), I am pleased to provide the Marlborough Police Department with the enclosed check for \$2,000.00. This donation represents DCU's support of your organization's efforts in providing programs that will make a difference in the lives of children be it in school or afterschool.

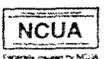
As a socially responsible organization, DCU is committed to partnering with other organizations such as yours that make a difference in the communities we serve. We hope that our contribution makes a difference.

At your convenience, I would enjoy the opportunity to speak with you to discuss the possibilities of having a representative from DCU take part in a part in a photo opportunity.

I wish you and your entire department all the best during the holiday season. We look forward to playing a greater role in your efforts in 2014. Should you have any questions, please feel free to contact me at 508-263-6887 or jlhair@dcu.org.

Warmest Regards,

John LaHair
Public Relations Manager
DCU – Digital Federal Credit Union





Digital Federal Credit Union
 PO Box 9130 • Marlborough, MA 01752-9130 • 508.263.6700

DATE
12/6/2013

CHECK NUMBER
031908

Detach This Portion Before Deposit

INVOICE NUMBER	INVOICE DATE	DESCRIPTION	GROSS AMOUNT	DISCOUNT	NET AMOUNT
2013 DONATION	12/5/2013	Vchr: V0060863	\$2,000.00	\$0.00	\$2,000.00
PRINT BATCH	VENDOR CODE	PAY TO NAME	NET TOTAL		
1,322	MARLBOROPOLI	CITY OF MARLBORO-POLICE DEPARTMENT	\$2,000.00		

ORIGINAL CHECK HAS A VOID PANTOGRAPH AND IS PRINTED ON CHEMICAL REACTIVE PAPER - SEE BACK FOR DETAILS



Digital Federal Credit Union
 PO Box 9130 • Marlborough, MA 01752-9130 • 508.263.6700

ACCOUNTS PAYABLE

53-9182
2113

DATE	CHECK NO.
12/6/2013	031908

PAY

Two thousand and 00 / 100 Dollars Only *****

VOID AFTER 90 DAYS

AMOUNT
\$2,000.00

PAY
TO
ORDER
OF

CITY OF MARLBROUGH-POLICE DEPARTMENT
 355 BOLTON STREET
 MARLBOROUGH, MA 01752

Lami M. LaChapelle

MP

⑈031908⑈ ⑆211391825⑆ 91821 5⑈ 30

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Police DATE: 1/8/2014

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief Mark F. Leonard

NAME OF GRANT: Donation/Gift

GRANTOR: Companion Pet Sitting and K9 Hydrotherapy

GRANT AMOUNT: \$1,501.00

GRANT PERIOD: _____

SCOPE OF GRANT/
ITEMS FUNDED K-9 program
Equipment and materials for K-9 program

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**



714 Main Street
P.O. Box 280
Shrewsbury, MA 01545-0280

BARB SMITH
Companion Pet Sitting
K9 Hydrotherapy
367 W. Main ST
Northborough, MA 01532
508-393-3370

 P.O. BOX 280 Shrewsbury, MA 01545-0280	OFFICIAL CHECK	<small>87162113</small>
		79118
		Date: December 17, 2013
		\$*****1,501.00
One Thousand Five Hundred One and 00/100*****		
TO THE ORDER OF		
MARLBORO POLICE DEPT K-9 PROGRAM		
Santa Pictures Donation	 Authorized Signature	

⑈079118⑈ ⑆211387169⑆ 800007933⑈



City of Marlborough
Office of the Mayor

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN -9 A 11:49

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 9, 2014

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

RE: Proposed Order to Revoke Acceptance of MGL Chapter 41, Section 100B

Honorable President Pope and Councilors:

In 1973, the City Council accepted section 100B of chapter 41 of the Massachusetts General Laws which concerns indemnification for police officers and fire fighters who have retired under accidental disability. By accepting the statute, the City undertook the obligation to indemnify those certain persons for reasonable medical, hospital, surgical and other expenses, subject to review by a three-person panel, relating to their accidental disability.

The action of the City Council in 1973 is laudable, but changes in accidental disability laws since then have caused the increased risk of unpredictable and unfunded financial burdens for the City. Moreover, by continuing to allow this measure to remain in place, I believe our OPEB liability will be negatively impacted over the long term.

Given the above circumstances, I respectfully ask that the proposed order, which would revoke the City's acceptance of chapter 41 of the Massachusetts General Laws, be sent to the Operations & Oversight Committee for further discussion.

Please do not hesitate to contact me with questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

CC: David Brumby, Personnel Director
Margaret Shea, Marlborough Retirement Board
Brian Doheny, Comptroller

ORDERED:

Be it ordained by the City Council of the City of Marlborough that Order No. 12174, accepted on January 22, 1973 under the provisions of M.G.L. chapter 41, § 100B, which concerns indemnification of retired firefighters and police officers, is hereby revoked, and further, be it ordained by the City Council that the Code of the City of Marlborough, as amended, be further amended by deleting in its entirety Section 125-49, Retiree Indemnification Review Board.

ADOPTED

In City Council
Order No. 14-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

CITY COUNCIL REGULAR MEETING SCHEDULE 2014

January 6 – Inaugural/Organizational

RECEIVED
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CITY OF MARLBOROUGH

January 13

2014 JAN -8 P 4:07

January 27

February 10

February 24

March 10

March 24

April 7

April 28

May 5

May 19

June 2

June 16

July 7

July 21

August 25

September 8

September 22

October 6

October 20

November 3

November 17

December 1 – Classification Public Hearing

December 15

****Additional meetings may be added to the schedule as required****

CITY COUNCIL COMMITTEES

2014

Patricia A. Pope, President
Edward J. Clancy, Vice-President

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CITY OF MARLBOROUGH

2014 JAN -8 P 4:07

FINANCE

Michael H. Ossing
Kathleen D. Robey
Matthew H. Elder
Mark A. Oram
John Irish

PUBLIC SERVICES

Donald R. Landers
John Irish
Edward J. Clancy

LEGISLATIVE & LEGAL AFFAIRS

Edward J. Clancy
Kathleen D. Robey
Joseph F. Delano, Jr.

AFFORDABLE HOUSING

Combined with
Urban Affairs in 2008

WIRELESS COMMUNICATIONS

Kathleen D. Robey
Edward J. Clancy
Mark A. Oram

PUBLIC SAFETY

John Irish
Donald R. Landers
Michael H. Ossing

URBAN AFFAIRS & HOUSING

Joseph F. Delano, Jr.
Edward J. Clancy
Donald R. Landers
Robert J. Tunnera
Robert Page

HUMAN SERVICES

Mark A. Oram
Robert J. Tunnera
Robert Page

VETERANS' AFFAIRS

Robert Page
Michael H. Ossing
Kathleen D. Robey

OPERATIONS & OVERSIGHT

Matthew H. Elder
Joseph F. Delano, Jr.
Donald R. Landers

OPEN SPACE

Mark A. Oram
Matthew H. Elder
Joseph F. Delano, Jr.

PERSONNEL

Robert J. Tunnera
Matthew H. Elder
John Irish

RULES COMMITTEE

Patricia A. Pope
Edward J. Clancy
Michael H. Ossing

FIRST PERSON NAMED SHALL SERVE AS CHAIRMAN
The **second** person named denotes vice-chair. The President or Vice-President may serve as an ex-officio member of any of the above Committees to form the required quorum.



**City of Marlborough
FIRE DEPARTMENT
215 MAPLE STREET
MARLBOROUGH, MASSACHUSETTS 01752**

**Marlborough Fire Department Bi Directional/Unidirectional Antenna Specifications
For In Building Fire Department Radio Coverage in Buildings or Structures.**

Emergency communications have been proven to be the lifeline for firefighters, police officers and EMS personnel inside of large structures. Research and investigations into Line of Duty Deaths (LODDs) and injuries to Fire, Police and EMS personnel show that the loss of reliable communications inside of such buildings is a contributing factor in death and injuries to emergency personnel.

Reliable in-building communications is a paramount requirement for the safety of emergency personnel as well as that of the public and is major factor in the successful outcome of emergency operations inside of large buildings.

This policy is to enhance the City of Marlborough's emergency communications in buildings that could be subject to communications breakdown due to size, building materials, design, geography and other impediments to radio communications.

The Marlborough Fire Department has developed these specifications in conjunction with the requirements of the International Building Code (IBC 2009) and the Massachusetts Building Code, 8th edition (effective 01/07/2011).

New buildings or structures or portions of existing buildings or structures undergoing renovations or rehabilitation (25% or more) that constitutes new construction shall be equipped with in building radio systems as an integral component of the life safety equipment of the building or structure. Any building built in phases must have the in building system installed as if the construction were 100 % complete. Any underground construction other than for storage or parking shall be equipped with an in building radio system.

The system installed must comply with all applicable sections of FCC rules (Parts 22.90 and 101).

Exceptions:

Buildings that have sufficient levels of radio coverage to satisfy the requirements of this specification may **request a waiver with the following constraints:**

- a. A radio survey as described in this specification must be submitted and signed by a qualified radio technician. *(All interior partitions must be completed prior to the survey)*

- b. A permit must be submitted with proper signatures
 - c. If approved, the waiver will only be valid for a 5 year period at which time a new radio survey must be submitted.
 - d. At any time it is determined that radio coverage does not meet this specification, the waiver will be withdrawn and the property owner is then required to provide radio coverage as required by this specification.
 - e. The building owner is responsible for the costs of the radio coverage survey.
-
- One and Two Family dwellings as defined in the Massachusetts State Building Code, 780 CMR;
 - Buildings constructed of wood frame with no metal construction nor any underground storage or underground parking areas;
 - Buildings or structures or portions of buildings or structures where the fire department has performed radio tests for signal reception and determined radio coverage is adequate.

Adequate radio coverage shall include a minimum signal level of DAQ 4 (Delivered Audio Quality 4 [speech easily understood; occasional noise/distortion]). This standard shall be assessed utilizing hand held radio units used by the Marlborough Fire Department.

The in-building radio system shall provide signal strength as follows:

- A minimum of -95 dBm available in 95% of the floor area of each floor of the building and 100% communications in any stairwells and at fire alarm control panels when transmitted from the Fire Department dispatch center.
- A minimum of -95 dBm received at the Fire Department dispatch center from 95% of the area of each floor of the building and 99% communications from the following critical areas:
 - stairwells
 - emergency command centers
 - fire alarm control rooms
 - sprinkler rooms/fire pump rooms
 - elevator lobbies/control rooms
 - any other areas deemed critical by the Marlborough Fire Department.

- Required in-building radio systems shall be FCC certified Bi-Directional UHF Amplifier(s) as needed. This amplifier shall contain a 10 Mg window/filter to assure only MFD and MPD frequencies pass through the amplifier.
- Assembly and installation of the Bi-Directional Amplification System shall be in accordance with the Massachusetts Electrical Code as applicable.
- The radio system may utilize a radiating cable system or an internal multiple antenna system.
- Transmission lines used in this system shall be type CATVR for all applications except for those run in ducts, plenums or environmental air spaces, they shall be CATVP. Equivalents are allowed as in article 820 of the National Electrical Code (NFPA 70) is acceptable.
- Cables other than radiating coaxial cables shall be run in Electrical Metallic Tubing (EMT) or as otherwise approved by the fire chief or his designee.

Public Safety Frequencies

The Marlborough Fire Department transmits and receives on the following frequencies:

- Channel 1 (operations and dispatch)
 - Transmit: 858.4625 MHz
 - Receive: 813.4625 MHz
 - PL23
- Channel 16 (fireground frequency)
 - Transmit: 854.3875 MHz
 - Receive: 809.3875 MHz
 - PL174

The Marlborough Police Department transmits and receives on the following frequencies:

- Police Channel 1
 - Transmit: 856.4625
 - Receive: 811.4625
 - PL: 23

- Police Channel 2
- Transmit: 857.4625
- Receive: 812.4625
- PL: 23

Power Supplies

- Monitoring the integrity of power supplies shall be in accordance with NFPA 72, National fire alarm code, 2010 edition.
- At least 2 independent and reliable power supplies shall be provided.
- The primary power source shall be supplied from a dedicated twenty (20) ampere branch circuit and comply with NFPA 72, National Fire Alarm Code, 2010 edition.
- The in-building radio system shall be capable of operating on a battery dedicated to the system with at least 12 hours of 100% system operation capacity.
- The battery system shall automatically charge in the presence of external power input. The battery system shall be contained in 1 NEMA 4 or 4X type enclosure.

System Monitoring

- The In-Building Radio system shall include automatic supervisory and trouble signals for malfunctions of the signal booster(s) and power supplies that are annunciated by the fire alarm system. Trouble signals must be immediately reported to the radio service provider.
- The integrity of the circuit monitoring the signal booster(s) and power supply (ies) shall comply with NFPA 72, National Fire Alarm Code, 2010 edition.
- System and Signal booster supervisory signals shall include Antenna Malfunction and Signal booster failure.
- Power supply supervisory signals shall include loss of normal AC power, Failure of battery charger, and Low battery capacity (alarming at 70% of battery capacity)
- The system shall be capable of operating on an independent battery, UPS and/or generator system for a period of at least 12 hours without external power input. The battery system shall automatically charge in the presence of external power input.
- Amplifiers shall be installed in secured areas in watertight NEMA 4 steel cabinets. The cabinets will be painted red and The words "Marlborough Fire/Police Department Radios" shall be marked on the cabinet as well as the BDA permit number, the maintenance vendor and vendor phone number.

- The BDA/UDA and any other active amplifiers must be located in an area with a 2 hour fire rating or in an enclosure with a 2 hour fire rating.
- All external antennas shall be provided with appropriate lightning protection in accordance with the National Electrical Code.

Dedicated Monitoring Panel

- A dedicated monitoring panel shall be provided within the emergency command center to annunciate the status of all signal booster locations. The monitoring panel shall provide visual and labeled indication of the following for each signal booster:
 - (1) Normal AC power
 - (2) Signal booster trouble
 - (3) Loss of normal AC power
 - (4) Failure of battery charger
 - (5) Low battery capacity
- A sign will be located at the dedicated monitoring panel with the name and telephone number of the radio service provider indicating that they shall be notified of any alarm.
- The Marlborough Fire Department must be notified of any failures that extend past two (2) hours.

Radio Survey

- The building owner shall have the in-building radio system tested to insure that two-way radio coverage on each floor of the building meets or exceeds the required 95%.
- Each floor of the building shall be divided into a grid of approximately twenty (20) equal areas. A maximum of one (1) area will be allowed to fail the test per floor. A spot located approximately in the center of a grid area will be selected for the test. Once the spot has been selected, prospecting for a better spot within the grid area will not be permitted. Field strength testing instruments are to be recently calibrated (1 year) and of the frequency selective type incorporating a flexible antenna similar to the ones used on the hand held transceivers.
- RF plots indicating the initial assessment of radio coverage and the enhanced coverage shall be submitted at the time of acceptance testing.
- All compliance testing to be done with 50 ohm loads in place of the donor antenna to avoid interference to the MFD/MPD radio system. The MFD Communications Section (508-624-6984 extension 15 and MPD 508-485-1212) is to be notified prior to any testing.
- Unattended operation of the in-building radio system is not permitted until the completion of acceptance testing.

Annual Tests

- When an in building radio system is installed The building owner shall be responsible for testing all active components of the system, including but not limited to amplifier, power supplies and back up batteries a minimum of once every 12 months from the date of the installation.
- Amplifiers shall be tested to insure that the gain is the same as it was upon initial installation and acceptance.
- Backup batteries and power supplies shall be tested under load for a period of one (1) hour to verify that they will operate during an actual power outage.
- Active components shall be checked to determine that they are operating within the manufacturer's specifications for their intended purpose.

Five Year Test

- In addition to the annual test, the building owner shall perform a radio coverage survey test a minimum of once every five (5) years to insure that the in building radio system continues to meet the requirements of this ordinance.

Documentation

- Documentation of all testing all testing, maintenance and repairs shall be kept on site and a copy forwarded to the Marlborough Fire Department. Electronic submissions of these reports are preferred.
- The building owner will also have maintenance contract with a competent technical support organization who can respond 24/7/365 with a response time of no more than 6 hours. The cost of this contact is the responsibility of the property owner.
- All testing shall be conducted, documented and signed by a person with a current FCC General Radiophone Operator License as defined in Title 47 of the Federal Code of Regulations or its equivalent.
- The costs of the annual and five (5) year tests are the responsibility of the building owner.

Fire Department Inspections

- The building owner shall provide reasonable access to the Marlborough Fire Department and Marlborough Police Department personnel to conduct field-testing of the radio systems to determine if the required radio coverage is adequate.

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

- I. Article II Of Chapter 270, entitled "Building And Site Development," is hereby amended by inserting the following new section:

§ 270-10. Incorporation by reference: Specifications and Permit of the Marlborough Fire Department, Bi-Directional/Unidirectional Antenna For In-Building Fire Department And Police Department Radio Coverage In Buildings:

- A. The Marlborough Fire Department requires that, in accordance with 780 CMR 915.1, et seq., of the Code of Massachusetts Regulations, as amended, all new buildings and all existing buildings undergoing renovations or rehabilitation constituting new construction, herein defined as 25% or more of gross square footage, provide reliable radio communications for fire fighters, EMS, and police officers within the building based upon the existing coverage levels of the Marlborough Fire Department and the Marlborough Police Department communication systems at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- B. The installation and operation of radio-based fire department communication systems must comply with the document entitled "Marlborough Fire Department Bi-Directional/Unidirectional Antenna Specifications For In-Building Fire Department Radio Coverage In Buildings," which document may be obtained at the Marlborough Fire Department and is incorporated herein by reference. The Marlborough Fire Department is authorized to promulgate and amend, from time to time, said regulations. No radio-based fire department communication systems shall be installed or operated without first filing with the Marlborough Fire Department a written application and obtaining a permit therefor. No occupancy permit shall be issued by the Building Department without said permit, or a written waiver therefrom by the Marlborough Fire Department.
- C. Each permit issued by the Marlborough Fire Department under this section is subject to the fee for installation and maintenance of a Fire Department and Police Department communications system which is listed in Section 328-2 of Chapter 328.

II. Section 328-2 of Article II of Chapter 328, entitled "Fire Department Fee Schedule," is hereby amended by inserting the following new fee:

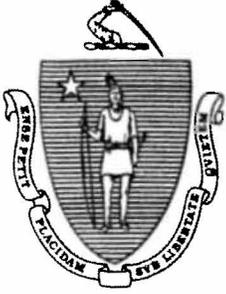
Type	Fee
Installation and Maintenance of Fire Department and Police Department Communications System	\$50.00

ADOPTED
In City Council
Order No 13-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY

ATTEST:



THE COMMONWEALTH OF MASSACHUSETTS
STATE RECLAMATION & MOSQUITO CONTROL BOARD
**CENTRAL MASSACHUSETTS
MOSQUITO CONTROL PROJECT**

111 Otis Street, Northborough, MA 01532 - 2414
Telephone (508) 393-3055 • Fax (508) 393-8492
www.cmmcp.org

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CITY OF MARLBOROUGH
2014 JAN - 3 11:06



COMMISSION CHAIRMAN
RICHARD DAY

EXECUTIVE DIRECTOR
TIMOTHY D. DESCHAMPS

January 2, 2014

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 local media outlets 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, 2014 to collect copies of any pesticide exclusions filed with your office per 333CMR 13.03 (1)(b).

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

Sincerely,

Timothy D. Deschamps
Executive Director

Enc: (Pesticide Exclusion information)

cc: Board of Health

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 13.03 - Exclusions from Pesticide Application). This reads in part:

13.03 (1) (b) Designation for exclusion from Wide Area Applications of pesticides and mosquito control applications of pesticides approved by the State Reclamation and Mosquito Control Board 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) of the person requesting the exclusion, the address of the property to be excluded, and a description of the types of pesticide application programs for which exclusion is requested.

13.03 (1) (c) Designation for exclusion may be made prior to March 1st of each year and shall be effective from April 1st of that year through March 31st of the following year.

13.03 (2) (b) Ground Applications. The person requesting exclusion shall mark the boundaries or areas to be excluded at least every 50 feet with orange surveyor's tape or another Department-approved marking device which clearly defines the area of exclusion. These markings shall be made known to the Contracting Entity, who shall be responsible for communicating the details of their marking to those who will carry out the application.

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; or*
- 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.*

The full text may be found at <http://www.lawlib.state.ma.us/source/mass/cmr/333cmr.html>.

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

RESOURCES: The Pesticide Bureau at (617) 626-1700

November 26, 2013
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2013 DEC 27 A 8:42



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

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Tuesday, November 26, 2013 at 10:00 a.m. in the City Council Committee Room, City Hall. Members present: Chairman - Police Chief Mark Leonard, DPW Commissioner Ronald LaFreniere and Fire Chief James Fortin. Also present: City Engineer Thomas Cullen, Asst. City Engineer Tim Collins and local residents Gerard and Dolores Boule and Mr. Lee Thompson. Minutes taken by: Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Tuesday, October 22nd, 2013.

MOTION was made, seconded, duly VOTED:
TO APPROVE

2-New Business

2c) Communication from Councilor Tunnera, re: Speed limit signs on East Dudley St.

Residents of East Dudley signed a petition, which was brought to the meeting by Mr. and Mrs. Boule, regarding their concerns. They are concerned with speed and noted many elderly and young families with children living on their street. They are looking for 25 mph speed limit signs and any ways to keep tour buses and 18 wheelers off their street. Chief Leonard advised that the Commission has talked about this issue before. There is no special speed regulation on East Dudley Street so the city can't post a white regulatory speed sign. They can only use yellow advisory signs that state "thickly settled 30 mph". The only way to change this is to conduct a speed study. Chief Leonard went on to explain how the speed on a road is based on what 80% of vehicles are traveling. If a speed study were conducted he does not believe it would result in a lower speed limit and could perhaps increase.

Chief Leonard advised he has tried to get the speed board out there and that it usually works when it is there. They try to leave it there for a week at time. He also noted,

however, that the speed boards are off the road now for the winter. He has tried to send officers there to monitor speed during commuting hours.

Commissioner LaFreniere agreed with Mr. and Mrs. Boule that this roadway is handling more traffic than was originally planned, however, it is not likely to change. This street has been impacted by development on this side of the City. Chief Leonard also advised that he has tried to address the issue with the hotels; however, GPS tends to send vehicles down back roads. It also involves buses from all over, not from one specific company that can be contacted regarding resident concerns. He can take another look at the signs to make sure that everything is in place, however, it really comes down to consistent enforcement. He advised Mr. & Mrs. Boule to call the police department if they find that there is a specific time of day or day of the week that is more of a problem or a specific bus company.

Commissioner LaFreniere asked the Boule's if the residents have any other ideas on safety improvements. Mr. Boule said, "the game has changed", as this area used to be beautiful farm county. They were really hoping for the 25mph speed limit signs. Chief Leonard commented that "unfortunately we just can't do that as the speed limits are set by the State" and we don't have the police officers available to monitor traffic concerns as he would like. He advised, however, that we will try to get an officer there as much as possible.

There was also discussion on a truck exclusion. Chief Leonard advised that we just addressed a similar issue on Ferrecchia Drive and explained that a truck exclusion has to be approved by the State and very specific warrants need to be met. East Dudley would not come close to meeting the numbers required for a truck exclusion.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to check on the signs and to the POLICE DEPARTMENT for continued enforcement.

2d) Addition of Yield regulation to Traffic Commission Rules and Regulations.

Mr. Thompson was in attendance to follow up on the status of the yield sign on Reservoir St. Chief Leonard explained that in reviewing this issue Tim Collins found that there was no section in the rules and regulations manual for yield signs. This section needed to be created before the regulation for the new sign could be voted on and approved. Chief Leonard met with Engineering and the new section to the manual has been created. Tim Collins presented the new section to the commission for review. Chief Leonard also prepared the new regulation for a vote. Upon review, one revision was required on the yield description and further clarification was required on the actual regulation. All changes will be made and the new section added to the Rules and Regulations manual so that the yield condition can be properly enforced.

Tim Collins advised that the Yield sign on Reservoir was just installed on Monday. A series of triangles will be painted on the roadway in the spring. It was also noted that the new regulation still needed to be advertised.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING and to CHIEF LEONARD to make the necessary revisions on the language.

2a) Request for a crosswalk on Hudson St. at Windmill Dr.

Tom Cullen forwarded a letter from Mr. William Murphy – a resident of Windmill Drive, requesting two things: 1) Crosswalk at the intersection on Windmill and Hudson and 2) Additional signage on Hudson Street that would alert people to the hospital rather than traveling up Windmill in error. Tom Cullen presented numerous photos of the area from different angles and a diagram to provide a sense of scale.

Commission LaFreniere noted that the roadway was just recently reconstructed; however, there was never a crosswalk at this location. The current sidewalk would need to wrap around the corner of Windmill. Windmill Street is an 8 – 10 lot subdivision. It is a “tough situation sight wise” and even though there is a stop condition at Ash Street, there is a curve in the road and cars are moving very fast. If the embankment area near the curve were cut back it may provide 1500 feet of site distance. Chief Leonard noted that even Mr. Murphy, in his letter, indicates that there is not much time to cross here. Tim Collins went out to the sight and tried to cross here himself. He said that he had about 3 seconds to cross. Chief Leonard said that he is sure residents are crossing here, probably to go to the rail trail. All agreed that safety was an issue and that it was not a great location for a crosswalk and that numbers would probably show this. It was suggested that if traffic counts were conducted, which also judge speed; it may then provide evidence that this is not a safe location for a crosswalk. It was noted that conditions such as wet roads, falling leaves and the downhill slope also add to the concern.

With regard to the hospital sign, Tom Cullen has talked to his department and they will install another hospital sign to make it clear as to the location of the hospital.

MOTION was made, seconded, duly VOTED to REFER to the DPW to conduct traffic counts and get an assessment of the site distance relative to the proposed crosswalk location and also to install additional signage for the hospital.

2b) Discussion of speed and traffic volumes on Hager St.

Local resident Sally Countryman sent a request to the mayor’s office regarding this issue. She stated in her letter that Hager Street “has become a major thruway to Framingham and back”. She said that the road straightens out in front of her house and cars travel 50mph or faster. She indicated that the situation is getting worse and asked if it was possible to have a lighted sign that tells how fast you are going placed there.

Chief Leonard advised that the police department has tried to put the speed board here but wasn’t sure if they actually found a spot to place it. He has also sent officers there to monitor speed and traffic. It is basically the same story as what is happening on East Dudley. It has now become a heavily traveled road.

Commissioner LaFreniere said that it sounds like much of the speed problem is coming from the direction of Framingham not Marlborough. He said that maybe the Framingham Police Chief can provide assistance. He also noted that Hager Street is on the radar for capital improvements. It will probably be on the next capital improvement list sent to the Mayor; however, it would still be 2-4 years down the road.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT for enforcement and to Chief Leonard to contact Framingham PD on the speed issue.

3-Old Business

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

Tim Collins presented a diagram of the lower parking lot at the Whitcomb School with proposed signage. The Traffic Commission is trying to clearly define the bus drop off/pick up area and keep all other traffic away from the bus lane during school hours. After much discussion it was determined that the bus lane should be one way and free of all other traffic during school hours. The rest of the lot would be for two way traffic and all vehicles would be directed to exit in the opposite direction from the bus lane (to the left). There would also be no parking along the side by the sports fields. Outside of school hours the bus lane could be used for vehicle parking.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to determine the proper signage necessary to clearly direct all traffic in/out of the lot and to clearly define the bus lane and prepare a recommendation for the next meeting.

Update on Item from October meeting (not on this month's agenda)

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

Tim Collins provided a diagram of the Jaworek School Zone and photos of the crosswalk from three different distances, 150 feet before the crosswalk, 100 feet before the crosswalk and 50 feet before the crosswalk. It was determined that there should be a sign for the crosswalk, however, there was not an ideal location as the sign would be blocked by the existing school zone signal and utility pole at certain distances. The ideal location is for the crosswalk sign to be visible 200 feet from the crosswalk. Tim Collins was proposing the sign be placed at the crosswalk, at the back of the sidewalk, in front of the arborvitae where it would be visible to oncoming traffic 100 feet before the crosswalk. Commissioner LaFreniere asked if the sign could be placed on the utility pole or if something could be painted on the pavement. Chief Leonard asked if it was possible to move the school zone sign.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to prepare another diagram for next month's meeting.

3d) Traffic Commission rules and regulations update.

The Commission reviewed another group of streets from the alphabetical listing on the "conflict list" at the direction of Tim Collins. The Traffic Commission has already reviewed all streets, however, Tim Collins found additional conflicts that needed to be addressed. The streets discussed were **Essex St., Goodale St., Gibbons St., Francis St., Foley Rd., Florence St., Florence Court, Ferrecchia Drive, Emmett St. and Fairmount St.** The purpose of this review is to be sure that the specific regulations in the manual match what is truly in existence at the street location. Final regulations for

each street will be able to be viewed in the rules and regulations manual upon completion.

MOTION was made, seconded, duly VOTED to keep this item on the Agenda.

3a) Municipal off street parking regulation.

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

3b) High School parking regulations.

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

3c) Stop signs on Bigelow Street.

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

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

MOTION was made, seconded, duly VOTED:
To TABLE

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:42 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

-Meeting Agenda for Tuesday, November 26th, 2013 (Including City of Marlborough Meeting Posting.

-Draft of Traffic Commission minutes from 10/22/13.

-Copy of e-mail from Tom Cullen to Chief Leonard, dated 10/25/13, Re: Hudson Street – Request for Crosswalk at Windmill Drive across Hudson St. & Additional Signage Request.

-Copy of letter from Richard Murphy requesting crosswalk at Windmill Dr. & Hudson St.

-Copy of e-mail from Commissioner LaFreniere to Chief Leonard, dated 10/28/13, Re: Constituent Issues – Hager Pond along with copy of the original request letter from Sally Countryman.

-Copy of e-mail from Councilor Tunnera to the Traffic Commission, dated 11/4/13, Re: Speed limit signs on East Dudley.

-Copy of e-mail from Tim Collins to Traffic Commission members, dated 10/29/13, Re: New Yield Regulation.

-Copy of proposed regulation for “Yield Intersections”, as drafted by Chief Leonard.

Additional Handouts

-Diagram of School Zone on Hosmer Street – at Jaworek School

- Photos indicating proposed locations for crosswalk sign near Jaworek School.

-Original petition signed by residents on East Dudley Street addressing speed concerns at their location.

MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING MARCH 5, 2013
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2013 DEC 16 A 9:29

ATTENDANCE: JOHN USINAS, RICHARD TOWLE, DEBRA MCMANUS, CHERYL SOUCY, FRAN FLORANCE, 22 BROAD STREET RESIDENT.

DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:01 PM.

RICHARD TOWLE READ THE MINUTES. APPROVE AS AMENDED. ACCEPTED 4 TO 0.

CHERYL SOUCY GAVE THE TREASURER'S REPORT \$10,280.43 ACCEPTED 4 TO 0.

OLD BUSINESS

CHRIS BECKER FROM MOD HAS AGREED TO ASSIST US WITH THE SURVEY OF THE ADVANCED MATH & SCIENCE ACADEMY AND THE SMOC DAY CARE. WE RECEIVED THE REPORT STEVE REID FILED.

FRAN FLORANCE ADDRESSED THE COMMISSION CONCERNING THE PARKING PROBLEMS AT 22 BROAD STREET. SHE REPORTED THAT THERE ARE ONLY 4 H.P. PARKING SPACES IN THE FRONT OF THE BUILDING. ALL OTHER PARKING IS IN THE REAR OF THE BUILDING. THE FRONT DOOR IS THE ONLY FULLY ACCESSIBLE DOOR WITH AUTOMATIC OPENERS. THE SIDE ENTRANCE IS

ACCESSIBLE WITH A KEY BUT IT IS VERY HEAVY & THE KEY SLOT IS TOO HIGH FOR WHEELCHAIR USERS. THE BACK DOORS ARE NOT WHEELCHAIR ACCESSIBLE. 3 PARCELS OF VACANT LAND TO THE LEFT FRONT OF THE BUILDING ARE OWNED BY ACADEMY KNOLL, THESE COULD BE USED FOR PARKING UP FRONT & BE MORE ACCESSIBLE FOR PEOPLE WITH MOBILITY PROBLEMS. 1) IT WAS SUGGESTED WE CONTACT WARD COUNCILOR ROB TUNNERA TO DISCUSS THE USE OF THE LAND & CONTACTING ACADEMY KNOLL 2) ASK CHRIS BECKER OF MOD TO SURVEY THE PARKING AREAS 3) MAKE LAVIOLETTE STREET RESIDENT PARKING ONLY.

CHRIS BECKER FROM MOD, DEBRA MCMANUS & CHERYL SOUCY SURVEYED AN APARTMENT AT STONEGATE FOR A RESIDENT THE COMMISSION HAS BEEN ASSISTING. IT WAS DESCRIBED TO THE RESIDENT AS A GROUP 2A APARTMENT; HOWEVER, THE KITCHEN, BATHROOM, DECK AND PARKING LOT ARE ALL OUT OF COMPLIANCE. CHRIS COMPILED & MAILED A REPORT TO THE RESIDENT.

H.P. PARKING HAS BEEN A PROBLEM AT AVALON ORCHARDS. THEY HAVE BEEN ADVISED TO POST THE CORRECT SIGNAGE & RELINE THE SPACES IN ORDER TO TICKET VIOLATORS.

AAB WILL BE SURVEYING SLATTERY'S FUNERAL HOME ON THURSDAY MARCH 7, 2013 @ 3:30 PM.

JOHN USINAS OPENED A DISCUSSION ON SUMMER CAMP SCHOLARSHIPS. A MOTION WAS MADE TO APPROVE \$5,000 FOR THIS YEAR. ACCEPTED 4 TO 0.

THE MEETING ADJOURNED AT 5:01 PM.

**RESPECTFULLY SUBMITTED,
DEBRA MCMANUS**

**NEXT MEETING TUESDAY APRIL 2,2013 AT 4:00 PM, CITY
HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH
FLOOR.**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2013 DEC 16 A 9:29

**MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING APRIL 2, 2013
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL**

ATTENDANCE: JOHN USINAS, RICHARD TOWLE, DEBRA MCMANUS, CHERYL SOUCY, ROB TUNNERA, PATTY CARLSON.

DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:01 PM.

PATTY CARLSON READ THE MINUTES. ACCEPTED 6 TO 0.

CHERYL SOUCY GAVE THE TREASURER'S REPORT \$10,240.43 ACCEPTED 6 TO 0.

OLD BUSINESS

CHRIS BECKER FROM MOD SURVEYED THE APARTMENT AT STONEGATE & SENT A REPORT TO THE RESIDENT. DEBRA MCMANUS SENT A LETTER FROM THE COD TO THE CORPORATE OFFICE OF STONEGATE IN TEXAS ALONG WITH CHRIS' REPORT. THEY WERE GIVEN UNTIL APRIL 11, 2013 TO RESPOND.

CHRIS BECKER FROM MOD IS ON A TEMPORARY LEAVE, THE SURVEYS OF AMSA & SMOC DAY CARE HAS BEEN PUT ON HOLD FOR NOW.

THE PROPER H.P. PARKING SIGNS HAVE BEEN POSTED AT AVALON ORCHARDS, BUT THE SPACES ARE NOT CORRECT.

ROB TUNNERA WILL SPEAK TO SOMEONE AT 22 BROAD STREET CONCERNING THE USE OF THE VACANT PARCELS OF LAND AS PARKING LOTS.

MARK DEMPSEY & WALTER WHITE OF AAB, DEBRA MCMANUS & JOHN USINAS SURVEYED SLATTERY'S FUNERAL HOME ON THURSDAY MARCH 21, 2013.

SLATTERY'S AGREED TO RE-DO THE FRONT INSIDE & SCREEN DOORS, LOWER THE THRESHOLD, ADJUST THE HEIGHT OF THE RESTROOM SIGNS; SLIGHT SIZE DISCREPENSES EXIST IN THE RESTROOMS BUT SLATTERY'S OWNERS WILL APPLY FOR A VARIANCE ON THESE. ONLY 1 HP PARKING SPACE IS REQUIRED BUT IF A VARIANCE IS GRANTED TO ALLOW THE SPACE TO REMAIN IN THE REAR RIGHT CORNER OF THE BUILDING, SLATTERY WILL ADD A SECOND HP SPACE TO THE RIGHT OF THE ORIGINAL SPACE.

JOHN USINAS REPORTED THAT A REQUEST FOR ASSISTANCE IN PURCHASING A HEARING AID HAS BEEN MADE. THE COST IS \$2,128.00 AND \$850.00 IS BEING DISCOUNTED BRINGING THE COST DOWN TO \$1,278.00. A MOTION WAS MADE BY JOHN USINAS THAT THE COD GIVE \$678.00 CONTINGENT ON OBTAINING A LETTER STATING THE WOMEN HAS SET UP A PAYMENT PLAN WITH THE

**AUDIOLOGIST OFFICE FOR THE REMAINING \$678.00.
ACCEPTED 6 TO 0.**

DUE TO THE FEDERAL BUDGET CUTS, MARLBOROUGH SECTION 8 RENTERS WILL BE SEEING HUGE INCREASES IN THEIR RENT ON MAY 1, 2013. MARLBOROUGH DOES NOT HAVE FEDERAL FAMILY HOUSING, SO THE SECTION 8 VOUCHER HOLDER MUST SHOULD THE FULL WEIGHT OF THE BUDGET CUTS.

THE MEETING AJOURNED AT 4:54 PM.

**RESPECTFULLY SUBMITTED,
DEBRA MCMANUS**

NEXT MEETING TUESDAY MAY 7, 2013 AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH FLOOR.

MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING MAY 7, 2013
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2013 DEC 16 A 9 29

ATTENDANCE: JOHN USINAS, RICHARD TOWLE, DEBRA MCMANUS, CHERYL SOUCY, ROB TUNNERA, PATTY CARLSON, DOUG BUSHMAN-DIRECTOR MARLBOROUGH HOUSING, BARBARA MCGUIRE-PRESIDENT TENANTS ORGANIZATION.

DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:00 PM.

PATTY CARLSON READ THE MINUTES. ACCEPTED 6 TO 0.

CHERYL SOUCY GAVE THE TREASURER'S REPORT \$10,635.43 ACCEPTED 6 TO 0.

NEW BUSINESS

DOUG BUSHMAN SPOKE ABOUT THE OUTSIDE REPAIRS NEEDED AT 240 MAIN STREET HOUSING. THE BACK COURTYARD HAS BEEN TAPED OFF SINCE JANUARY 2013. DEBRA MCMANUS & CHERYL SURVEYED THE COURTYARD THEY NOTICED BROKEN SIDEWALKS, CRUMBLING CEMENT AND THE THRESHOLD AT THE BACK ENTRANCE DOOR WAS TOO HIGH(PICTURES PRESENTED). DOUG BUSHMAN REPORTED THAT A NEW ARCHITECT HAS BEEN HIRED, THE STUDY WILL TAKE ABOUT 3 WEEKS & COST \$17,000.00 & THE REPAIRS WILL COST APPROXIMATELY \$80,000.00. THEY ARE SEEKING MONEY FROM THE

COMMUNITY DEVELOPMENT FUNDS. DOUG ASKED THE COD TO SEND A LETTER OF SUPPORT TO ASSIST WITH GETTING FUNDING. JOHN USINAS MADE A MOTION A LETTER BE WRITTEN & SENT TO ALL CONCERNED PARTIES. ACCEPTED 6 TO 0.

OLD BUSINESS

ROB TUNNERA MET WITH THE MANAGER AT 22 BROAD STREET & EXPRESSED THE TENANT'S PARKING CONCERNS. HE WILL FOLLOW UP WITH MANAGEMENT.

JOHN USINAS REPORTED THAT THE LETTER OF AGREEMENT FOR PAYMENT OF \$678.00 BY THE WOMEN NEEDING HEARING AIDS, TO THE AUDIOLOGIST WAS SUBMITTED. THE COD'S PAYMENT WAS SUBMITTED TO DIANE SMITH, CITY AUDITOR.

AT VOTING IT WAS NOTICED THAT THE H.P. STANCHIONS AT THE MIDDLE SCHOOL HAD NO WORDING. WE WILL CALL JOHN GHILONI.

THE MASSACHUSETTS OFFICE ON DISABILITIES WILL BE PRESENTING A TWO DAY COMMUNITY ACCESS MONITOR TRAINING ON MAY 21 & 22. CALL 1-800-322-2020 TO REGISTER.

THE DISABILITY LAW CENTER IS HOLDING A MEETING OF COMMISSIONS ON DISABILITIES @ THE BEST WESTERN ON JUNE 7TH. CALL AMANDA @ 617-723-8455 EXT. 123 TO REGISTER.

**THE MASSACHUSETTS OFFICE ON DISABILITIES IS
HOLDING A REGIONAL MEETING FOR MEMBERS OF LOCAL
COMMISSIONS IN FITCHBURG ON MAY 23. RSVP BY MAY 22
@ 617-727-7440.**

THE MEETING AJOURNED AT 5:00 PM.

**RESPECTFULLY SUBMITTED,
DEBRA MCMANUS**

**NEXT MEETING TUESDAY JUNE 11, 2013 AT 4:00 PM, CITY
HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH
FLOOR.**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2013 DEC 16 A 9 29

**MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING JUNE 11, 2013
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL**

ATTENDANCE: JOHN USINAS, RICHARD TOWLE, DEBRA MCMANUS, CHERYL SOUCY, PATTY CARLSON.

DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:00 PM.

RICHARD TOWLE READ THE MINUTES. ACCEPTED 5 TO 0.

CHERYL SOUCY GAVE THE TREASURER'S REPORT \$10,136.28. ACCEPTED 5 TO 0.

NEW BUSINESS

THE DISABILITY LAW CENTER HELD A CONFERENCE FOR COMMISSIONS ON DISABILITIES @ THE BEST WESTERN ON 6/7/13. THEY DISCUSSED THE 5 TOPICS THE COD'S MENTIONED AS AREAS OF CONCERN. THE TOPICS WERE:

- 1. ENFORCEMENT OF ADA,**
- 2. TRANSPORTATION,**
- 3. HOUSING,**
- 4. VOTING,**
- 5. LOCAL AND STATE WEBSITE ON DISABILITIES AND THE SCOPE OF COD'S.**

IT WAS REPORTED THAT AAB HAS 750 OPEN COMPLAINTS AND ONLY 1 1/2 STAFF PEOPLE. THERE IS A WEBSITE FOR LOCAL COD'S MASSCOD@GOOGLEGROUPS.COM.

ALL CITIES ARE SUPPOSED TO HAVE TRANSITION PLANS THAT ARE UPDATED REGULARLY. PATTY CARLSON WILL CONTACT BEV SLEEPER, ADA COMPLIANCE OFFICER, TO SEE WHERE MARLBOROUGH'S TRANSITION PLAN STANDS.

A CAMP SCHOLARSHIP REQUEST HAS COME IN FOR A CHILD OF A DISABLED PARENT. THE FATHER IS ASKING FOR 1X HELP AS THE WIFE HAS BECOME INCAPACITATED AND THE FATHER NEEDS HELP FOR 1 CHILD TO ATTEND THE BOYS & GIRLS CLUB. A MOTION WAS MADE TO ALLOW THE 1X EXCEPTION AND AWARD THE CAMP SCHOLARSHIP FOR THIS YEAR ONLY. ACCEPTED 5 TO 0.

DEBRA MCMANUS ASKED ABOUT GETTING BUSINESS CARDS FOR COMMISSION MEMBER TO USE WHEN OUT SURVEYING ETC. DEB WILL CHECK WITH MARK ABOUT THE COD EMAIL ADDRESS.

A DISCUSSION CONCERNING THE NEED FOR OBTAINING VOLUNTEER HELP FOR H.P. PARKING AROUND THE CITY TOOK PLACE. A MOTION WAS MADE BY JOHN TO TABLE THE DISCUSSION UNTIL THE JULY MEETING. ACCEPTED 5 TO 0.

OLD BUSINESS

CHERYL SOUCY REPORTED THAT THE FUNDS NEEDED FOR THE REPAIRS AT 240 MAIN STREET HAVE BEEN RECEIVED & WORK WILL BEGIN IN JUNE. ALL WORK SHOULD BE COMPLETED BY SEPTEMBER 2013.

THE MEETING ADJOURNED AT 4:51 PM.

**RESPECTFULLY SUBMITTED,
DEBRA MCMANUS**

NEXT MEETING TUESDAY JULY 9, 2013 AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH FLOOR.

MARLBOROUGH COMMISSION ON DISABILITIES

MINUTES FOR MEETING AUGUST 6, 2013

MAYOR'S CONFERENCE ROOM 4TH FLOOR

CITY HALL

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2013 DEC 16 A 9:29

ATTENDANCE: JOHN USINAS, RICHARD TOWLE, DEBRA MCMANUS, CHERYL SOUCY, PATTY CARLSON.

DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:00 PM.

PATTY CARLSON READ THE MINUTES. ACCEPTED 5 TO 0.

CHERYL SOUCY GAVE THE TREASURER'S REPORT \$9,536.28 ACCEPTED 5 TO 0.

NEW BUSINESS

A THANK YOU NOTE WAS RECEIVED FROM KATHY HOUDE FOR OUR ASSISTANCE WITH PURCHASING HER NEW HEARING AID.

THE LAZY DOG RESTAURANT & PLAZA HAVE NO H.P. PARKING SPACES. THE BUILDING INSPECTOR SENT THE OWNERS A LETTER GIVING THEM 60 DAY TO COME INTO COMPLIANCE.

JOHN GHOLONI WAS NOTIFIED THAT THE H.P. PARKING SIGNAGE AT THE MIDDLE SCHOOL WAS FADED. HE WILL CHECK ALL THE SCHOOLS PRIOR TO SCHOOL OPENING & REPLACE THE SIGNS AS NEEDED.

RON GUEST SENT A PROPOSAL FOR THE COD MEMBER'S

CONSIDERATION CONCERNING TEMPORARY H.P. PLACARDS TO BE ISSUE BY THE CITY. FOLLOWING A DISCUSSION THE COD VOTED 5 TO 0 AGAINST ISSUING TEMPORARY PLACARDS.

SEPTEMBER MEETING FOR COD WILL BE ON SEPTEMBER 10TH NOT THE 3RD.

A BROCHURE FROM THE COD IN BARNSTABLE WAS PASSED AROUND & IT WAS SUGGESTED THE MARLBOROUGH COMMISSION PRODUCE A BROCHURE. PATTY CARLSON WILL WORK ON THE TEXT, MISSION STATEMENT, ETC. & REPORT BACK.

OLD BUSINESS

PATTY CARLSON SPOKE WITH BEV SLEEPER CONCERNING THE CITY'S ADA TRANSITION PLAN. BEV STATED THERE WAS AN INITIAL STUDY & A 5 YEAR OPEN SPACE PLAN. SHE WILL CHECK ON THE SELF EVALUATIONS TO BE COMPLETED BY EACH DEPT. PATTY WILL FOLLOW-UP WITH BEV.

DOUG BUSHMAN, MCDA - SENT A LETTER OUTLINING THE REPAIRS & RENOVATION TO BE COMPLETED AT 240 MAIN STREET BY THIS FALL.

THE MEETING AJOURNED AT 4:41 PM.

**RESPECTFULLY SUBMITTED,
DEBRA MCMANUS**

NEXT MEETING TUESDAY SEPTEMBER 10, 2013 AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH FLOOR.

**MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING SEPTEMBER 10, 2013
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2013 SEP 16 A 9 29

**ATTENDANCE: JOHN USINAS, RICHARD TOWLE,
DEBRA MCMANUS, PATTY CARLSON, AND ROB
TUNNERA.**

**DEBRA MCMANUS CALLED THE MEETING TO
ORDER AT 4:00 PM.**

**RICHARD TOWLE READ THE MINUTES. ACCEPTED 5
TO 0.**

**DEBRA MCMANUS GAVE THE TREASURER'S
REPORT \$10,131.39. ACCEPTED 5 TO 0.**

NEW BUSINESS

**JOHN USINAS COMPLAINED ABOUT THE WEIGHT
OF THE DOORS AT THE SLATTERY BLDG. IN
WORCESTER & USED HIS COMMUNITY ACCESS
MONITOR CARD. THE DOORS WERE FOUND TO BE
FINE.**

OLD BUSINESS

**JOHN USINAS SPOKE TO MIKE MENDOZA
CONCERNING THE LAZY DOG RESTAURANT &**

**PLAZA. NO H.P. PARKING SPACES HAVE BEEN
INSTALLED YET. THE BUILDING INSPECTOR WILL
FOLLOW UP WITH THE OWNER.**

**PATTY CARLSON REPORTED THAT BEV SLEEPER IS
STILL GETTING FEEDBACK FROM THE VARIOUS
DEPARTMENTS ABOUT THE CITY'S TRANSITION
PLAN.**

**AN ABILITIES EXPO IS BEING HELD IN BOSON ON
SEPTEMBER 20TH THROUGH THE 22ND.
WWW.ABILITIESEXPO.COM**

THE MEETING AJOURNED AT 4:39 PM.

**RESPECTFULLY SUBMITTED,
DEBRA MCMANUS**

**NEXT MEETING TUESDAY OCTOBER 8, 2013 AT 4:00
PM, CITY HALL IN THE MAYOR'S CONFERENCE
ROOM ON THE 4TH FLOOR.**

**MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING NOVEMBER 5, 2013
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2013 DEC 16 A 9 30

ATTENDANCE: JOHN USINAS, RICHARD TOWLE, DEBRA MCMANUS, , PATTY CARLSON, PAT WINSKE, MICHAEL MENDOZA, BUILDING COMMISSIONER, BRUCE SALUK, CIVIL ENGINEERING & ASSOCIATES.

DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:02 PM.

RICHARD TOWLE READ THE MINUTES. ACCEPTED 5 TO 0.

**PAT WINSKE GAVE THE TREASURER'S REPORT \$8,515.01
ACCEPTED 5 TO 0.**

OLD BUSINESS

BRUCE SALUK & MIKE MENDOZA ATTENDED THE MEETING TO REVIEW THE NISSON DEALERSHIP H.P. PARKING. DEBRA MCMANUS SURVEYED THE AREA WHERE THE H.P. PARKING HAD BEEN RELOCATED NEAR THE SERVICE AREA. THE H.P. PARKING IS STILL ON A FORWARD AND REAR SLOPE, HAD BROKEN & UNEVEN TAR NOT A SUITABLE EXITING SITE. PHOTOS WERE PASSED AROUND. BRUCE SALUK BROUGHT A SITE PLAN TO DECIDE WHERE THE PARKING SHOULD BE SITUATED. BRUCE WILL ADVIZE THE OWNER OF OUR RECOMMENDATIONS.

MIKE MENDOZA STATED THE OWNERS OF THE LAZY DOG PLAZA HAVE HIRED A COMPANY TO PUT IN THE H.P. SIGNS. IF THE SIGNS ARE NOT ERECTED BY THE DEADLINE FINES WILL BE SENT.

PATTY CARLSON CALLED BEVERLY SLEEPER CONCERNING THE ADA TRANSITION PLANS. BEVERLY DID LOCATE THE ADA ORIGINAL PLAN OUTLINED BY AN ARCHITECT. JOHN GHILONI IS REVIEWING THE PLANS AND WILL HAVE AN UPDATE FOR OUR DECEMBER MEETING. JOHN & BEVERLY WILL ATTEND THE DECEMBER MEETING.

PATTY CARLSON PASSED OUT UPDATED COMMISSION BROCHURES. SUGGESTIONS AND CORRECTIONS WERE MADE.

NEW BUSINESS

MARLBOROUGH DISTRICT COURT HAS NO ACCESSIBLE RESTROOM IN THE FIRST FLOOR JURY DELIBERATION ROOM OR FIRST FLOOR LOBBY. THE FIRST FLOOR WATER FOUNTAINS ARE TOO HIGH FOR WHEELCHAIR USERS & NO CUPS ARE PROVIDED. WILL FOLLOWUP WITH COURT ADA COORDINATOR.

THE MEETING ADJOURNED AT 4:54 PM.

**RESPECTFULLY SUBMITTED,
DEBRA MCMANUS**

NEXT MEETING TUESDAY DECEMBER 3, 2013 AT 4:00 PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH FLOOR.

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

November 4, 2013
2013 DEC 18 A 10 22

Call to Order

The Meeting of the Marlborough Planning Board was called to order at 7:00pm in Memorial Hall, 3rd Floor City Hall 140 Main Street, Marlborough, MA. Members present included Sean Fay, Colleen Hughes, Barbara Fenby & Philip Hodge.

Also in attendance were Board Secretary Melissa Irish and Assistant City Engineer Timothy Collins.

Edward Coveney, Shawn McCarthy and Clyde Johnson were absent.

1. Meeting Minutes:

A. Regular Meeting October 21, 2013

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to approve the minutes of the October 21, 2013 meeting. Motion carried, with Mr. Hodge abstaining

2. Chair's Business:

**A. Notice from the City Council Proposed Zoning Amendment
(Medical & Dental Clinics)**

Councilor Joseph Delano Ward 1 presented an overview of the proposed changes to the Board.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to accept the information and place it on file as well as set a Public Hearing for December 2, 2013. Motion carried.

Chairperson Fenby announced to the Board that she will be sitting on a special committee formed by the City Council to study and or regulate LED Signs within the City. There is currently a moratorium in place regarding this type of signage. Chairperson Fenby will report out to the Board as it is warranted.

3. Approval Not Required:

A. Slocumb Realty, Decision

Ms. Hughes read the City Engineers findings into the record.

On a motion made by Mr. Fay, seconded by Mr. Hodge it was duly voted to accept and endorse the plan of land believed to be Approval Not Required Subdivision of Lots 47, 48, 49 Shown on Land Court Plan 2370F Slocumb Lane. Owned by: Slocumb Realty LLC, 120 Quarry Dr, 2nd floor, Milford MA 01757. Engineer of record: Guerriere & Hanlon, Inc. 333 West Street, Milford, MA 01757 Date of Submission October 17, 2013. Motion carried

4. Public Hearings: None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

Mr. Collins supplied to each member a current copy of the Subdivision Status Report. That and the associated discussion comprised the Engineers report. Mr. Collins and the Board Secretary will work together to come up with a working list of developers to have in front of the Board. There are several subdivisions that are languishing in the final stages.

B. Jenks Rd Subdivision Revisions (November 30, 2013)

Ms. Hughes read into the record the recommendation from the DPW Engineering Division. Ms. Hughes also read in to the record a communication between the developers engineer and the DPW Engineering Division.

On a motion made by Mr. Fay, seconded by Mr. Hodge both communications were accepted and placed on file. Motion carried.

Mr. Fay read the following communication into the record:

“The Board's decision to approve a subdivision is not just an analysis of engineering plans. Our rules state that after the public hearing, the board in due course will approve, modify and approve, or disapprove the definitive subdivision plan submitted. Criteria for action by the Board shall be the following: *Determination* (meaning a finding) that development at this location does not entail unwarranted hazard to safety, health and convenience of future residents of the development or of others because of *possible* natural disasters, traffic hazard, or other environmental degradation. In short, we are supposed to analyze not only technical compliance, but other factors are well. In my opinion, there are significant additional factors that the board should consider with this plan, including the access to the development.

There are two instances when we get waiver requests that are very different. The first is when we have an application before us where the developer has the ability to develop a parcel as a matter of right. We consider the waiver requests most often on the basis of lessening the impact of a particular subdivision on the surrounding neighbors.

The second instance when we consider waiver requests is when the waiver itself will provide the basis for the developer's ability to develop a particular parcel. That is the case here. In this instance, our focus is not only on lessening the impact of a particular development, but whether there are other factors that should be considered in whether or not a parcel should be developed. Design requirements are important, sight distances are important, but not definitive. It is not the number of vehicles alone that would be generated by the subdivision, but the location as well.

In my own experience, I drive on Sudbury Street 8-10 times each week. When I come up to this section of the road in my truck, I have to anticipate traffic coming in the other direction, especially other large vehicles, so I can pull to the right in an area where there are no trees present. This is especially problematic at night, in bad weather, and when there are bicyclists in the area, not to mention when there are snow banks following winter weather events. Common sense tells me that adding additional vehicles entering at this spot, however many, will exacerbate existing safety concerns. This may change once the reconfiguration of Sudbury Street is complete.

Given that the subject parcel cannot be developed as a matter of right, the Board has the discretion to determine whether this particular proposal is in the best interests of the public, the best interests of the City, and the best interests of the neighborhood.

Given the current configuration of Sudbury Street, the insufficient width of that roadway, the trees directly adjacent to the roadway, the condition of the roadway during snow events- in general, in my opinion, the overriding safety issues with adding new access to Sudbury Street in

its current configuration, I believe that the current proposal is not in the best interests of the public, City, and neighborhood and I will voting against the current proposal. I will defer to any motion to approve but I am prepared to make a motion that the Board deny the application with prejudice.”

On a motion made by Mr. Fay to deny subdivision approval, seconded by Ms. Hughes it was duly voted by a roll call vote to DENY the Jenks Rd Subdivision. (Clarification a vote in the positive is a vote to Deny)

Roll call votes as follows:

Mr. Fay Yes

Ms. Hughes Yes

Chairperson Fenby Yes

Mr. Hodge Yes

The motion to deny subdivision approval carried.

It was noted by each member that after the reconstruction of Sudbury Street the Board would be willing to re consider the subdivision in the future.

C. Mauro Farms (Street Lighting)

Mr. Fay noted his conflict for the record, as well as he has been directed to vote on matters as they arise.

Ms. Hughes read the communication from the City Engineering Department to National Grid into the record.

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

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

7. Definitive Subdivision Submission: None

8. Signs:

A. First Church Congregational, 37 High Street

Mr. George Pellerin presented the revised request to the Board. The revised request raises the existing freestanding sign by 24” allowing for placement of a 24” X 48” additional sign below the existing sign. That configuration was met with favor from the Board however; the congregation has not rectified the outstanding issue regarding the illegally installed “Banner” style sign currently on the property. Mr. Pellerin was advised to bring the existing signage into compliance prior to the next meeting and to reappear at the next regularly scheduled meeting to discuss. Mr. Pellerin was reminded of what he was told when he first appeared before the Board, that it was the standing policy of policy of the Bard not to approve any variance request when the applicants’ property is not in compliance with existing sign rules.

B. Marlborough Historical Society (Festival of Trees)

Ms. Hughes read the variance request into the record.

Ms. Janet Licht President of the Historical Society presented the request to the Board.

Since the request included multiple locations with differing sizes of signage the request was taken in three separate and distinct stages.

The largest requested signs comprised of 3' X 4' two sided sandwich board style signs.

The sign locations for this style sign are:

133 West Main Street – St. Mary's Credit Union Location

1 Northboro Rd – St. Mary's Credit Union Location

On a motion made by Mr. Fay seconded by Mr. Hodge it was duly voted to allow the placement of the 2 requested signs for the duration of November 29, 2013- December 16, 2013.

The Board requested that these signs be securely anchored to the ground to keep them from blowing into the street.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was duly voted to allow for an additional 3" X 4' two sided sandwich board style sign to be placed at 377 Elm St for the same duration. Motion carried.

The next requested signs comprised of 3' X 2' two sided lawn style signs.

The sign locations for this style sign are:

57 West Main Street: Approved

133 South Bolton Street: Approved

Corner of Maple & Mill Approved as long as proper Owner approval is also granted

Corner of Bolton & Union Approved as long as proper Owner approval is also granted

655 Farm Rd Denied – Location is currently out of compliance

377 Elm St Signage modified approval already in place by Board action see above.

On a motion made by Mr. Fay seconded by Ms. Hughes it was duly voted to allow the placement of the 4 requested signs for the duration of November 29, 2013- December 16, 2013. The applicant was specifically instructed not to place a sign on the Trombetta property.

The final requested signs comprised of 18" X 24" two sided lawn signs:

There were 21 multiple locations requested.

On a motion made by Mr. Fay seconded by Ms. Hughes it was duly voted to allow for the placement of 15 18" X 24" two sided lawns signs the locations to be chosen by the Historical Society and a list of locations is to be provided to the Board Secretary once completed. Duration of this approval is 2 weeks only – 14 days. Motion carried. The applicant was reminded not to place any such signs near crosswalks, bus stops or busy intersections to avoid dangers to pedestrians from distracted drivers.

Requirement of the Board is that the City Seal be affixed to each individually approved sign with the text "Variance approved by the Planning Board 2013" attached.

9. Unfinished Business:

A. Berlin Farms

Mr. Freeman did not appear in front of the Board as he had alluded he would. Mr. Collins updated the Board with information pertaining to the work Mr. Freeman has completed; however the work is not up to the standard that is acceptable. The slope needs to be re-graded and the loam needs to be raked and sifted to remove the large shards of glass that are currently present.

The Board requests that Mr. Freeman appear at the next regularly scheduled meeting. (November 18, 2013)

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

B. Blackhorse Farms Estates

Ms. Hughes noted that she had visited the site earlier in the day there are still large holes on the site, these have the appearance of trenches however they do not meet the full definition of the term. However it is still an exposed excavation and is a hazard to the surrounding homes.

It is the request of the Board the Mr. Fafard or Attorney Beattie appears at the next regularly scheduled meeting to discuss the current situation as well as the impending expiration date of the subdivision. The Board had mentioned this previously to Attorney Beattie and is waiting on the proper extension request paperwork. It is required that a current construction schedule accompany the extension request.

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

10. Informal Discussions:

Ms. Hughes brought forward her concerns which are echoed by Mr. Fay regarding the proliferation of "Collection style bins" within the City. These bins are typically emblazoned with logos and equate to visual clutter. Ms. Hughes made reference to the MetroWest Daily News article from November 4, 2013, "*Donation bins are sometimes a headache for MetroWest Officials.*"

On a motion made by Ms. Hughes seconded by Mr. Hodge it was duly voted to send a letter to the Building Commissioner asking for his insight on the regulation of the advertising which is all over the collection bins as off premises signs. Motion carried. The Bard noted that although there may be no method of fining the owners for placing the bins on private property, the signage on these bins is in clear violation of the sign ordinance.

On a motion made by Ms. Hughes seconded by Mr. Hodge it was duly voted to send a letter to the City Council requesting the Council take action on this issue with the attachment of the MetroWest Article. Motion carried.

Mr. Fay brought forward information that has come to his attention; The Westender Restaurant has placed 2 permanent signs without proper permits affixed to a fence in advertisement of the new patio and entertainment. The issue other than the lack of permits is that signs are not allowed to be affixed to fences. It is the request of the Board that this issue be brought to the attention of the Code Enforcement Officer to be dealt with as soon as is practical.

Mr. Fay also brought forward the excessive signage for the restaurant located within the Country Club at 200 Concord Rd. It is requested that the Code Enforcement Officer and the Building Commissioner be made aware of the excessive signage if they are not already.

11. Correspondence:

A. MAPC 50 Years Fall Council Meeting

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

12. Public Notices of other Cities and Towns:

A. Town of Hudson Zoning Board of Appeals, Public Hearing November 14, 2013.

B. Town of Hudson Zoning Board of Appeals, Public Hearing November 14, 2013.

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

Adjournment: On a motion made by Mr. Hodge, seconded by Mr. Fay it was voted to adjourn at 8:13pm.

Respectfully submitted,

Colleen Hughes

/mai

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
December 2, 2013
2013 DEC 18 A 10: 22

Call to Order

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

1. Meeting Minutes:

A. Regular Meeting November 4, 2013

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

B. Regular Meeting November 18, 2013

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to accept the minutes of the November 18, 2013 meeting and place them on file. Motion carried. (Mr. Fay abstained)

2. Chair's Business:

A. Correspondence from Conservation Commission re: Hudson St Plan

Ms. Hughes read the correspondence into the record.

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

B. Correspondence from Building Commissioner re: Collection Bins

Ms. Hughes read the correspondence into the record.

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

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to send a request to the Building Commissioner to attend a Board meeting in the New Year to discuss the limited issue of regulating collection bins. Motion carried.

3. Approval Not Required:

A. Marlborough Northborough Realty Trust

Mr. William Caulder, Managing Partner for Guttierrez Companies presented the plan to the Board.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to refer the plan to the Engineering Department. Motion carried.

4. Public Hearings:

A. Proposed Zoning Amendment Section 650-17, entitled Table of Uses and Section 650-5 Definitions (Medical/Dental Clinics) 7:15pm

The Public Hearing was opened at 7:16pm Ms. Hughes read the notice into the record. The hearing was taken in the traditional 4 stages:

Presentation

Those speaking in favor

Those speaking in opposition

Questions for the Board Members

Presentation: Ward 6 City Councilor Edward Clancy presented the proposed changes to the Board regarding the modification of allowing Dental Clinics as a “by right” use in Business (B) Districts. The term “Dental Clinic” will limit establishments to patients capable of self-preservation as a key factor. The term “Dental Clinic” will disallow any establishment with an Operatory or use of General Anesthesia.

In Favor – No one spoke

In Opposition – No one spoke

Questions from the Board Members:

Mr. Fay asked for a better understanding/clarification of “Incapable of Self Preservation”

Mr. Clancy responded “the use of general anesthesia”.

Mr. Hodge questioned why if the State requires specific licensing for Anesthesiologists why would the City be building that into the Zoning Ordinance? It would seem to unnecessarily complicate our Zoning Ordinance. Are we just looking to follow the existing State Regulations? Clarification from the Legal Office was requested regarding this point.

The Public Hearing was closed to testimony at 7:35pm. The Board will take all information under advisement and will render a decision after clarification is received from the Legal Department.

B. Proposed Open Space Subdivision – Hudson Street 7:15pm

The Public Hearing was opened at 7:36pm Ms. Hughes read the notice into the record. The hearing was taken in the traditional 4 stages:

Presentation

Those speaking in favor

Those speaking in opposition

Questions for the Board Members

Presentation: Presentation was made by Attorney Sandra Austin & Mr. Thomas DiPersio. Also in attendance was Mr. Chris Christopher of Sage Investments (Developer)

The entire property consists of 2 parcels as well as a sewer taking easement which is currently under control of the City of Marlborough. In the conventional layout the parcels could contain 10 individual single family lots as well as a 930’ long cul de sac. There would be a wetlands crossing which would have to be redesigned to the less than 5000 square foot requirement.

With the Open Space layout the developer is again looking to create 10 single family lots. In this configuration the roadway cul de sac would be reduced to 500' which in turn would eliminate the need to cross the wetlands. The dedicated open space parcel would consist of 2.8 acres. The required infrastructure would be significantly reduced. This is the plan that the neighbors prefer. The open space layout draws the lots away from the existing neighborhood on Windmill Drive and places the lots closed to the Hudson St intersection.

In Favor:

Mr. Nick Mangson, 34 Windmill Dr. prefers the Open Space plan with the shorter roadway

Ms. Kathleen Robey, 97 Hudson Street, City Councilor At Large, appearing before the Board as a neighbor, prefers the Open Space Plan, she is also looking to see if there is a way to connect the Open Space with the existing Rail Trail. Ms. Robey questioned the configuration of lots 6 & 7 with the amount of wetlands on the lots.

Mr. Edward Clancy, 106 Old Charter Rd, Ward 6 City Councilor, stated that this development was in his Ward. He was commenting as the Ward Councilor and in his role as the Conservation Commission Chairperson. Councilor Clancy stated that he also prefers the Open Space plan due to the less significant impact on the surrounding wetlands. Mr. Clancy also questioned the configuration of lots 7 & 8 and the need for very long driveways.

Mr. Timothy Lamb, 19 Windmill Dr. prefers the Open Space plan due to the preservation of the Entoloma mushrooms which are a rare species of 2 mushrooms combined. The mushrooms have been seen by Mr. Lamb in only 2 locations within the City.

Mr. John Lally, 281 Hudson St prefers the Open Space plan but has serious concerns regarding the wetlands and any reconfiguration to them.

In Opposition:

Mr. Richard Murphy, 11 Windmill Dr. is concerned about the additional traffic, and is against either plan.

Questions from the Board members:

Chairperson Fenby informed the developer that the developer must secure the legal rights to cross over the City owned sewer taking depicted on the plan prior to any approval of the plan. Mr. Fay reiterated that the the current plan depicts land not owner by the developer that is needed for the plan to be approved. He also stated that when the developer proposed findings to the Board that it will be very important for the developer to have addressed the issues raised in the conservation officers letter that was read earlier in the meeting. Mr. Fay also stated that the trail connection should be pursued.

Chairperson Fenby asked if the sewer easement will be used for a possible Rail Trail connection, if so it was noted that the access will go right between 2 existing houses and that homeowners will need to be made aware of that.

Mr. Dipersio stated his opinion that there was a benefit to the open space plan without a trail connection.

The Public Hearing was closed to testimony at 8:06pm.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to refer the project to the City Engineer for review. Motion carried.

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

Mr. Collins reported that the Subdivision listing is still being updated and currently the Department is researching the Carisbrook Subdivision, more info to follow.

B. Extension Request Blackhorse Farms

Ms. Hughes read the correspondence for City Engineer Cullen into the record.

It was noted by Ms. Hughes that she had been to the site earlier in the day and progress was being made. The street lights were in and functioning, the open excavation areas had been filled.

On a motion made by Ms. Hughes seconded by Mr. Hodge it was voted to approve the extension request for a 1 (one) year duration, extending the completion date to December 31, 2014.

The following conditions still apply to the extension: Continuous maintenance of the site through the 2014 season including mowing as necessary, as well as street sweeping.

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

7. Definitive Subdivision Submission:

A. Definitive Plan Walker Brook Estates (2-17-14)

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to set a public hearing for the first meeting in January. Motion carried.

A request was made to get clarification from the Legal Department regarding the “official” date that this plan was received. Is the “date” the date it was received by the City Clerk or the “date” it was presented to the Board at an open meeting?

An email will be sent to all members once the opinion is received.

8. Signs:

A. Brasileirinho Market

No one was in attendance. This item continued until next regularly scheduled meeting.

B. First Church Congregational

No one was in attendance. This item continued until next regularly scheduled meeting.

9. Unfinished Business:

A. Berlin Farms

Mr. Collins shared the pertinent parts of a letter that was sent to Mr. Freeman regarding the status of the subdivision and of the possibility of Mr. Freeman forfeiting the financial security that is current in place (the bond) if he does not take sufficient steps to bring the subdivision to an acceptable completion in the near future. Mr. Freeman has not responded to continual requests from the Board to finalize the project, and loss of the bond may be an unfortunate circumstance of his inability to finish the project.

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

B. Blackhorse Farms Estates

This information was covered in item 5B.

10. Informal Discussions:

Ms. Hughes questioned the status of the Country Club Estates project. Attorney Falk has not formally requested the withdrawal/replacement of the bond as discussed at the previous meeting. (11/18/13) A request for information will be sent to Attorney Falk.

11. Correspondence: None

12. Public Notices of other Cities and Towns:

- A. Town of Framingham Zoning Board of Appeals, Public Hearing 12-12-13.**
- B. Town of Framingham Planning Board, Public Hearing 12-9-13**
- C. Town of Sudbury Board of Appeals, Decision 11-19-13**
- D. Town of Sudbury Board of Appeals, Decision 11-19-13**
- E. Town of Sudbury Board of Appeals, Decision 11-19-13**
- F. Town of Sudbury Board of Appeals, Decision 10-28-13**
- G. Town of Sudbury Board of Appeals, Decision 10-28-13**

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

13. Executive session for the purpose of discussing litigation strategy involving a proposed subdivision off Sudbury Street.

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to enter into Executive Session for the purpose of discussing litigation strategy involving a proposed subdivision off Sudbury Street. The Board will adjourn direct from Executive Session and will not be returning to Open Session. Roll Call Vote:

- Mr. Fay Yes
- Ms. Hughes Yes
- Chairperson Fenby Yes
- Mr. Hodge Yes
- Mr. McCarthy Yes

The Board entered into Executive Session at 8:26pm.

Adjournment: On a motion made by Mr. McCarthy, seconded by Mr. Hodge it was voted to adjourn at 9:25pm.

Respectfully submitted,

Colleen Hughes

/mai

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2013 NOV 8 AM 8:29

Marlborough High School: School Council
Meeting Notes: December 4, 2013

Present: Sue Gordon, John Grace, Craig Hardimon, Ann Kinslow, Heather Kohn, Lynda Layer, Marlene Manell, Darren McLaughlin, Cathy Mogavero, Rita Smith, Gail Yosca, Lauren Bieshline
Absent: Rachel Dass, Lauren Fay, David Friess, Deb McCarthy, George Whapheim

1. **School Improvement Plan**- Due December 20, 2013

Need to have data driven objectives to address ongoing concerns and create goals that will aid in determining the budgetary needs.

Handout #1 School Improvement Plan 2012-2015 Marlborough High School

Handout #2 School Improvement Plan 2012 Saugus High School

This is to be used as a model of concepts

Need to address Level 3 Status

Growth is very good, but starting levels are low. Designation is due to drop out rate increasing and graduation rates decreasing.

Handout #3 District Review Report- MHS based Summary

Ahead of target in all categories

Need to address: Students who have been at MHS 5+ years

Issues with drugs, alcohol, teen pregnancy

Solutions:

Staffing

Drug and alcohol councilor

Infractions would lead to 5-10 day suspension, this would be decreased if willing to meet regularly with councilor

Work Study Councilor

Investigate what is leading students to drop out. Students working interfering with learning. Shift some students' school day to 9-3:30

College and Career Readiness intuitive

Virtual Classes- credit recovery

2. **Senior Survey**

Handout#4 2013 MHS Senior Survey- for council members information only. Not to be shared, but to view data and use the information for the SIP

3. **Other**- members are needed form a small group to look at the handbook and prepare it to be perfect for school committee.

A suggestion was made to have sophomores participate in Reality Fair to be most effective.

Another meeting will be scheduled before December 20, 2013 due date to discuss the data and determine objectives.

Mr. Hardimon will inquire about the district goals that will direct the SIP objectives



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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 JAN -8 A 9:55

January 6, 2014

City of Marlborough Clerk
140 Main St.
Marlborough, MA 01752

File Number: 60001708015
Date of Loss: 01/04/2014
Owner/ Insured: Ray W. Nute
Street: 14 Wilshire Way Unit 60
Town: Marlborough
Type of Loss: Freeze

To Whom This May Concern:

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

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

Sincerely,

Stephen R. Norsek

Stephen R. Norsek AIC
Claims Department
800-592-6422 x21798
SNORSEK@AMICA.COM

