REGULAR MEETING
JANUARY 27, 2014

IN CITY COUNCIL
ABSENT:

CONVENED:
ADJOURNED:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 JAN 23 P 1:40

1. Minutes of the City Council Meeting, January 13, 2014.
2. From City Council President Pope - Executive Session for the purpose of discussing litigation strategy regarding Ward Park.
3. Scheduling of Public Hearing, Application for Special Permit by Bohler Engineering, Southborough, MA on behalf of VNG CO., 150 Monument Road, Suite 500, Bala Cynwyd, PA 19004 to construct new compressed natural gas (CNG) facilities with one (1) new CNG dispenser including minor site modifications and product piping to the existing Shell gasoline station located at 413 Lakeside Avenue, Map 79, Lots 6B and 10A. (Proposed Public Hearing Date: February 24, 2014).
4. Communication from the Mayor re: DPW transfer requests for various amounts to fund line items associated with interim/temporary promotions due to absences and vacancies, police overtime for details associated with water and sewer maintenance and repair, and overtime incurred from water main breaks.
5. Communication from the Mayor re: Executive Office of Public Safety and Security grant awarded to the Police Department in the amount of $60,680.36 for the FY2014 State 911 Department Training and EMD/Regulatory Compliance Grant Program.
6. Communication from the Mayor re: Massachusetts Cultural Council grant awarded to the Marlborough Cultural Council in the amount of $8,585.00 to fund worthy arts, humanities, music and youth based initiatives throughout our community.
7. Communication from the Mayor re: Reappointment of Police Chief Mark Leonard as Keeper of the Lockup for a period of one year from his date of confirmation.
8. Communication from the Mayor re: Reappointment of Linda Clark to the Board of Registrars for a three year term to begin on April 1, 2014.
9. Communication from the Mayor re: Appointment of Thomas Abel to the Library Board of Trustees for a three year term to expire on February 6, 2017 who replaces Jean Peters whose term is due to expire on February 3, 2014. Also submitted are the Reappointments of Ray Hale for two years to expire on February 6, 2016; Raymond Johnson for three years to expire on February 6, 2017; Susan Laufer for three years to expire on February 6, 2017; Robyn Ripley for two years to expire on February 1, 2016, and Janice Merk for one year to expire on February 2, 2016.
10. Communication from the Mayor re: Retirement of Fire Chief James Fortin.
11. Communication from City Solicitor Donald Rider re: Proposed Zoning Amendment, Dental Clinics containing the revisions recommended by the Committee, Order No. 13/14-1005578B.
12. Communication from the Planning Board re: Favorable Recommendation of Proposed Zoning Amendment. Section 650-17 entitled "Table of Uses" is hereby amended by regulating the business uses entitled "Medical and Dental Clinic", Order No. 13/14-1005578B.
13. From Public Services Committee Chairman Landers – re-filing of Application for Renewal of Junk Dealer License, Jean Rabelo, Post Road Used Auto Parts of Marlborough, Inc., 785 Boston Post Road, for referral to Public Services Committee.
14. Communication from Tim Cummings, MEDC-Urban Land Institute (ULI TAP) Technical Assistance Program Final Report: Coordinating Action in Downtown Marlborough.
15. Petition of NGRID and Verizon to relocate existing PC6 Laviolette Street 35' south towards the entrance to Lake Williams Condos. This will be used as a primary riser pole to feed a padmounted transformer. This is required to provide service to new building.

16. Petition of NGRID and Verizon to relocate the following poles: P12 (4' North), P15 (4' North), P18 (5' North), P27 (8' South), P28 (6' South), P31 (5' South), P30 (3.5' South) and installation of new Guy Stub Pole 12-84.
17. Minutes, Board of Health, January 8, February 12, March 13, April 9, May 21, June 11, August 13, September 10, December 10, 2013.
18. Minutes, Council on Aging, November 26, 2013.
19. Minutes, Conservation Commission, May 20, 2012 and September 20, 2012.
20. Minutes, License Board, January 23, February 27, March 27, April 24, May 22, June 26, July 31, August 28, October 2, October 23, November 20, and December 18, 2013.
21. Minutes, Planning Board, December 16, 2013.
22. CLAIMS:
    A. Kori Berardino, 53 East Dudley Street, residential mailbox claim 2(a)
    B. Frank Maglio, Jr., 272 Vega Road, residential mailbox claim 2(a)

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

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

JANUARY 13, 2014

Regular meeting of the City Council held on Monday, January 13, 2014 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, Clancy, and Landers. Meeting adjourned at 8:54 PM.

ORDERED: That the minutes of the City Council meeting DECEMBER 16, 2013, **FILE**; adopted.

ORDERED: That the minutes of the City Council meeting JANUARY 6, 2014, **FILE**; adopted.

Councilor Clancy introduced Officer McKenzie along with the newest addition to the Police Department, Police Dog Kaiser.

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. 13-1005578A, **REVIEW IN URBAN AFFAIRS AND CHANGE DEFINITIONS WITHIN TABLE OF USES TO ALLOW DENTAL CLINICS IN A BUSINESS AREA**, all were heard who wish to be heard, hearing recessed at 8:14 PM.

Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, Clancy & Landers

ORDERED: That the **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, all were heard who wish to be heard, hearing recessed at 8:35 PM.

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

ORDERED: That the 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, refer to **FINANCE COMMITTEE;** adopted.

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

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
$137,903	$2,000.00	12100003	51320	OT - Court	$2,000.00	12100003	51395	In Service Training	$1,883
	Reason:	Fewer officers needed for court thus far				More funds needed due to new FTO's and Sgts.			
$137,903	$2,000.00	12100003	51320	OT - Court	$2,000	12100006	57340	Dues and Subscriptions	$32
	Reason:	Fewer officers needed for court thus far				Increases in dues and subscription costs			
	Reason:								
	Reason:								
	Reason:								
	$4,000.00	Total			$4,000.00	Total			

ORDERED: That the Fire Department transfer request in the amount of $100,000.00 which moves funds from Firefighter to Overtime due to injuries, unanticipated retirements and long term illnesses of several members of the department, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 12200001-50450	$100,000.00
Firefighter	

TO:

Acct. # 12200003-51300	$100,000.00
Overtime	

ORDERED: That the 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, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 11920003-50560	$10,000.00
Custodian	

TO:

Acct. # 11920003-51300	$10,000.00
Gross Overtime	

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** 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; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** Executive Office of 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; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the 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; adopted.

ORDERED: That the Following Proposed Order to Revoke Acceptance of MGL Chapter 41, Section 100B, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.
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.

ORDERED: That the City Council Meeting Schedule and Committee Assignments from Council President Pope, **FILE**; adopted.

ORDERED: That the Communication from Legislative and Legal Affairs Committee Chairman Clancy – re-filing of Bi-Directional/Uni-directional Antenna Specifications Ordinance as follows, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

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

ORDERED: That the Communication from Central Massachusetts Mosquito Control Project re: Pesticide Exclusion for Residents, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, November 26, 2013, **FILE**; adopted.

ORDERED: That the Minutes, Commission on Disabilities, March 5, April 2, May 7, June 11, August 26, September 10, November 5, 2013, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, November 4 and December 2, 2013, **FILE**; adopted.

ORDERED: That the Minutes Marlborough High School Council, December 4, 2013, **FILE**; adopted.

ORDERED: That the Communication from Amica Mutual Insurance Co. re: Ray White, 14 Wilshire Way, Unit 60, refer to the **LEGAL DEPARTMENT**; adopted.

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

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)

ORDERED: 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 5PM on Saturdays (currently closes at 3PM sharp), and potentially to explore some Sunday hours as well, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

ORDERED: 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, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:54 PM.

Ordered: That an executive session be scheduled during the City Council meeting scheduled for January 27, 2014. The executive session would be for the purpose of discussing strategy with respect to litigation, as an open meeting may have a detrimental effect on the litigating position of the City of Marlborough.

It is hereby moved, in conformance with the provisions of Chapter 30A section 2l(a)(3) of the General Laws of the Commonwealth, that the City Council conduct an executive session for the purpose of discussing strategy with respect to litigation:

- Regarding Ward Park

as an open meeting may have a detrimental effect on the litigating position of the City, and the Chair hereby declares that an open meeting may have that effect. It is further moved and stated that the City Council will re-convene in open session after the executive session.

City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 23 A 11:02

January 23, 2014

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

RE: DPW Transfer Requests

Honorable President Pope and Councilors:

I have enclosed for your approval two (2) mid-year transfer request from the Department of Public Works (DPW).

The bulk of this transfer request is needed to fund line items associated with interim/temporary promotions due to absences and vacancies, police overtime for details associated with water and sewer maintenance and repair, and overtime incurred from water main breaks.

Please do not hesitate to let me know if you have any further questions and thank you for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

1/22/2014

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works

FISCAL YEAR: 2014

	FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
$4,800.00	$1,200	14001103	51440	Educational Incentive	$1,200	14001103	51240	Temporary Part Time Help	$2,345
	Reason:	Surplus in account				Bring back last summer's college student during winter & spring breaks to conclude project			
$4,800.00	$1,500	14001103	51440	Educational Incentive	$1,500	14001103	51310	Overtime - Regular	$192
	Reason:	Surplus in account				Overtime associated with the spring/summer construction season			
$422,363.00	$600	14001303	50740	Equipment Operators (St's.)	$600	14001303	51470	Interim Foreman	$3,066
	Reason:	Surplus due to worker's comp. injury				Higher than anticipated system repairs/storm event cost			
$404,901.00	$2,000	14001503	50740	Equipment Operators (F/P/C)	$2,000	14001506	54630	Tree Planting	$2,417
	Reason:	Surplus due to worker's comp. injury				Various locations throughout city			
$152,098.00	$5,000	60085001	50850	Sewer Tr. Plant Oper.	$5,000	61090006	54620	Maintenance-Trenches	$15
	Reason:	Surplus due to worker's comp. injury				Additional funding needed for trench repairs due to water/sewer breaks			
	$10,300	Total			$10,300	Total			

Department Head signature: 1-22-14

Auditor signature:

Comptroller signature:

1/22/2014

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works

FISCAL YEAR: 2014

FROM ACCOUNT:

TO ACCOUNT:

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT:

FISCAL YEAR:

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
$326,961.00	$3,000	61090001	50740	Equipment Operator	$3,000	61090003	51380	Overtime Water/Sewer	$0
	Reason:	Surplus due to recent retirement				Funding needed for police overtime			
$326,961.00	$3,000	61090001	50740	Equipment Operator	$3,000	60080003	51380	Overtime Water/Sewer	$1,376
	Reason:	Surplus due to recent retirement				Funding needed for police overtime			
	Reason:								
	Reason:								
	$6,000	Total			$6,000	Total			

Department Head signature: 1-22-14

Auditor signature:

Comptroller signature:

City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

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Marlborough, Massachusetts 01752
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RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 23 A 11:02

January 23, 2014

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

Re: Acceptance of 911 Grants

Honorable President Pope and Councilors:

The Executive Office of Public Safety and Security has awarded the City of Marlborough a grant in the amount of $60,680.36 for the FY2014 State 911 Department Training and EMD/Regulatory Compliance Grant Program. This grant will be utilized to offset personnel costs associated with the dispatching center as well as overtime costs associated with meeting mandated Emergency Dispatching Protocols.

Enclosed for your convenience is a cover letter from Police Chief Mark Leonard and additional relevant back up information. I respectfully seek your acceptance of this grant. Please do not hesitate to contact me with 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 10, 2014

Dear Mayor Vigeant:

The Marlborough Police Department has been awarded a grant in the amount of $60,680.36 from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, FY2014 State 911 Department Training Grant and EMD/ Regulatory Compliance Grant Program. The grant is a reimbursement grant, which will be used to offset personnel costs in the Public Safety Dispatching center for training overtime and overtime costs associated with meeting the State mandated Emergency Dispatching Protocols.

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

Sincerely,

Mark F. Leonard
Chief of Police

THE CITY OF MARLBOROUGH DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE OR DISABILITY IN EMPLOYMENT OR THE PROVISION OF SERVICES.

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 State 911 Department

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: $60,680.36

GRANT PERIOD: Present to June 30, 2014

SCOPE OF GRANT/ ITEMS FUNDED: To assist the Department in meeting mandates for certification of public safety dispatchers

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

The Commonwealth of Massachusetts
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
STATE 911 DEPARTMENT
1380 Bay Street, Building C ~ Taunton, MA 02780-1088
Tel: 508-828-2911 ~ TTY: 508-828-4572 ~ Fax: 508-828-2585
www.mass.gov/e911

DEVAL L. PATRICK
Governor

ANDREA J. CABRAL
Secretary of Public Safety and Security

FRANK POZNIAK
Executive Director

January 7, 2014

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

Dear Mayor Vigeant,

The Commonwealth of Massachusetts, State 911 Department would like to thank you for participating in the **FY 2014 State 911 Department Training Grant and EMD / Regulatory Compliance Grant** program.

For your files, attached please find a copy of the executed contract. Please note your contract start date is **January 7, 2014** and will run through June 30, 2014. Please keep in mind that there shall be no reimbursement for costs incurred prior to the effective date of the contract and all goods and services MUST be received on or before June 30, 2014.

Reimbursement requests should be submitted to the Department within **thirty (30) days** of the date on which the cost is incurred. We have made the request for payment forms available on our website www.mass.gov/e911. For any questions related to this process, please contact Michelle Hallahan at 508-821-7216. Please note that funding of reimbursement requests received more than six (6) months after the close of the fiscal year under which costs were incurred cannot be guaranteed.

If, in the future, you would like to make any changes to the authorized signatory, the contract manager, and/or the budget worksheet, please e-mail those proposed changes to 911DeptGrants@state.ma.us. Grantees are strongly encouraged to submit final, year-end budget modification requests on or before May 15, 2014.

Sincerely,

Frank P. Pozniak
Executive Director

cc: FY 2014 Training Grant and EMD / Regulatory Compliance Grant File

FY 2014

CONTRACTOR LEGAL NAME: City of Marlborough (and d/b/a: Marlborough Police Department	COMMONWEALTH DEPARTMENT NAME: State 911 Department MMARS Department Code: EPS
Legal Address: (W-9, W-4,T&C): 140 Main Street, Marlborough, MA 01752	Business Mailing Address: 1380 Bay Street, Building C, Taunton, MA 02780
Contract Manager: Chief Mark F. Leonard	Billing Address (if different):
E-Mail: mleonard@marlborough-ma.gov	Contract Manager: Marilyn Godfrey
Phone: 508-624-6978 Fax: 508-624-6938	E-Mail: 911DeptGrants@state.ma.us
Contractor Vendor Code: VC6000192111	Phone: 508-821-7299 Fax: 508-828-2585
Vendor Code Address ID (e.g. "AD001"): AD 001 (Note: The Address Id Must be set up for EFT payments.)	MMARS Doc ID(s): CT GRNT RFR/Procurement or Other ID Number: FY2014 GRNT

X NEW CONTRACT

PROCUREMENT OR EXCEPTION TYPE: (Check one option only)

- __ Statewide Contract (OSD or an OSD-designated Department)
- __ Collective Purchase (Attach OSD approval, scope, budget)
- X Department Procurement (includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation)
- __ Emergency Contract (Attach justification for emergency, scope, budget)
- __ Contract Employee (Attach Employment Status Form, scope, budget)
- __ Legislative/Legal or Other: (Attach authorizing language/justification, scope and budget)

__ CONTRACT AMENDMENT

Enter Current Contract End Date *Prior* to Amendment: _____, 20___.

Enter Amendment Amount: $ _____ (or "no change")

AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.)

- __ Amendment to Scope or Budget (Attach updated scope and budget)
- __ Interim Contract (Attach justification for Interim Contract and updated scope/budget)
- __ Contract Employee (Attach any updates to scope or budget)
- __ 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.

X Commonwealth Terms and Conditions __ 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.

__ 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.)

X Maximum Obligation Contract Enter Total Maximum Obligation for total duration of this Contract (or *new* Total if Contract is being amended). $ 60,680.36

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: X agree to standard 45 day cycle __ statutory/legal or Ready Payments (G.L. c. 29, § 23A); __ 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.) **For disbursement of funds under the State 911 FY2014Department Training and Emergency Medical Dispatch Grant as authorized and awarded in compliance with program guidelines and grantee's approved application.**

ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:

X 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date.

__ 2. may be incurred as of _____, 20___, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date.

__ 3. were incurred as of _____, 20___, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date 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 June 30, 2014, 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 Contractor Certifications (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 Commonwealth Terms and Conditions, this Standard Contract Form including the Instructions and Contractor Certifications, 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 801 CMR 21.07 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: _____ Date: 10/3/13

(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: _____ Date: 1/7/13

(Signature and Date Must Be Handwritten At Time of Signature)

Print Name: Frank Pozniak

Print Title: Executive Director

City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

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 23 A 11:02

January 23, 2014

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

Re: FY14 Cultural Council Grant

Honorable President Pope and Councilors:

The Massachusetts Cultural Council has informed the City of its allocation of $8,585.00 through the Local Cultural Council (LCC) program for FY14. These funds allow the Marlborough Cultural Council to fund worthy arts, humanities, music, and youth based initiatives throughout our community.

Enclosed is the relevant back up information. As outlined in MGL, Chapter 44, Section 53A, I am recommending that the City Council accept the funds so they may be expended for their intended purposes.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: Mayor's Office DATE: 23-Jan-14

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Marlborough Cultural Council

NAME OF GRANT: Local Cultural Council grants

GRANTOR: Massachusetts Cultural Council

GRANT AMOUNT: $8,585.00

GRANT PERIOD: FY14

SCOPE OF GRANT/ ITEMS FUNDED: *This grant comes from the Commonwealth of Massachusetts and is used to fund* community-based projects in the arts, humanities, and sciences annually. The program promotes the availability of rich cultural experiences for all.

IS A POSITION BEING CREATED: NO

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

ARE MATCHING CITY FUNDS REQUIRED? NO

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

N/A

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

N/A

ANY OTHER EXPOSURE TO CITY?

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

City of Marlborough
Marlborough Cultural Council
140 Main Street, Marlborough, MA 01752

Massachusetts Cultural Council

November 1, 2013.

Michael Nagel, Fiscal Officer

Massachusetts Cultural Council

10 St. James Ave. 3rd Floor

Boston, MA 02116

Dear Mr. Nagel:

Enclosed please find Contract and signature authorization completed and signed by Arthur G. Vigeant , Mayor of Marlborough Massachusetts.

If you require additional information please do not hesitate to call me at 508-485-9277.

Sincerely,

J. David Elmore, Chairperson

Marlborough Cultural Council

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, City Hall	COMMONWEALTH DEPARTMENT NAME: Massachusetts Cultural Council
	MMARS Department Code: ART
Legal Address: (W-9, W-4,T&C): 140 Main Street, Marlborough MA 01752-3871	Business Mailing Address: 10 St. James Ave. 3rd Fl., Boston MA 02116
Contract Manager: Arthur G. Vigeant, Mayor	Billing Address (if different):
E-Mail: mayor@marlborough-ma.gov	Contract Manager: Michael Nagle
Phone: 508/460-3770 Fax: 508/481-6354	E-Mail: Michael.Nagle@state.ma.us
Contractor Vendor Code: VC6000192111	Phone: 617/858-2722 Fax: 617/727-0044
Vendor Code Address ID (e.g. "AD001"): AD___. (Note: The Address Id Must be set up for EFT payments.)	MMARS Doc ID(s):
	RFR/Procurement or Other ID Number:

RECEIVED NOV 4 2013 MASS. CULTURAL COUNCIL

___ NEW CONTRACT

PROCUREMENT OR EXCEPTION TYPE: (Check one option only)

__ Statewide Contract (OSD or an OSD-designated Department)
__ Collective Purchase (Attach OSD approval, scope, budget)
X Department Procurement (includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation)
__ Emergency Contract (Attach justification for emergency, scope, budget)
__ Contract Employee (Attach Employment Status Form, scope, budget)
__ Legislative/Legal or Other: (Attach authorizing language/justification, scope and budget)

___ CONTRACT AMENDMENT

Enter **Current Contract End Date *Prior*** to Amendment: _____, 20___.
Enter **Amendment Amount**: $ _____. (or "no change")

AMENDMENT TYPE: **(Check one option only. Attach details of Amendment changes.)**

__ Amendment to Scope or Budget (Attach updated scope and budget)
__ Interim Contract (Attach justification for Interim Contract and updated scope/budget)
__ Contract Employee (Attach any updates to scope or budget)
__ 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.

X Commonwealth Terms and Conditions __ 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.

__ 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.)

X Maximum Obligation Contract Enter Total Maximum Obligation for total duration of this Contract (or ***new*** Total if Contract is being amended). $ $8,590.

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: __agree to standard 45 day cycle __ statutory/legal or Ready Payments (G.L. c. 29, § 23A); __ 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.)

Local Cultural Allocation for the Marlborough Cultural Council

ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:

__ 1. may be incurred as of the Effective Date (latest signature date below) and **no** obligations have been incurred **prior** to the Effective Date.

__ 2. may be incurred as of _____, 20___, a date **LATER** than the Effective Date below and **no** obligations have been incurred **prior** to the Effective Date.

X 3. were incurred as of July 1, 2013, a date **PRIOR** to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date 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 June 30, 2014, 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 Contractor Certifications (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 Commonwealth Terms and Conditions, this Standard Contract Form including the Instructions and Contractor Certifications, 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 801 CMR 21.05, 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:	AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:
X: _____. Date: 10/15/13	X: _____. Date: 11/9/13
(Signature and Date Must Be Handwritten At Time of Signature)	(Signature and Date Must Be Handwritten At Time of Signature)
Print Name: Arthur G. Vigeant.	Print Name: David T. Slatery.
Print Title: Mayor.	Print Title: Deputy Director.

COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

NOTICE: ***Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.***

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
Arthur G. Vigeant	Mayor

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

Signature Date: 10/18/13

Title: Mayor Telephone: 508-460-3770

Fax: 508-460-3698 Email: mayor@marlborough-ma.gov

[Listing can not be accepted without all of this information completed.]
A copy of this listing must be attached to the "record copy" of a contract filed with the department.

Local Cultural Councils

in partnership with the Massachusetts Cultural Council

MARLBOROUGH CULTURAL COUNCIL

Marlborough

A-C D-F G-K L-M
N-P Q-R S-V W-Z

FY 2014

Name	Project	Amount
Assabet Valley Mastersingers	Messiah Sing and 2013-2014 Concert Season	$500
Chamber Music Metrowest	A Musical Journey	$250
Francis J Kane Elementary School PTO	2013-2014 Cultural Arts Programs	$1,200
Friends of the Marlborough Public Library	2014 McConnell Author/Celebrity Series # 31	$200
Friends of the Marlborough Public Library	2013-2014 Special Programs Series	$200
Friends of the Marlborough Public Library	2013-2014 Yacyshyn Concert Series	$200
Ghost Light Players of MetroWest	Free Shakespeare for the Public	$900
Hudson Area Arts Alliance	Synergia:Local History,Visual Art,Poetry Fusion	$300
Hudson Area Arts Alliance	Engagement With The Arts	$1,200
Marlborough High School Tri-M Music Honor Society	Marborough High School Spring Sing	$350
Marlborough Historical	Life in Colonial New England	$160
Northborough Area Community Chorus	2014 Spring and Christmas Concerts	$200
Richer Elementary School	2013-2014 Cultural Programs	$1,200
Rull, Tommy	A Musical Journey Through The Years	$75
Sgt. Charles J. Jaworek Elementary School PTO	2013-2014 Cultural Arts Program	$1,200
Symphony Pro Musica	Oh Brother! Annual Family Concert	$150
The Mood Elevators	Jazz and Holiday Music Festival of Trees	$100
Together We Can Family Network	Intergenerational Musical Concerts	$200

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Contact MCC| Term & Conditions | Privacy Policy

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

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 23 A 11: 02

January 23, 2014

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

RE: Appointment of the Keeper of the Lockup

Honorable President Pope and Councilors:

Massachusetts General Laws, Chapter 40, Section 35 requires that "The mayor of each city … required to maintain a lockup shall annually, by a writing recorded with the town clerk, appoint a keeper of the lockup, who shall have the care and custody thereof and of persons committed thereto."

Therefore I am submitting for your approval and confirmation the reappointment of Chief of Police, Mark Leonard, as Keeper of the Lockup for a period of one year from his date of confirmation.

Please do not hesitate to contact my office with any questions or concerns.

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

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

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 23 A 11: 02

January 23, 2014

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

RE: Board of Registrar Reappointment

Honorable President Pope and Councilors:

I wish to reappoint Linda Clark to the Board of Registrars for a term of three years to begin on 4/1/14 following her confirmation by the City Council.

Linda has done an exemplary job on the board and her experience will be a valued asset in her new term.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 23 A 11: 02

January 23, 2014

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

Re: Library Board of Trustees Appointment

Honorable President Pope and Councilors:

I am pleased to submit for your approval the appointment of Thomas Abel to the Marlborough Public Library Board of Trustees for a term of three years to expire 2/6/2017. Mr. Abel will take the place of Trustee Jean Peters, whose term is due to expire on 2/3/2014. I want to thank Ms. Peters for her years of dedication as a Library Trustee.

Tom is well known to many of us having served as our Comptroller-Treasurer for eighteen years. His knowledge of city government and municipal finance will be greatly utilized by the Board of Trustees in the upcoming years.

Additionally, I wish to submit the following individuals for reappointment:

- Ray Hale for a term of two years to expire on 2/6/2016.
- Raymond Johnson for a term of three years to expire on 2/6/2017.
- Susan Laufer for a term of three years to expire on 2/6/2017.
- Robyn Ripley for a term of two years to expire on 2/1/2016.
- Janice Merk for a term of one year to expire on 2/2/2016.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

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Marlborough, Massachusetts 01752
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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 23 A 11: 02

January 23, 2014

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

Re: Retirement of Fire Chief James Fortin

Honorable President Pope and Councilors:

I was informed last week by Fire Chief James Fortin of his intent to retire at the end of the calendar year. Enclosed for your information is a letter from him to that effect. I accepted his resignation with great reluctance but am grateful for the substantial notice he has provided the city.

Chief Fortin is an exemplary leader and both the City of Marlborough and the Marlborough Fire Department are better for having had his leadership. I intend on working closely with the Chief over the coming year to conduct a top to bottom review of the department that will help facilitate a transition to a new chief by years end.

I hope you will join me in recognizing the integrity and professionalism exhibited by Jim Fortin throughout his 31 year career with the Marlborough Fire Department.

Sincerely,

Arthur G. Vigeant
Mayor

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

January 16, 2014

Dear Mayor Vigeant

This letter is my official notification to you and the City that my last day of duty as Fire Chief will be December 26, 2014. On that day I plan to retire after thirty one plus years of service with the City of Marlborough Fire Department.

Thank you for the opportunities for professional and personal development that you have provided me. I have enjoyed working for the City and appreciate the support provided me during my tenure as Fire Chief. In my remaining months I will continue to work to bring credibility and professionalism to the Fire Department.

Please let me know what I can do to help you with the transition of my work, to the next Fire Chief and will be happy to assist in making this a smooth transition.

Again I have truly enjoyed working for the City or Marlborough and feel free to contact me for any additional information. I will be meeting with Mr. Brumby shortly to discuss the details of my retirement

James M Fortin
Fire Chief

City of Marlborough
Legal Department
140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3771 Facsimile (508) 460-3698 TDD (508) 460-3610
LEGAL@MARLBOROUGH-MA.GOV

Donald V. Rider, Jr.
City Solicitor
Cynthia M. Panagore Griffin
Assistant City Solicitor
Ellen M. Stavropoulos
Paralegal

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 22 P 1:04

January 22, 2014

Patricia Pope
President
Marlborough City Council

Joseph Delano
Chairman
Urban Affairs Committee

RE: Order No. 13/14-1005578B
Proposed Zoning Amendment
Dental Clinics

Dear President Pope, Chairman Delano, and Members:

As discussed at the Urban Affairs Committee meeting held on January 21, 2014, I enclose the revised version of the proposed zoning amendment containing the revisions recommended by the Committee.

Thank you for your attention to this matter.

Very truly yours,

Donald V. Rider, Jr.
City Solicitor

Enclosure

ORDERED:

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING SUBMITTED FOR ITS OWN CONSIDERATION CHANGES IN THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, TO FURTHER AMEND CHAPTER 650, NOW ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

I. Section 650-17, entitled "Table of Uses," is hereby amended by regulating the business use entitled "Medical and dental clinic" so as to delete in its entirety "Medical and dental clinics" and to insert in its place the following two separate sections which will allow dental clinics as of right in the Business (B) district, as follows:

	RR	A1	A2	A3	RB	RC	RCR	B	CA	LI	I
Medical clinics	SP	SP	SP	SP	SP	Y	Y	N	N	N	N
Dental clinics	SP	SP	SP	SP	SP	Y	Y	Y	N	N	N

II. A. Section 650-5, entitled "Definitions; word usage," is hereby amended by inserting after the definition for "CUSTOMARY HOME OCCUPATION" the following definition:

DENTAL CLINIC – Buildings or portions thereof used by licensed dentists to provide dental care services on less than a 24-hour basis, and at which are employed not more than three (3) dentists on site, with necessary support staff.

B. Section 650-5, entitled "Definitions; word usage," is hereby amended by deleting from the heading "MEDICAL AND DENTAL CLINIC" the words "AND DENTAL" and by deleting from the definition of "MEDICAL AND DENTAL CLINIC" the comma which precedes the word "dental" and by deleting the word "dental" as follows:

MEDICAL CLINIC – An institution licensed under MGL c. 111, § 51 for the purpose of providing medical, surgical or mental health services on an outpatient basis.

ADOPTED
In City Council
Order No 13/14-1005578C
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

City of Marlborough
Commonwealth of Massachusetts

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 13 A 10: 55

PLANNING BOARD
Barbara L. Fenby, Chair
Colleen M. Hughes
Philip J. Hodge
Edward F. Coveney
Sean N. Fay
Shawn McCarthy
Brian DuPont

Melissa Irish - Secretary
Phone: (508) 460-3769
Fax: (508) 460-3736
Email: MIrish@marlborough-ma.gov

January 13, 2014

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

Re: Favorable Recommendation of proposed Zoning Amendment. Section 650-17, entitled "Table of Uses," is hereby amended by regulating the business uses entitled "Medical and dental clinic" so as to delete in its entirety "Medical and dental clinics" and to insert in its place the following two separate sections which allow dental clinics as of right in the Business district.

City Council Order #13-1005578

President Pope:

At its regular meeting on December 16, 2013, the Planning Board took the following action:
Councilor Clancy presented the clarification to the definition of the term "Dental Clinic" as proposed in the proposed zoning change. The clarification is as follows:

DENTAL CLINC- Buildings or portions thereof used by licensed dentists to provide dental care services on less than a 24 hours basis , and at which are employed not more than three (3) dentists, on site with necessary support staff.

The clarification adds the term "on Site" into the proposed definition.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to forward a favorable recommendation to the City Council including the amendment as proposed by Councilor Clancy.

The motion carried by a vote of 7-0-0.

Should you need any additional information please do not hesitate to contact me.

Sincerely,

Barbara L. Fenby /MAI

Barbara L. Fenby
Chairperson
Cc: City Clerk - File

IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 4, 2013

ORDERED:

That the Application for Renewal of Junk Dealer's License, Jean Rabelo, Post Road Used Auto Parts of Marlboro, Inc., 785 Boston Post Road, be and is herewith refer to **PUBLIC SERVICES.**

ADOPTED

ORDER NO. 13-1005591

Marlborough
ECONOMIC DEVELOPMENT CORPORATION
Building on a Common Vision

Tim Cummings
tcummings@marlboroughedc.com

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 JAN 17 A 9:31

January 16, 2014

City Councilor President Trish Pope
City Council
140 Main Street 2nd FL
Marlborough, MA 01752

Re: A Technical Assistance Panel Report from the Urban Land Institute (ULI) of Boston & MassDevelopment on the Downtown

Dear President Pope & Distinguished Councilors:

On behalf of the Marlborough Economic Development Corporation (MEDC), the Urban Land Institute (ULI) of Boston and MassDevelopment I would like to request the City Council's careful consideration of the enclosed Technical Assistance Panel Report on the downtown and surrounding area.

Enclosed, you will find a report for your review and consideration, which outlines some recommendations on how to improve the downtown area of the city. This report was drafted by a dedicated group of experts assembled by the above referenced organizations. They came into the city for a day long exercise to study the area and meet with various stakeholders.

The Technical Assistance Panel is eager to appear before the Urban Affairs subcommittee to present this report and their findings.

Thank you for your kind consideration of this request and should you have any questions please do not hesitate to contact me at your earliest convenience.

Kindest regards,

Tim Cummings

Enclosure

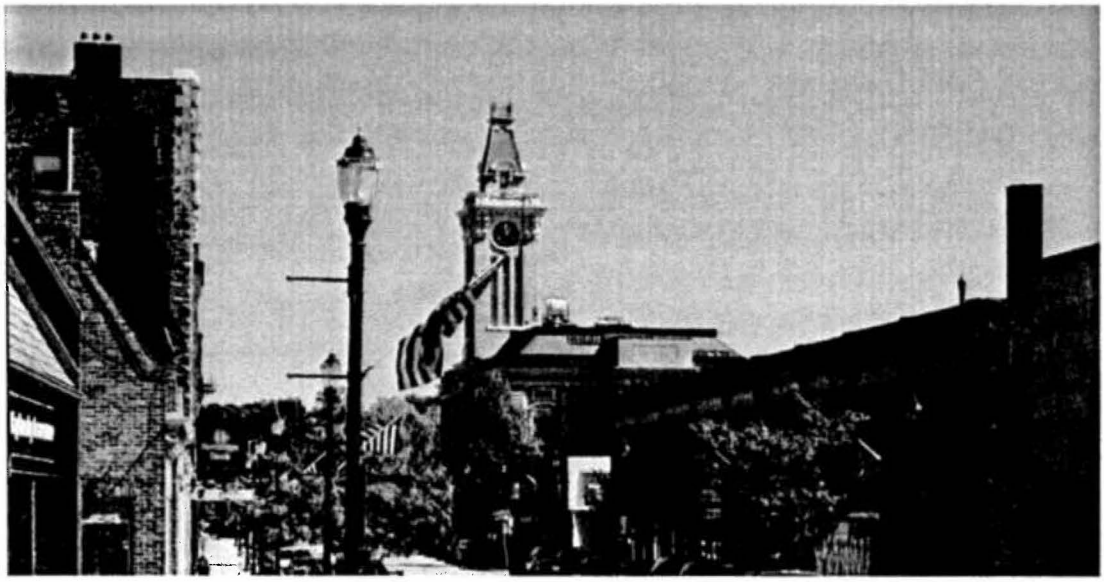
Thank You!

A TECHNICAL ASSISTANCE PANEL REPORT

Coordinating Action In

Downtown Marlborough

Marlborough, Massachusetts



Downtown Marlborough and City Hall

NOVEMBER 4, 2013

Boston
Serving the Six New England States

MassDevelopment
Build. Create. Innovate.

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Executive Summary

Under the direction of the Urban Land Institute's Boston District Council, the Marlborough Technical Assistance Panel (TAP) convened in Marlborough on September 18, 2013, bringing together stakeholders, including city, business, and community leaders, and a panel of land use and development professionals to focus on the Downtown and the lower French Hill Districts, specifically on strategies to strengthen and revitalize both districts and to effectively attract appropriate new development. The panel was also asked to examine the current land use and zoning regulations, and to consider strategies to incentivize new development through possible zoning amendments and/or creative finance methods. The report that follows summarizes the TAP recommendations in five chapters.

Section 1: ULI and the TAP Process

gives an overview of the Urban Land Institute's Boston District Council and its Technical Assistance Panels (TAPs).

Section 2: Background

provides relevant background information about the Downtown and lower French Hill Districts based on anecdotal information provided during the TAP process and maps and planning documents provided by the Marlborough Economic Development Corporation (MEDC). Additionally, the chapter highlights recent planning initiatives and development projects completed to date, and future planning activities in both districts, ranging from adaptive reuse of certain buildings in both districts to proposed facade improvements programs and a mixed-use overlay or zoning provision.

Section 3: Planning Considerations

outlines planning-related objectives and items that the panelists took into consideration in order to make appropriate judgments and recommendations on strategies for redevelopment of both districts. These items include the emergence of microdistricts within Downtown and lower French Hill; the connectivity and linkage opportunities with existing citywide assets; and the entrenched community development activities that are a vital part of Marlborough's community life.

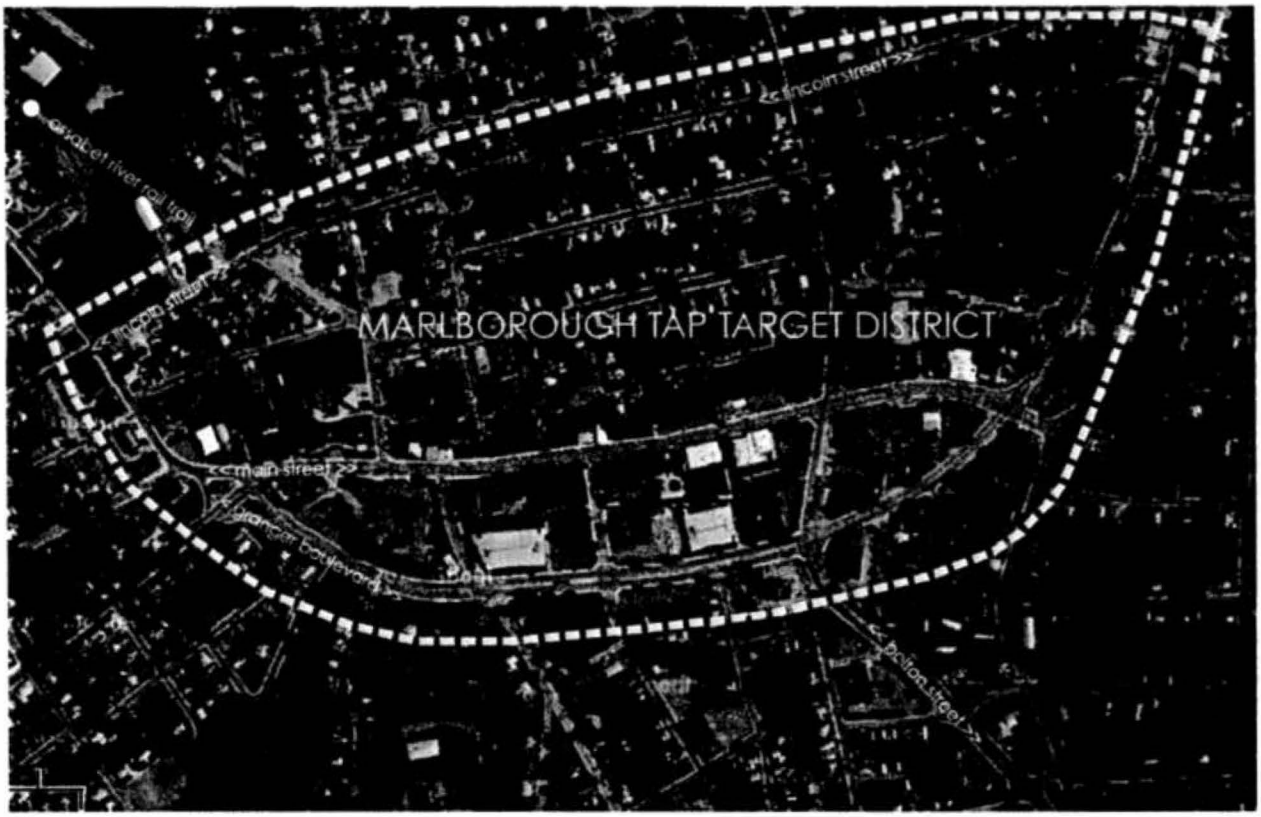
Section 4: Challenges and Opportunities

outlines the current challenges identified by the panel for each of the two districts, and the areas of opportunity where the city can make positive changes through thoughtful, targeted strategies. Each challenge is presented with a corresponding opportunity, which in turn, helped inform the panel's strategic recommendations in Section 5 of the report. Challenges and opportunities include: parking; Main Street and Granger Boulevard conditions; zoning/land use regulations; underutilized land and parcels; historic building reuse; and connections to citywide assets.

Section 5: Recommendations

presents the panel's recommendations, which are organized under (a) zoning and land use; (b) parking; (c) development financing; (d) development incentives; and physical planning/design recommendations, which include (e) Granger Boulevard; (f) Main Street; (g) Assabet River Rail Trail; and (h) potential downtown hotel site.

FIGURE 1
Map of TAP Target District



The strategic recommendations range in scope and nature and include physical and streetscaping improvements, and changes in current zoning and policy to help shape appropriate new development initiatives across both districts.

Appendix A

provides a detailed list of participants in the Marlborough TAP including city officials, stakeholders, and the panel of land use and development professionals.

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1 | ULI + The TAP Process

a. URBAN LAND INSTITUTE (ULI)

The Urban Land Institute is a 501(c)(3) nonprofit research and education organization supported by its members. Founded in 1936, the institute now has nearly 30,000 members worldwide representing the entire spectrum of land use and real estate development disciplines, working in private enterprise and public service, including developers, architects, planners, lawyers, bankers, and economic development professionals, among others.

As the preeminent, multidisciplinary real estate forum, ULI facilitates the open exchange of ideas, information and experience among local, national and international industry leaders and policy makers dedicated to creating better places. The mission of the Urban Land Institute is to provide leadership in the responsible use of land and to help sustain and create thriving communities. The Boston District Council serves the six New England states and has over 1,000 members.

b. TECHNICAL ASSISTANCE PANELS (TAPs)

The ULI Boston Real Estate Advisory Committee convenes Technical Assistance Panels (TAPs) at the request of public officials and local stakeholders of communities and nonprofit organizations facing complex land use challenges who benefit from planning and development professionals providing pro bono recommendations. At the TAP, a group of diverse professionals specially assembled with expertise in the issues posed typically spends one to two days visiting and analyzing existing conditions, identifying specific planning and development issues, and formulating realistic and actionable recommendations to move initiatives forward in a way consistent with the applicant's goals and objectives.

c. MASSDEVELOPMENT SUPPORT

Recognizing the alignment between ULI Boston's Technical Assistance Panels and MassDevelopment's mission to support sustainable redevelopment across the Commonwealth, the two organizations have partnered to support TAPs in eight Gateway Cities throughout the Commonwealth. The Marlborough TAP was the seventh sponsored by MassDevelopment to date.

d. PANELISTS AND TAP PROCESS

Panel Members

ULI Boston convened a panel of volunteers whose members represent a range of the disciplines associated with urban redevelopment, with specific expertise in revitalization of underperforming commercial areas.

Disciplines represented included planning, architecture, urban design, traffic engineering, and development finance. Members were selected with the intent of convening a robust array of professional expertise relevant to the city's objectives for this TAP. Following is the list of panelists:

- Dick Lampman, G. Greene Construction (TAP Co-Chair - Construction)
- Scott Payette, Scott Payette Architects (TAP Co-Chair - Design)
- Steve Heikin, ICON Architecture
- Bob Buckley, Riemer & Braunstein
- Eric Fellinger, 1-2-3 Permitting
- Michael Miller, MassDevelopment

Christopher Cummings, planner, served as a consulting technical writer, while Michelle Landers of ULI Boston provided organizational and technical support in preparation for and during the TAP event. Michael Keimig of ULI Boston also participated.

Stakeholders

The TAP benefited from the participation of the diverse group of stakeholders—property owners, local residents, business people, city council members, and other city and regional officials—who met with the panel and shared information, ideas, and opinions on a range of issues affecting the Downtown and lower French Hill Districts. A comprehensive list of all stakeholders is located in Appendix A.

TAP Process

The Marlborough TAP was held on September 18, 2013 at the Walker Municipal Building (TAP Panel deliberations), 255 Main Street, Marlborough and at Marlborough City Hall (stakeholder interviews), 140 Main Street, Marlborough, MA. Arthur Vigeant, Mayor of the City of Marlborough, and Tim Cummings and April Martin, both of the Marlborough Economic Development Corportation (MEDC), welcomed the ULI panel at the Walker Building before the driving/walking tour of the Downtown and lower French Hill Districts. The driving tour began at Ward Park, the site of a planned community redevelopment project, and proceeded to lower French Hill along Lincoln Street, and then to Downtown along Main Street, Granger Boulevard, and the north-south connector streets between them. The tour briefly walked around the Main Street corridor and the areas around City Hall.

After the tour, the ULI panel interviewed a diverse series of stakeholders to gain a better understanding of relevant issues, dynamics, and opportunities in the Downtown and lower French Hill Districts. The panelists then engaged in an intensive charrette to develop potential revitalization concepts for the two Districts, as well as "next step" recommendations. The panel presented these to the public that evening. The presentation is available electronically at the ULI Boston website http://boston.uli.org.

IMAGE 1
Main Street Looking West

2 | Background

a. THE DOWNTOWN DISTRICT

Location

Downtown Marlborough is roughly defined by the loop connecting Main Street and Granger Boulevard, inclusive of Weed Street and several north-south connector streets between Main and Granger. The beginning of Mechanic Street and Bolton Street approximately represent the east and west boundaries, respectively. Figure 2 illustrates the Downtown District.

Primary Features

Main Street is the primary anchor of the Downtown District and contains a variety of retail, restaurant, and service businesses located primarily in two- to four-story structures some of which are historic properties. There are several businesses, including the popular FISH Restaurant and a Starbucks, as well as two three-story municipal parking structures located along Granger Boulevard. Main Street also contains two key municipal institutions: City Hall and the Walker Building.

Public space within the Downtown District includes a small pocket park located along Main Street [developed after a building fire in 2007]; Union Common at Main and Bolton Streets; and two passive recreation areas located behind City Hall and at the corner of Main and Prospect Streets. Ward Park, a more active, programmed space, lies just south of the Downtown District, near the intersection of Main Street and Granger Boulevard.

Current Zoning + Land Uses

The Downtown District is primarily zoned as Business [B], which primarily allows commercial office and institutional uses. There is an area zoned as Residential B [RB] to the north of Main Street and Residence C [RC] at the southeast along Granger Boulevard, which primarily allow both single-family and two-familiy residential uses. Land uses within the Downtown District primarily include business and state and/or municipal uses. Although there are no provisions in the current zoning code for mixed-use development, several buildings in the Downtown District include residential uses above commercial uses. According to information gathered during the TAP, there is interest by both the city and local business owners to encourage mixed-use development.

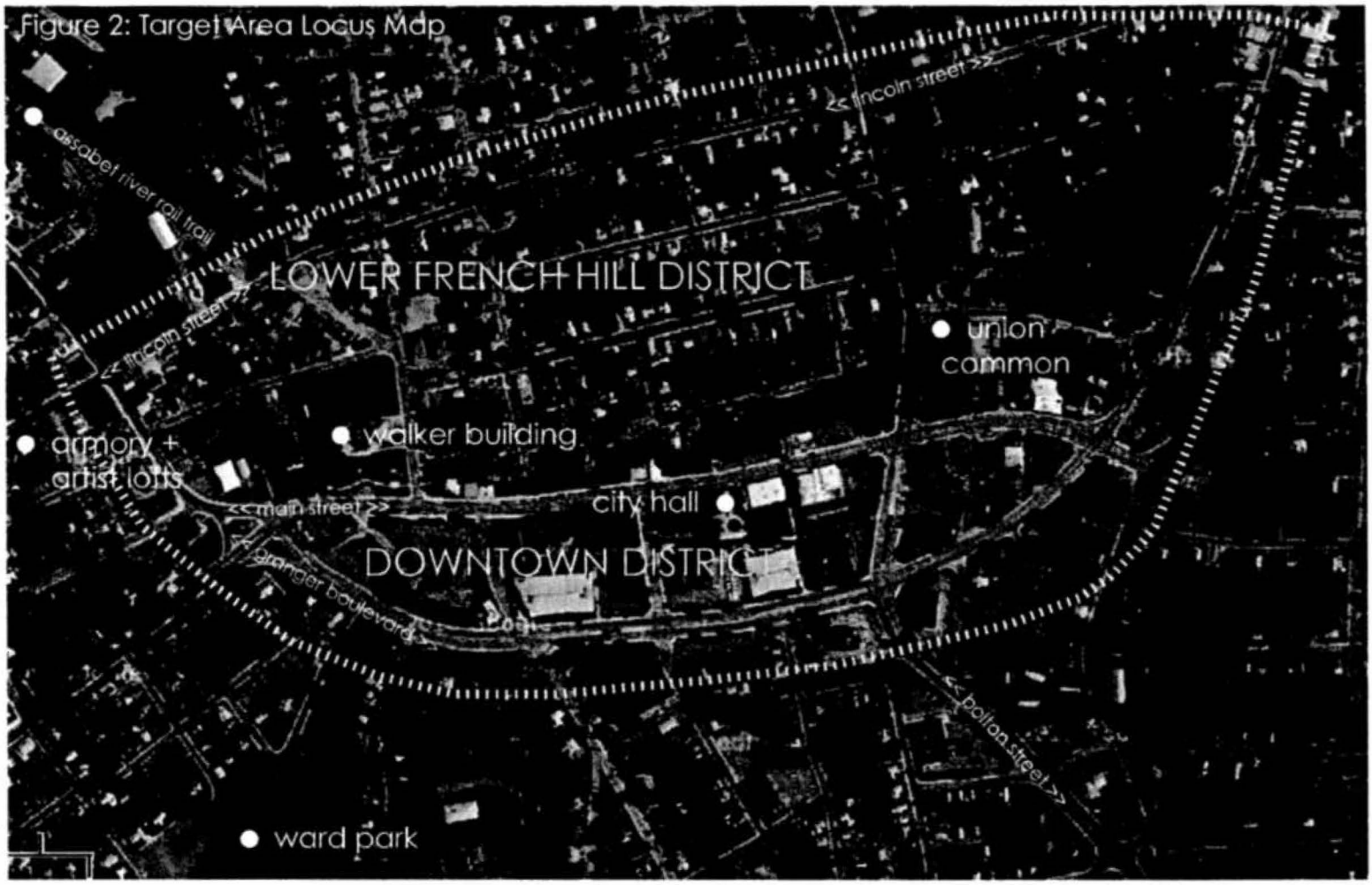
b. THE LOWER FRENCH HILL DISTRICT

Location

The Lower French Hill District lies north of the Main Street in the Downtown District and includes several mixed-use blocks along Washington Street, Rice Street, and Lincoln Street to the north, and Mechanic Street to the west acting as the district's approximate westerly boundary. Figure 2 illustrates the approximate lower French Hill District.

Primary Features

Lincoln Street is the main thoroughfare in the lower French Hill District, and overall, the area is largely residential in nature. Along with single- and multifamily residential buildings, there are various older industrial structures, primarily along Lincoln Street. Several of these structures have been repurposed into residential and mixed-use developments; however, some existing underutilized



structures and land remain and represent good opportunities for future redevelopment. For example, the former armory building, located near the intersection of Lincoln and Mechanic Streets, is well-situated and well-suited for a future adaptive reuse.

The lower French Hill District also features the southern terminus of the Assabet River Rail Trail, a bicycle and pedestrian network that spans five communities including Marlborough. The trail terminates at the intersections of Lincoln, Highland, and Cashman Streets, to the northwest of the Downtown District.

Current Zoning + Land Uses

The vast majority of the lower French Hill District is zoned for, and contains residential uses (primarily Residence B, RB]. A few areas, particularly in the western portion of the District, are zoned for business [B], and commercial automotive [CA]. Despite the primary residential zoning, there are pockets of state/municipal and business land uses within the RB zoning. Similar to the Downtown District, no areas in the lower French Hill District are zoned for mixed-use, as there are no provisions for mixed-use zoning and development in the current zoning code.

c. RECENT + PLANNED DEVELOPMENT INITIATIVES

Downtown

While most of the Downtown District has remained untouched in terms of major development projects for decades, there are several completed and planned projects which are helping to transform the area.

The repurposing of the historic fire station at 91 Main Street into the popular VIN BIN, a wine and cheese store and cafe, is an example of a positive redevelopment initiative which is both preserving the historic quality of and drawing residents and visitors to the Downtown District.

One of the major proposed development projects for the Downtown District includes renovation of Ward Park, and the relocation of the Marlborough Senior Center from a Marlborough Housing Authority property on Main Street into a new freestanding building located on a portion of Ward Park. The total project is estimated at $10 million [$3m for park renovations, $7m for development of the senior center].

Lower French Hill District

The lower French Hill District has seen a flurry of development activity in the past decade. The majority of the projects have been residential in nature and include: Christopher Heights, a multifamily, assisted living facility; the conversion of a portion of Saint Mary's Church on Broad Street into market rate condominiums; and the conversion of a former mill building into the Renaissance Lofts, an artist live-work community with a coffee shop.

All of these recent developments have been particularly successful, with the condo development having been completely sold, and the Renaissance Lofts mostly leased. Given the success of these developments, and the availability of additional underutilized properties in the area, there is interest by both the city officials and private developers in future adaptive reuse initiatives. Opportunities include the aforementioned armory building and an underutilized multi-story industrial building, both on Lincoln Street.

d. CITY PLANNING INITIATIVES

Downtown Facade Improvement Program

In 2007, the city initiated a facade and sign improvement program, which made funding available to businesses in the Downtown District for exterior building improvement projects. The City has applied for another facade and sign improvement program, which is to include Downtown and extend to businesses in the lower French Hill District area.

Mixed Use Overlay

The City has recognized the need and demand for mixed-use development both in the Downtown and lower French Hill Districts. The City plans to confront this opportunity through either the creation of a mixed-use overlay, or through the amendment of the current zoning code.

Marlborough Pocket Park

The City created a pocket park on Main Street in the Downtown District after a building was destroyed by fire in 2007. Though the park is a public space amenity for residents and visitors, the City hopes to see this space redeveloped to a higher and better use.

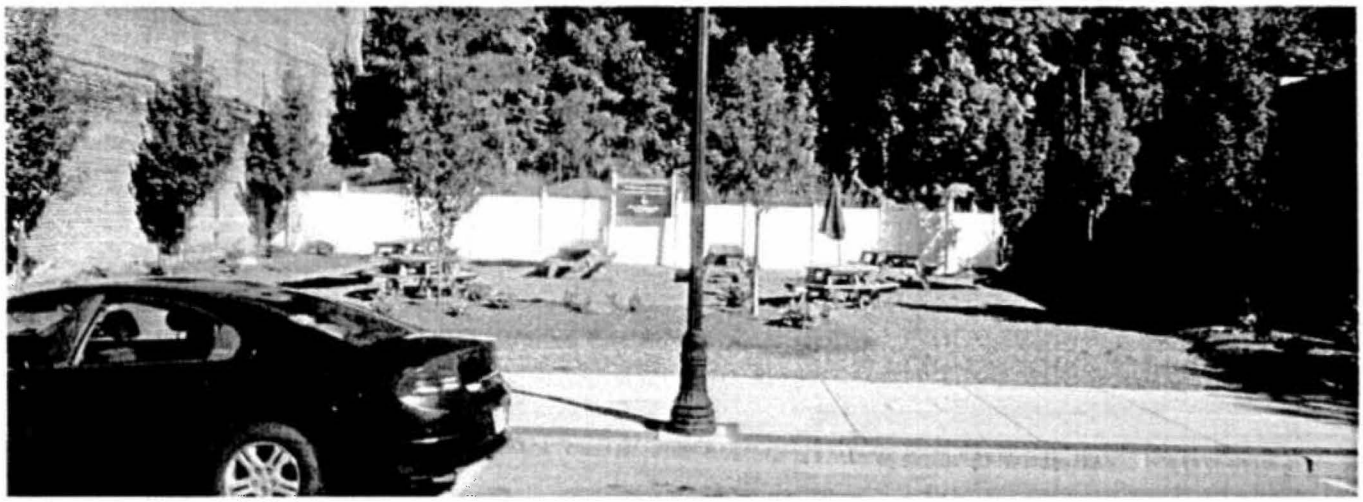


IMAGE 2
Downtown Pocket Park

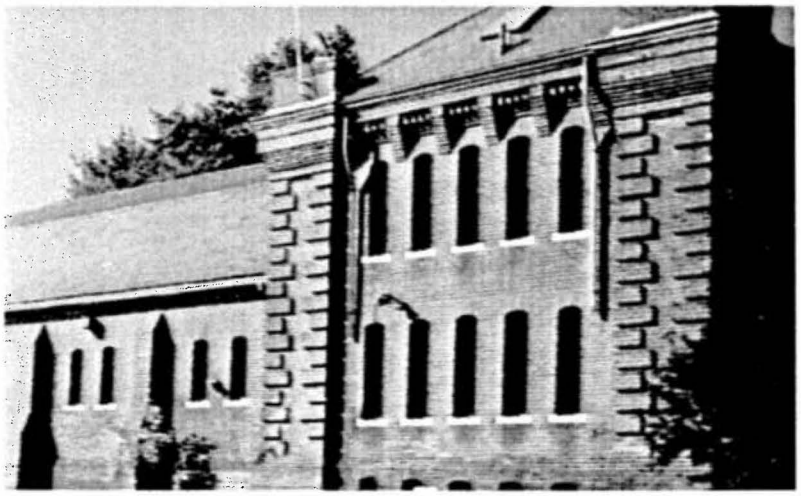
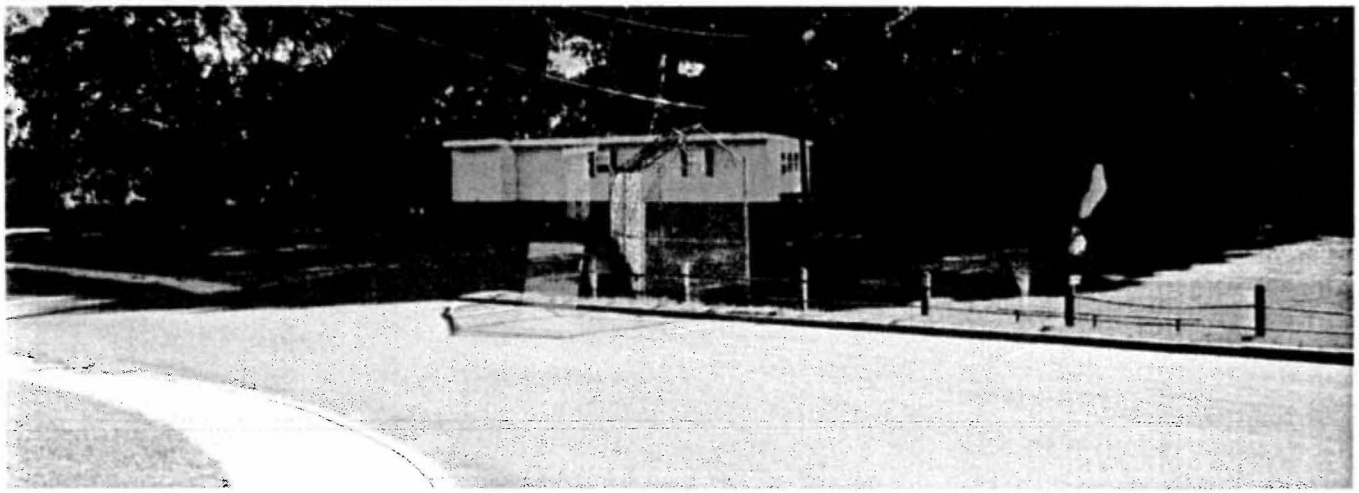


IMAGE 3
Underutilized Armory Building

IMAGE 4
Future Site of Senior Center at Ward Park



3 | Planning Considerations

Below are several planning-related items regarding both the Downtown District and lower French Hill District that the TAP took into consideration before examining opportunities and making its final recommendations. These considerations were derived from information provided by the MEDC and the stakeholder interviews.

a. EMERGING MICRODISTRICTS

Though Main Street is the veritable anchor, and central organizing feature of the Downtown District, several 'microdistricts' are emerging both Downtown and in the lower French Hill area. They have been identified as follows:

Downtown Historic District

There are several historic structures in the Downtown District, some of which are on the National Register of Historic Places. Additionally, there are several historic areas of interest including the Henry Knox Trail and the John Brown Bell. These two historic features along with the historic character of the buildings and public spaces draw visitors to the Downtown District. Currently, Downtown Marlborough has not officially been designated as a historic district.

Lower French Hill Arts District

Based on the success of the Renaissance Lofts, the availability of underutilized parcels for similar development opportunities, and anecdotal evidence that there is interest in such development, the lower French Hill District is poised to become a successful arts hub within Marlborough.

Downtown High-End Retail District

The portion of the Downtown District around Bolton Street [between Main Street and Granger Boulevard] features the VIN BIN, a Starbucks, and the FISH Restaurant, all of which draw customers for high-end products and services.

b. CITYWIDE ASSETS

The City of Marlborough is home to many businesses, amenities, and attractions that are pivotal in providing additional visitors and patrons to the Downtown and lower French Hill Districts. According to MEDC data, Marlborough provided 31,540 jobs in 2010 in both small businesses and larger firms including TJX and 3Com. Additionally, Marlborough is an established regional sports hub, particularly in the context of hockey. The New England Sports Center (NESC), located near I-495, draws hockey enthusiasts from around the nation. Fore Kicks, a mega sports complex, also draws a regional sports crowd.

Based on the high number of employers, and other attractions including the two sports complexes, Marlborough has over 1,500 hotel rooms to host visitors to the city. Currently, none of Marlborough's hotels are located in the Downtown or lower French Hill Districts.

c. COMMUNITY DEVELOPMENT

The Downtown District features various annual festivals, parades, and community events, including the popular Festival of Trees and Taste of Marlborough. These community events not only draw current residents together Downtown, but also attract visitors and the local workforce to the Downtown District. The Marlborough Chamber of Commerce is in the process of working to streamline the organization of these events.

d. PERCEIVED DOWNTOWN ECONOMIC HEALTH

During the TAP stakeholder interview process, the fifteen interviewees were each asked to rate the economic health of the Downtown District, based on a scale of 1 to 10 ['1' representing the weakest economic health and '10' representing the strongest]. The average [mean] rating for the economic health of the Downtown District was 5, and most interviewees noted that it was stable or improving rather than weakening. This figure offers a snapshot of the current community perception of how the Downtown is performing economically. Figure 3 on the right shows the full results of this survey.

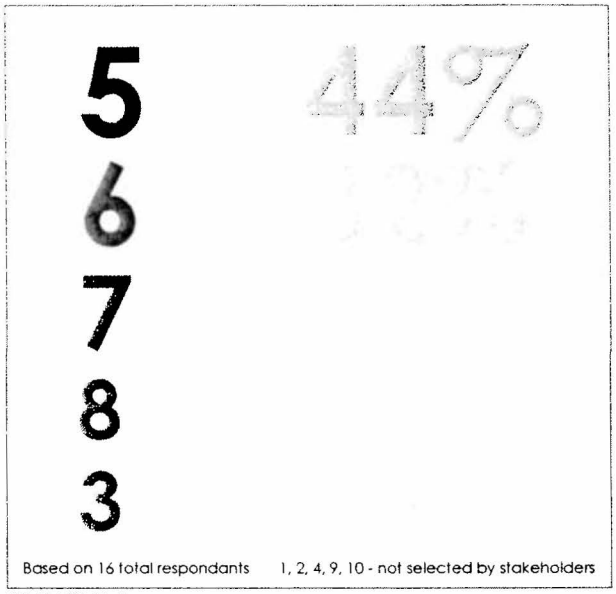


FIGURE 3
Stakeholder Downtown Economic Health Ratings

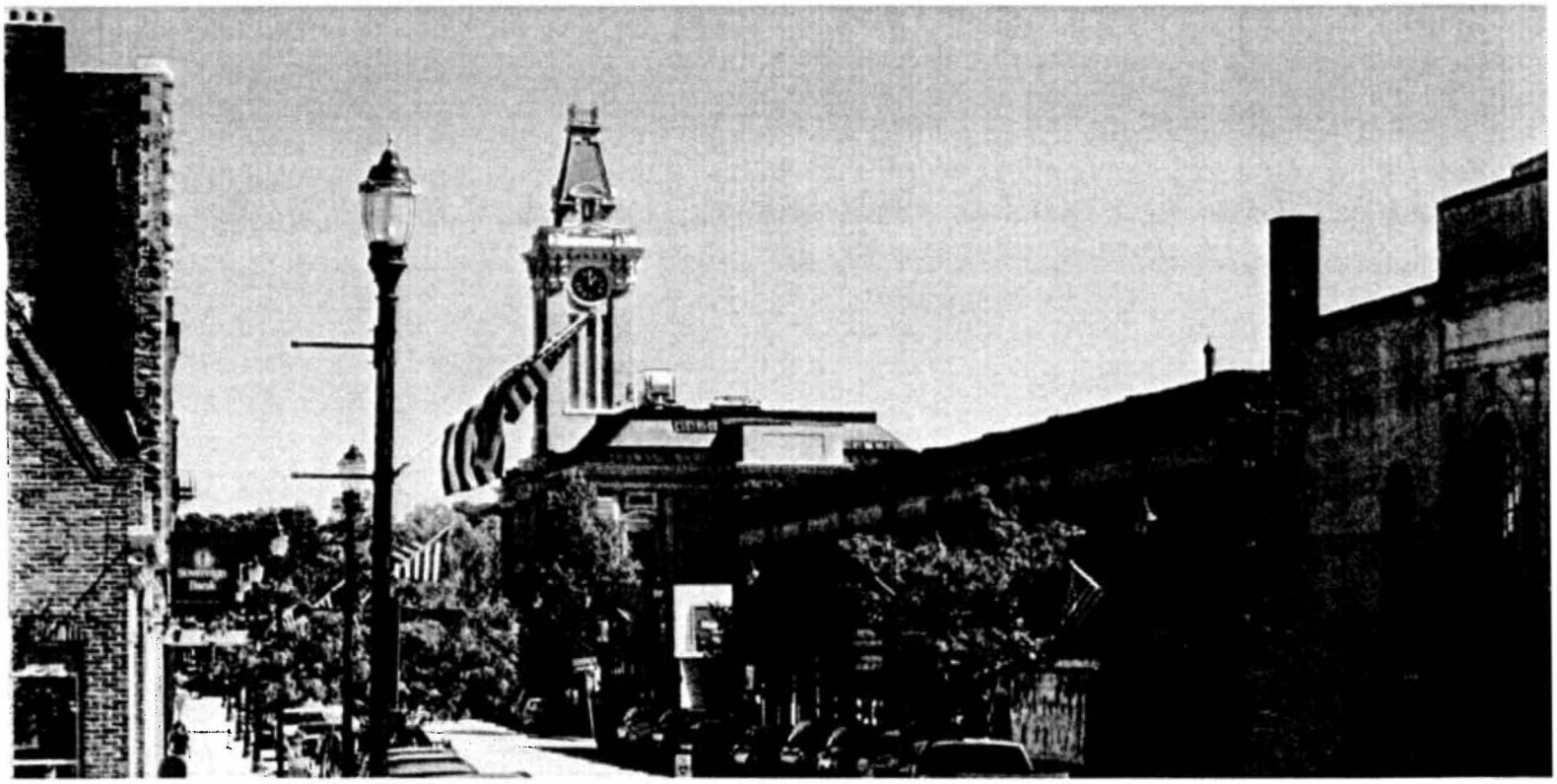


IMAGE 4
Main Street in Downtown Marlborough with City Hall in Background

4 | Challenges + Opportunities

During the TAP discussions following the site tour and stakeholder interviews, the panel considered four essential questions related to the Downtown District and lower French Hill District posed by the MEDC. These questions are as follows:

1. Is there adequate parking to increase and attract new development?

2. What incentives and/or financing will help make development projects in the two districts more feasible?

3. Are there current land use regulations in place that will hinder or encourage commercial growth?

4. What are the appropriate land uses in the two target districts?

The TAP used these questions to frame a discussion on current issues and opportunities in the Downtown and lower French Hill Districts, which in turn would help develop a vision for the two districts with targeted planning and development recommendations.

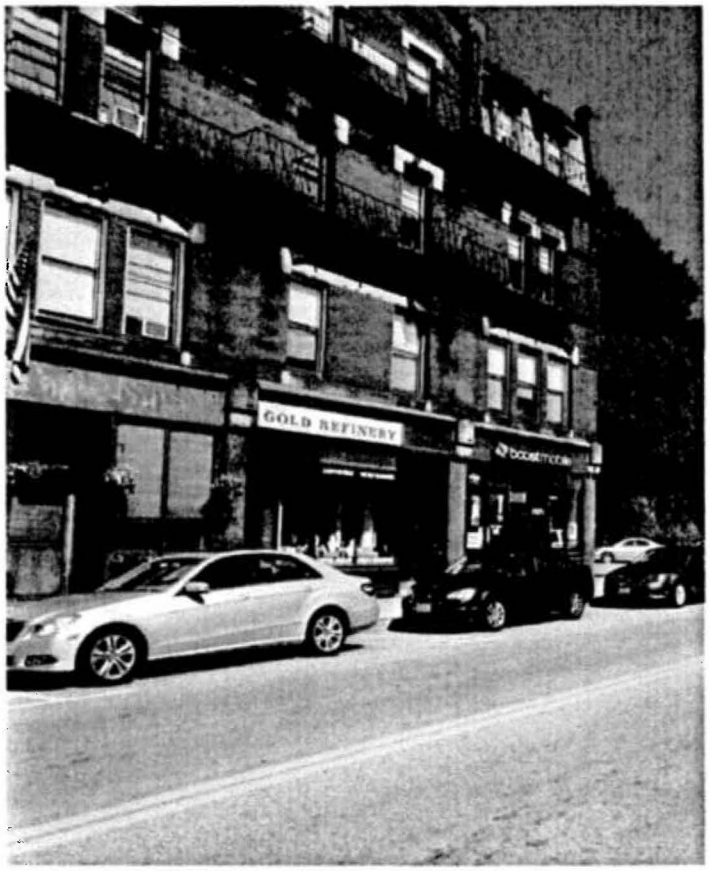


IMAGE 5
On-Street Parking along Main Street

a. PARKING [DOWNTOWN DISTRICT]

THE CHALLENGE:

According to evidence derived from the tour and interviews, the existing free municipal parking is heavily underutilized, with an average daily utilization of the parking structures of approximately 50%. It was suggested that poor signage and visibility of the structured parking could be a factor in the low utilization rates. Business owners have also expressed concern over the poor enforcement of on-street parking space limits [two-hours], which allows for long-term parking by employees instead of patrons.

THE OPPORTUNITY:

Parking is abundant in the Downtown District, and represents an opportunity for new development to take advantage of excess municipal parking capacity. In this case, existing parking regulations for new development can be relaxed, potentially through shared public-private parking arrangements. Desirable on-street parking spaces can be added to Granger Boulevard, and enforcement of current on-street parking limits to help increase availability of these spaces to Downtown patrons.

b. GRANGER BOULEVARD

THE CHALLENGE:

Granger Boulevard is primarily a major arterial, which allows traffic to essentially bypass the Downtown District, and discourages residents and visitors to travel through the district and take advantage of its businesses and services. Additionally, Granger Boulevard has not be described as pedestrian- or bicycle-friendly, with as many as five total travel/turn lanes, which present dangerous crossing and cycling conditions.

THE OPPORTUNITY:

According to recent traffic studies, Granger Boulevard is under capacity for automobile traffic, and therefore, one or more travel lanes can be effectively eliminated without hindering current traffic flow patterns. The City also has control over Granger according to the city engineer. In this case, the City can undertake streetscaping improvements to make Granger more safe and accessible to pedestrians and cyclists, and more visually appealing.

c. MAIN STREET

THE CHALLENGE:

Main Street was described by several interviewees as lacking physical connections and business ties to the rest of the Downtown District. Therefore, the Downtown is more of a Main Street strip than a unified business district. Additionally, several interviewees cited a lack of business variety [too service-oriented], poor lighting during night hours, and poor communication among business owners.

THE OPPORTUNITY:

The Downtown District is home to many restaurants, and has been described as a vibrant restaurant district. Though much of the pedestrian activity in the district is limited to the daytime, there is an opportunity to extend business hours to enhance the restaurant business and draw more people to the district outside of the current normal operating hours. In terms of infrastructure, the sidewalks are of adequate width for good pedestrian activity, the stairwells on the north side of Main Street offer good pedestrian connectivity to the lower French Hill District.

c. CONNECTIONS TO CITYWIDE ASSETS

THE CHALLENGE:

As previously described, Marlborough has a large workforce and employment centers, and draws many visitors annually for various events. Unfortunately, there is poor connectivity among these assets and the Downtown District, and other commercial hubs at the city outskirts are more accessible to these groups.

THE OPPORTUNITY:

Though costly, the City has examined options for public bus service between major employment centers and the Downtown District. However, less costly options may be effective in enhancing linkages to the Downtown, including increased visibility of business offerings and community events such as the Taste of Marlborough.

e. ZONING/LAND USE REGULATIONS

THE CHALLENGE:

Marlborough's current zoning ordinance is outdated and is in many ways a hindrance to development in the Downtown District. As stated before, the current zoning does not allow for mixed-use development. Additionally, certain zoning standards are prohibitive to cost-effective development, including but not limited to:

- A strict off-street parking regulation set at 10 spaces per 1,000 sf of development

- A 50' minimum building setback requirement

- A sign ordinance prohibiting blade-type signs

THE OPPORTUNITY:

Currently, there is interest by both the City and private business owners and developers to potentially amend the zoning code to allow for mixed-use development, primarily through the creation of an overlay district. Similar interest in relaxing the sign ordinance has also been expressed. Additionally, the aforementioned underutilization rate of free municipal parking could help relax the strict parking requirements that currently don't match an urban downtown typology.

f. UNDERUTILIZED BUILDINGS + PARCELS

THE CHALLENGE:

There are several vacant and underutilized buildings and parcels in both the Downtown and lower French Hill Districts, which both act as physical barriers, and detract both visually and economically from both districts. Several sites identified by the City and stakeholders include: the US Post Office facility on Granger Boulevard; and the Armory and a vacant industrial building both along Lincoln Street in lower French Hill.

THE OPPORTUNITY:

Several adaptive reuse projects have been successful both Downtown and in the lower French Hill, and there is both a need and demand for certain types of new development opportunities in both districts. For example, given the nature of Marlborough as an employment and sports hub and the high number of hotel rooms [second only to Boston in the Commonwealth], an appropriately-sized hotel may be developed downtown, and an underutilized site might be a good candidate for such development.

g. HISTORIC BUILDING REUSE

THE CHALLENGE:

Though many buildings in the Downtown and lower French Hill Districts are historic, it was expressed by both the City and stakeholders that there has been little use of creative financing to redevelop these historic assets, including Historic Preservation Tax Credits.

THE OPPORTUNITY:

The City and private developers have an opportunity to create a historic district downtown and target historic structures for financing and incentives for redevelopment initiatives.

5 | Vision

Based on the challenges and opportunities discussed previously, the panelists developed a vision statement for the Downtown and lower French Hill Districts, based on three primary objectives:

1. Transform the Downtown and lower French Hill areas from a Main Street strip commercial corridor to a veritable Downtown District.

Though an important commercial anchor, Main Street is largely disconnected from the surrounding Downtown area, and to some some extent, the surrounding residential neighborhoods including the lower French Hill District. The objective of this vision is to enhance the physical connections between Granger Boulevard and Main Street; to make targeted improvements along Granger Boulevard; and to encourage the appropriate reuse of the underutilized parcels in order to restore the true nature of Downtown Marlborough as a connected district.

2. Encourage new development and businesses both in the Downtown and lower French Hill Districts to create a vibrant retail, restaurant, and arts destination.

Though the Downtown District has already been described as a restaurant district, and has a low overall commercial vacancy rate, there are several additional new uses that can effectively be located in the district to help attract additional residents, local employees, and regional visitors to the area. The primary objective of this vision is to continue supporting the existing businesses and strengthening communication and linkages among them, while also encouraging the growth of the microdistricts within Downtown and lower French Hill and attracting new uses such as a hotel, a gym/fitness center, and entertainment.

3. Improve connections and links to existing citywide assets.

Though Marlborough is a thriving economic center and a regional sports hub, the links between these assets and the Downtown and lower French Hill District remain weak. The objective of this vision is to make targeted, cost-effective improvements to encourage the local workforce and visitors to Marlborough to make use of the Downtown and lower French Hill District assets.

5 | Recommendations

1. RELAX / RETHINK ZONING
[VISIONS 1, 2, 3]

Marlborough's zoning code and land use regulations should function to encourage, not inhibit new development in the Downtown and lower French Hill Districts. Specific recommendations include:

- Create a mixed-use overlay for the Downtown District, and based on the success of projects like the Renaissance Lofts, extend the overlay into the emerging arts district in lower French Hill.

- Allow for zero-foot setback minimums and change FAR [Floor Area Ratio] requirements to allow for 100% lot coverage throughout the Downtown District, including Granger Boulevard.

- Relax sign ordinance to encourage use of appropriately-sized and decorated blade signage types in order to increase visibility and wayfinding particularly in the Downtown District.

- Ensure clarity and certainty throughout the zoning process to remove unnecessary zoning and land use barriers to development.

2. RETHINK PARKING
[VISIONS 1, 2, 3]

- Change current 10 space/1,000 sf off-street parking requirement for new development projects. A 2.5 space/1,000 sf requirement is recommended.

- Encourage shared public-private parking arrangements for new development and redevelopment opportunities.

- Enforce current on-street parking regulations more strictly to discourage long-term on-street parking.

- Advertise free parking and increase wayfinding to public parking opportunities.

- Conduct traffic management study.

3. ENCOURAGE CREATIVE DEVELOPMENT FINANCING
[VISIONS 1, 2]

- Examine feasibility of implementation of a tax abatement program for new development, such as the Massachusetts Chapter 121A.

- Pursue Historic Tax Credits more aggressively for financing redevelopment initiatives in both the Downtown and lower French Hill Districts.

- Establish a clearinghouse for incentives, financing, and tax credit programs throughout Marlborough.

4. DENSITY BONUS TRANSFER SYSTEM
[VISIONS 1, 2]

- Examine the feasibility of an incentive [density, or similar] transfer system which will encourage development in the target Downtown District in exchange for incentives at another to-be-determined target area.

5. PHYSICAL IMPROVEMENTS: GRANGER BOULEVARD
[VISIONS 1, 3]

- Remove one or more traffic travel lanes for on-street parking and/or bicycle lanes, in order to enhance pedestrian and cyclist accessibility and safety.

- Remove slip lane [right turn lane] connecting Main Street to Granger Boulevard for traffic safety and to promote vehicle trips to Downtown District.

- Add trees and plantings and other streetscaping elements to improve visual appeal.

6. PHYSICAL IMPROVEMENTS: MAIN STREET
[VISIONS 1, 3]

- Maintain Main Street as a two-way thoroughfare.

- Enhance visual appeal of public stairs [via artwork or murals] to promote use of stairs and connection to lower French Hill.

- Add bicycle lanes, and maintain current widths of sidewalks.

- Add trees, plantings, signage, and other streetscaping elements.

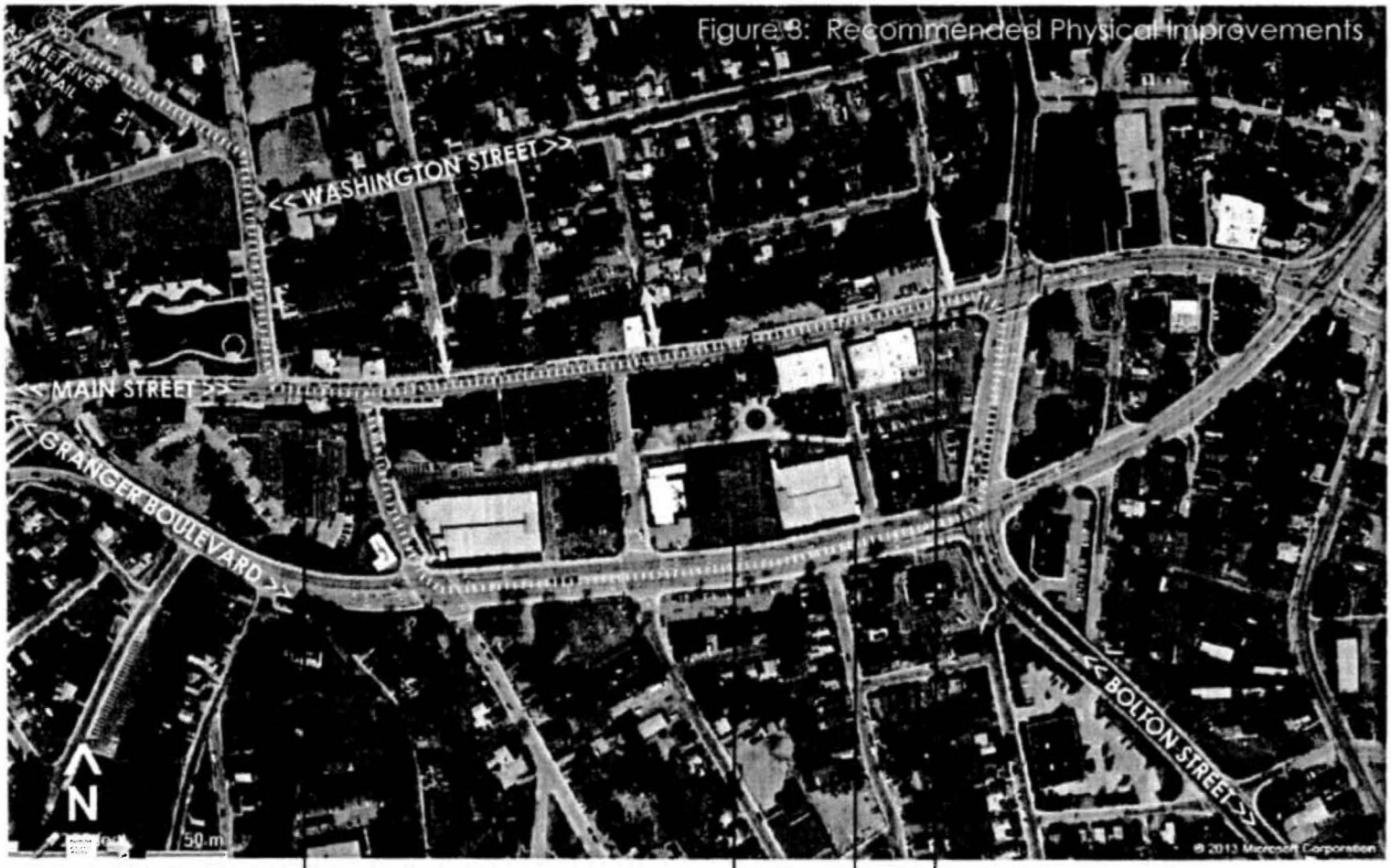
- Enhance lighting on streets between Main Street and Granger Boulevard.

7. PHYSICAL IMPROVEMENTS: ASSABET RIVER RAIL TRAIL
[VISIONS 1, 3]

- Continue ARRT into Downtown District to encourage cyclists and pedestrians to patronize the local shops and businesses.

8. PHYSICAL IMPROVEMENTS: POTENTIAL HOTEL SITE
[VISIONS 1, 2, 3]

- Reuse US Postal Service Distribution Center parcel as possible Downtown District hotel site.



possible ARRT extension

potential hotel site

public stairway enhancements

Granger Blvd streetscaping

Appendix

The TAP benefited from the participation of the diverse group of stakeholders [property owners, local residents, business people, city council members, and other city and regional officials] who met with the panel and shared information, ideas, and opinions on a range of issues effecting the Downtown and lower French Hill Districts. The following is a list of all who participated in the interview sessions:

PROPERTY OWNERS AND BUSINESS PEOPLE:

- Bob Buckley
- Bob Kane
- Randy Scott
- Eric Asman
- Bill Sullivan
- Emily Greenwood
- Rick Lombardi
- Walter Bonin

PUBLIC OFFICIALS:

- Danielle Gregoire
  State Representative and Resident
- Don Landers
  City Councilman and Resident
- Joe Delano
  City Councilman
- Arthur Vingeant
  Mayor, City of Marlborough
  [conducted site tour]

NON-PROFITS

- Arthur Bergeron
  Chair MEDC
- Suzanne Morreale-Leeber
  President, Marlborough Chamber of Commerce
- Priscilla Ryder
  Conservation Officer, ARRT
- Tom Cullen
  City Engineer
- Ron Frenier
  Commissioner of Public Works

City Clerks Copy

15-1

PETITION FOR JOINT POLE RE-LOCATIONS

Hopedale, MA 01747

February 20, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2014 JAN 21 A 10:07

To the City Clerks Office
of the City of Marlborough, Massachusetts

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.
request permission to relocate poles, wires, cables and fixtures, including anchors, guys and other such necessary sustaining and protecting fixtures, along and across the following public way or ways:-

Laviolette Street Pole #6

NGRID relocate existing P6 Laviolette Street 35' south towards the entrance to Lake Williams Condos. This will be used as a primary riser pole to feed a padmounted transformer. Required to provide service to new building.

Wherefore they ask that they be granted a joint relocation for and permission to erect and maintain poles, wires, cables and fixtures to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as they must find necessary, said poles to be located substantially in accordance with the plan filed herewith marked: Plan No. **15711664** Dated: **12/05/2013**

Also for permission to lay and maintain underground cables conduits, wires and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY

By: Chris Montalto
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

By: _____
Manager, R.O.W.

ORDER FOR JOINT POLE RELOCATION

Hopedale, MA 01747 February 20, 2013

By the City Clerks Office
of the City of Marlborough, Massachusetts

IT IS HEREBY ORDERED:

that **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.** be and they are hereby granted a joint relocation for and permission to erect and maintain poles and wires to be replaced thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the **13th day of January, 2014**

All construction under this order shall be in accordance with the following conditions:-
Poles shall be sound and timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked:

Plan No. **15711664** Dated: **12/05/2013** filed with said petition.

There may be attached to said poles by said **MASSACHUSETTS ELECTRIC COMPANY** necessary wires, cables and fixtures and by said **VERIZON NEW ENGLAND, INC.** not to exceed **40** wires and **4** cables and all of said wires and cables shall be placed at a height of not less than **18** feet from the ground at highway crossings, and not less than 16 feet from the ground elsewhere.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:-

Laviolette Street Pole #6

NGRID relcocate existing P6 Laviolette Street 35' south towards the entrance to Lake Williams Condos. This will be used as a primary riser pole to feed a padmounted transformer. Required to provide service to new building.

Also that permission be and herby is granted to each of said Companies to lay and maintain underground cables, conduits, wires and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the City Council
of the City of Marlborough, Massachusetts held on the _____day of _____ 2013

_____
Clerk of Council

CERTIFICATE

I hereby certify that the foregoing order was adopted at a meeting of the City Council

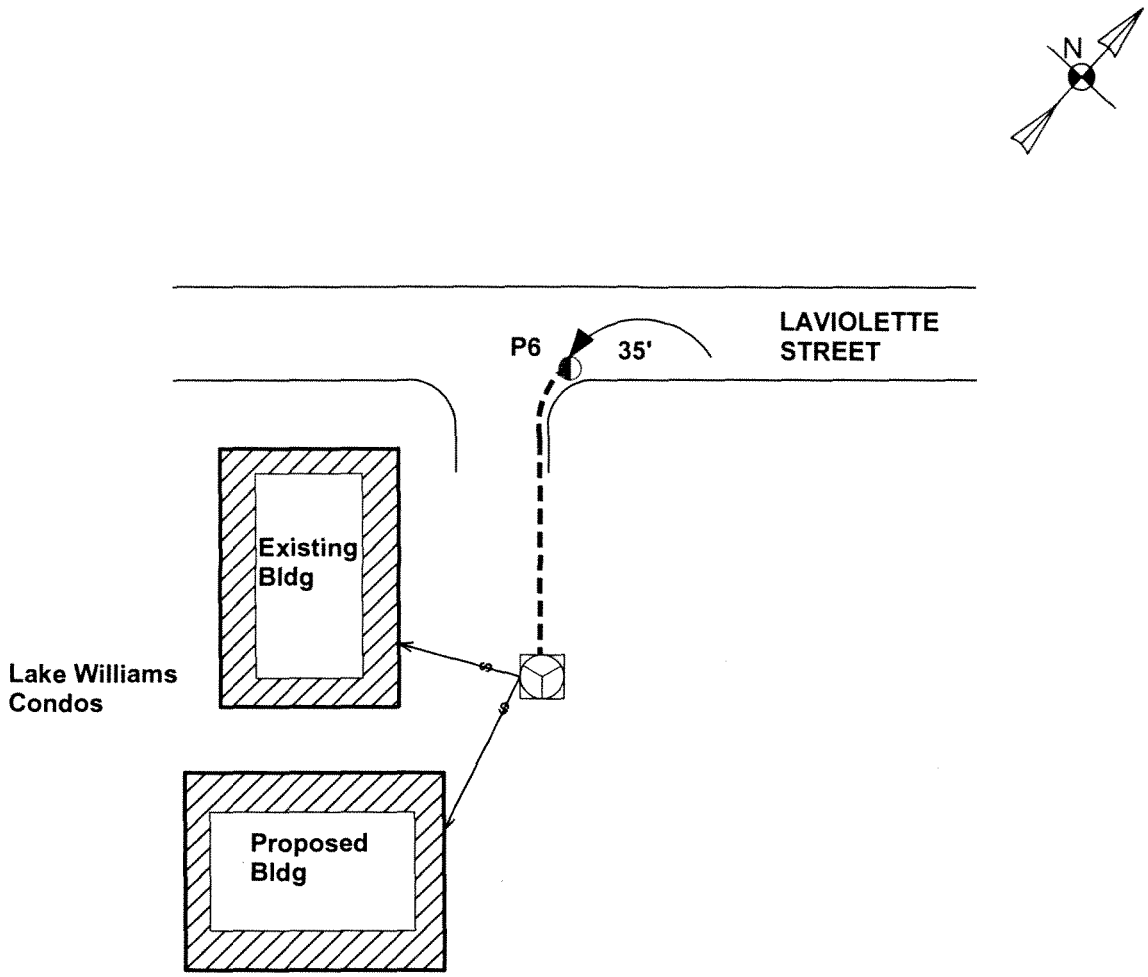
of the City of Marlborough, Massachusetts held on the _____day of _____ 2013

recorded with the records of location orders of said City,

Book_____ , Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:_____
City Clerk



Reloacte existing P6 Laviolette Street 35' south towards the entrance to Lake Williams Condos. This will be used as a primary riser pole to feed a padmounted transformer. Required to provide service to new building.

JOINT OWNED POLE PETITION	nationalgrid And Verizon New England, Inc.
● Proposed NGRID Pole Locations	
○ Existing NGRID Pole Locations	Date: 12/05/13
◐ Proposed J.O. Pole Locations	
⦶ Existing J.O. Pole Locations	Plan Number: 15711664
◕ Existing Telephone Co. Pole Locations	To Accompany Petition Dated: 12/05/13
◎ Existing NGRID Pole Location To Be Made J.O.	
⊗ Existing Pole Locations To Be Removed	To The: City Of Marlboro
	For Proposed: New Pole: P6 Location: Laviolette St
DISTANCES ARE APPROXIMATE	Date Of Original Grant: 12/05/13

City Clerks Copy 16-1

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

Hopedale, MA 01747 February 20, 2013

To The City Clerks Office
of the City of Marlborough, Massachusetts

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.
request permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used in common by your petitioners, in the following public way or ways:

West Hill Road Pole numbers 12, 12-84,15,18,27,28,30,31

Relocating the following poles: P12 (4'North), P15 (4'North), P18 (5'North) P27 (8' South),P28 (6' South), P31 (5' South) P30 (3.5' South) Installing new Guy Stub Pole 12-84.

Wherefore they pray that after due notice and hearing as provided by law, it be granted joint or identical locations for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked: **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.**

Plan No. **15890420** Dated: **12/31/2013**

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY

By: Chris Montalto
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

By: _____
Manager, R.O.W.

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

Hopedale, MA 01747 February 20, 2013

By the City Clerks Office
of the City of Marlborough, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED: **that MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.** be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the
6th day of January, 2014

All construction under this order shall be in accordance with the following conditions:-

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked--
Plan No. **15890420** Dated: **12/31/2013** filed with this order.

There may attached to said **MASSACHUSETTS ELECTRIC COMPANY** not to exceed twenty wires and by said **VERIZON NEW ENGLAND, INC.** not to exceed forty wires and four aerial cables, and all of said wires and cables shall be placed at a height of not less than eighteen feet from the ground.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:--

West Hill Road Pole numbers 12, 12-84,15,18,27,28,30,31
Relocating the following poles: P12 (4'North), P15 (4'North), P18 (5'North) P27 (8' South),P28 (6' South), P31 (5' South) P30 (3.5' South) Installing new Guy Stub Pole 12-84.

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the City Council
of the City of Marlborough, Massachusetts held on the _____day of _____ 2013

_____
Clerk of Council

Received and entered in the records of location orders
of the City of Marlborough, Massachusetts

Book:_____ Page:_____

_____
City Clerk

We hereby certify that on _____ 2013 at_____o'clock,_____M. at_____ a public hearing was held on the petition of the

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

_____

_____

_____

_____

Council of the City of _____

Marlborough, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the City Council of the City of Marlborough, Massachusetts, on the_____day of _____ 2013 recorded with the records of location orders of said City, Book _____ , Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest: _____

City Clerk

nationalgrid

Pole & UG Petition/Permit Request Form

City
Town of Marlboro WR # 15890420
(circle one)

Install 1 (quantity) SO JO (circle one) Poles on _____ (street name)

Remove _____ (quantity) SO JO (circle one) Poles on _____ (street name)

Relocate 7 (quantity) SO JO (circle one) Poles on _____ (street name)

Beginning at a point approximately _____ (distance) **feet** _____ (compass heading) **of the centerline**

of the intersection of _____ (street name)

and continuing approximately _____ (distance) **feet in a** _____ (compass heading) **direction.**

Install underground facilities:

Street(s) _____

Description of Work:

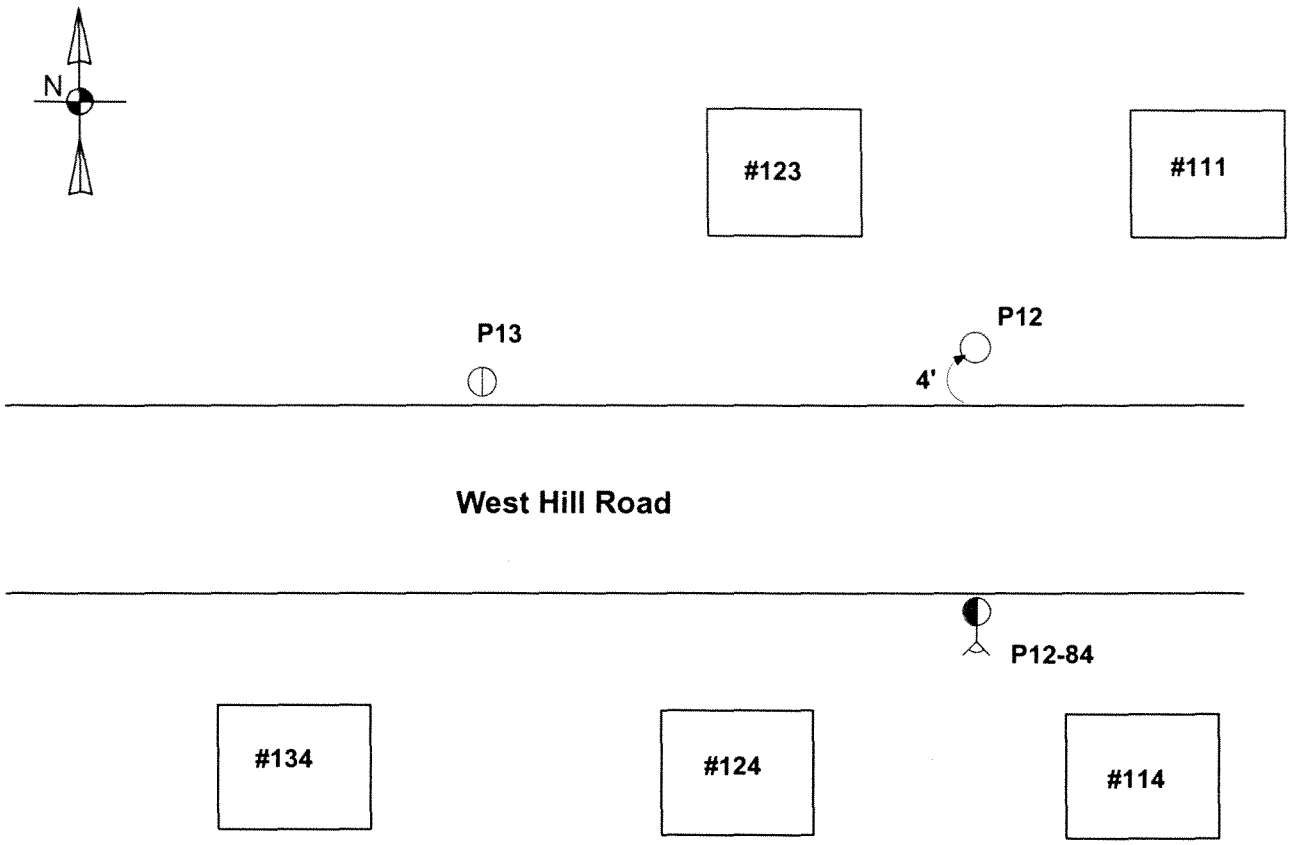
Relocating the following poles: P12 (4' North), P15 (4' North), P18 (5' North), P27 (8' South), P28 (6' South), P30 (3.5' South), P31 (5' South)

Installing new Guy Stub Pole 12-84

ENGINEER Bruce Kut

DATE 1/2/2014

PRINTED COPIES OF THESE DOCUMENTSS ARE NOT CONTROLLED. AUTHORIZED VERSIONS APPEAR ON THE NGRID INFONET ONLY



Relocate existing P12 and install new guy P12-84 to accommodate City of Marlboro road widening project.

JOINT OWNED POLE PETITION

● Proposed NGRID Pole Locations	Guy
○ Existing NGRID Pole Locations	
◐ Proposed J.O. Pole Locations	
⦶ Existing J.O. Pole Locations	
◕ Existing Telephone Co. Pole Locations	
◎ Existing NGRID Pole Location To Be Made J.O.	
⊠ Existing Pole Locations To Be Removed	

DISTANCES ARE APPROXIMATE

nationalgrid
And
Verizon New England, Inc.

Date: 12/31/2013

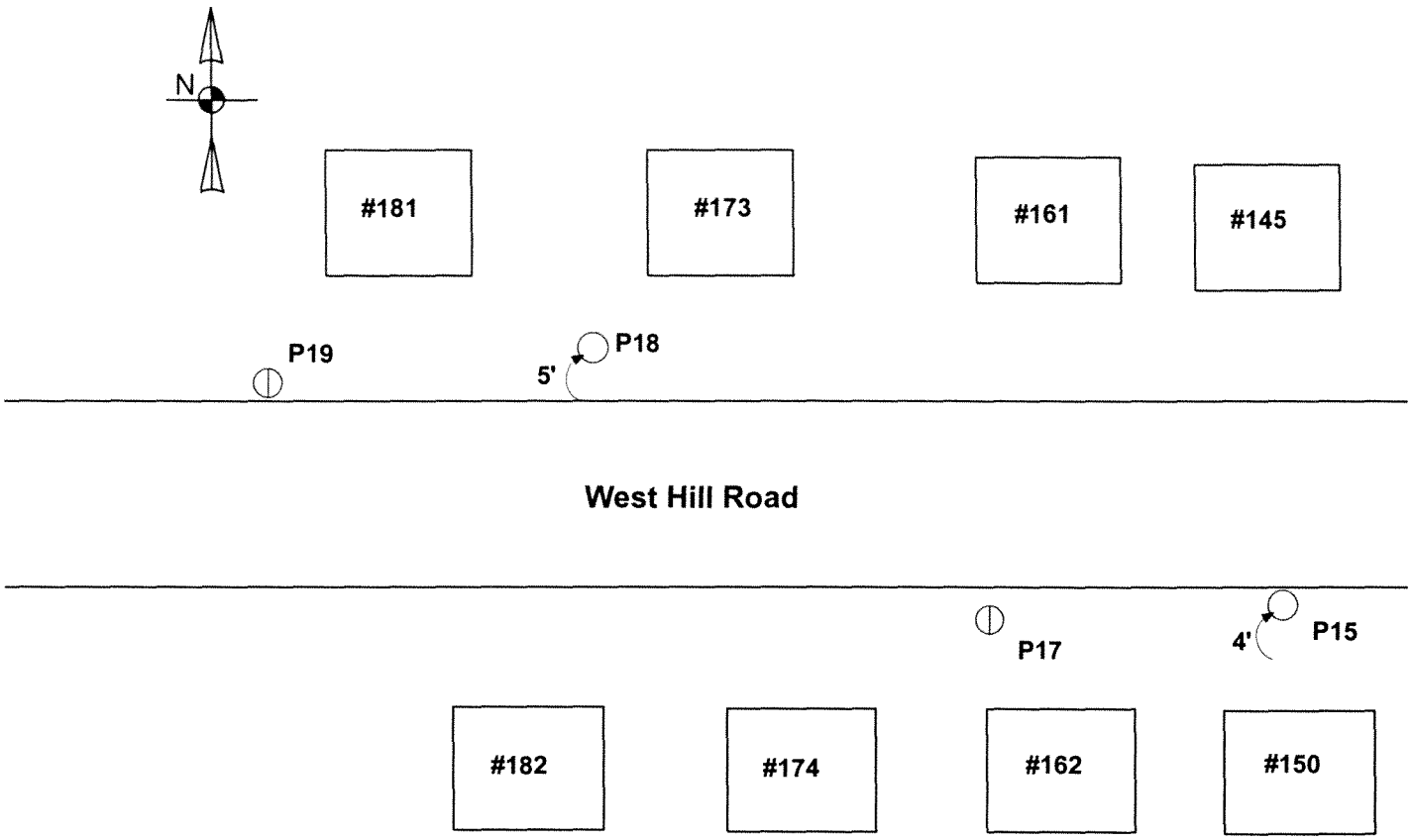
Plan Number: 15890420

To Accompany Petition Dated: 12/31/2013

To The: CITY **Of** MARLBORO

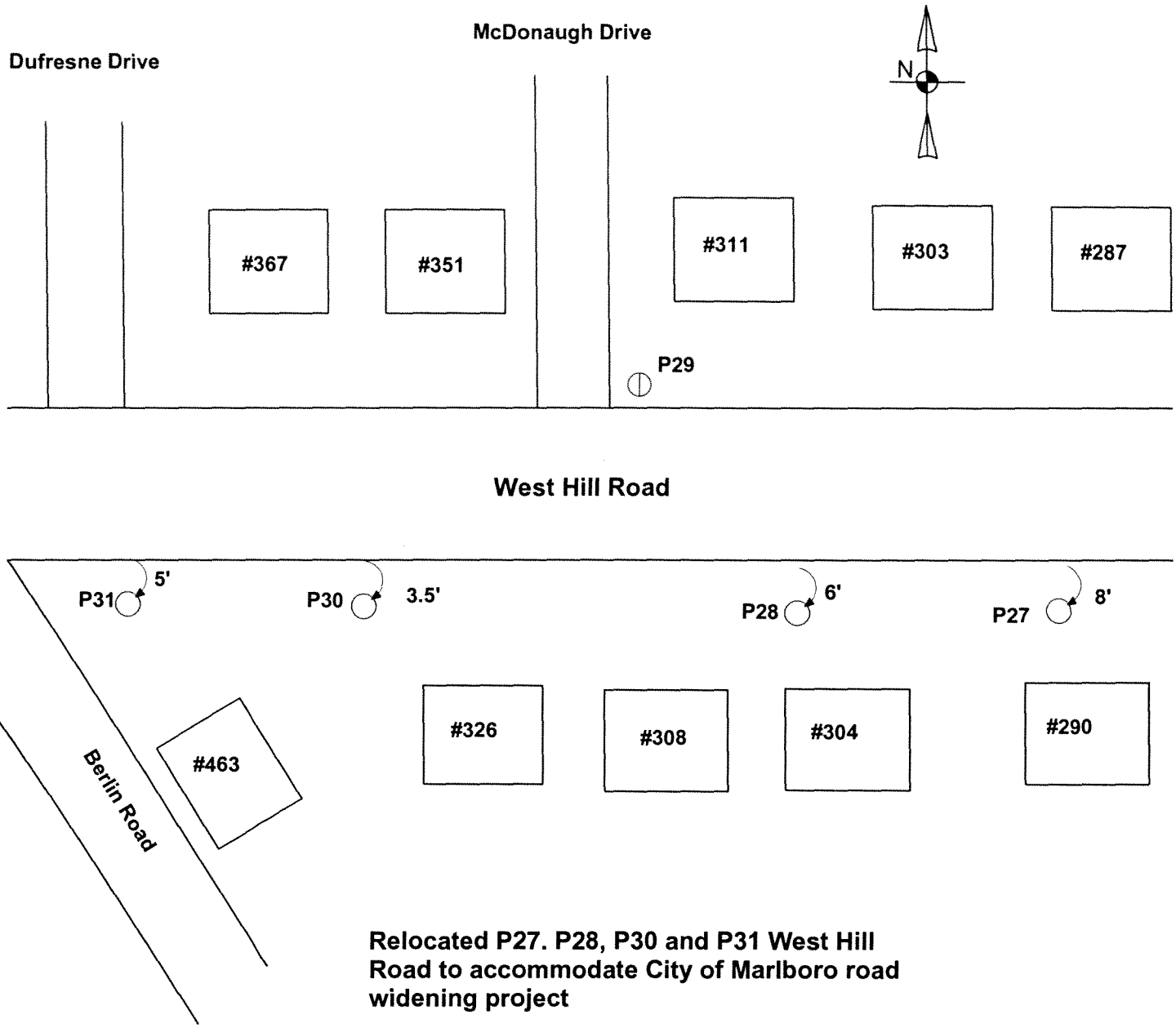
For Proposed: RELOCATE **Pole:** P12 **Location:** WEST HILL RD

Date Of Original Grant:



Relocate existing P15 and P18 West Hill Road to accommodate City of Marlboro road widening project

JOINT OWNED POLE PETITION	nationalgrid And Verizon New England, Inc.
● Proposed NGRID Pole Locations	
○ Existing NGRID Pole Locations	Date: 12/31/2013
◐ Proposed J.O. Pole Locations	
⦶ Existing J.O. Pole Locations	Plan Number: 15890420
◕ Existing Telephone Co. Pole Locations	To Accompany Petition Dated: 12/31/2013
◎ Existing NGRID Pole Location To Be Made J.O.	
⊠ Existing Pole Locations To Be Removed	To The: CITY Of MARLBORO
	For Proposed: RELOCATE Pole: P15,P18 Location: WEST HILL RD
DISTANCES ARE APPROXIMATE	Date Of Original Grant:



Relocated P27. P28, P30 and P31 West Hill Road to accommodate City of Marlboro road widening project

JOINT OWNED POLE PETITION	nationalgrid And Verizon New England, Inc.
● Proposed NGRID Pole Locations	
○ Existing NGRID Pole Locations	Date: 12/31/2013
◐ Proposed J.O. Pole Locations	
⦶ Existing J.O. Pole Locations	Plan Number: 15890420
◕ Existing Telephone Co. Pole Locations	To Accompany Petition Dated: 12/31/2013
◎ Existing NGRID Pole Location To Be Made J.O.	
⊠ Existing Pole Locations To Be Removed	To The: CITY Of MARLBORO
	For Proposed: RELOCATE Pole: 4 POLES Location: WEST HILL ROAD
DISTANCES ARE APPROXIMATE	Date Of Original Grant:

MARLBOROUGH BOARD OF HEALTH MEETING JANUARY 8, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4: 22

There was a meeting of the Marlborough Board of Health on Tuesday, January 8, 2013, City Hall, 3rd floor, Memorial Hall.

Attending were: John Rowe, Chairman; John Tselikis, Member; Robert Landry, Sanitarian; Nancy Cleary, Public Health Nurse; Linda Goodwin, Secretary.

NEW BUSINESS:

1: JOHN DECROW – 475 LINCOLN STREET – BOH VACATED

John DeCrow unable to attend will attend next monthly meeting. Motion carried 2-0

2: JOHN STOURNARAS – 587 BOLTON STREET CAFÉ – PLUMBING VARIANCE

Mr. Stournaras is seeking a plumbing variance for existing restrooms at former Piccadilly Restaurant. Board has no problem will issue letter stating no problem with plumbing variance request. Motion carried 2-0

3: ARARA RESTAURANT – 67 MECHANIC STREET

New owners at 67 Mechanic Street unable to attend meeting. Basically the restaurant is in good shape, cleaned up, and ready to go. Motion made to approve new food permit at this location. Motion carried 2-0

4: LETTER TO MAYOR TO DISCUSS SHARED SEVICES WITH POSSIBLY HUDSON AND SOUTHBORO

Meeting set up for Wednesday, January 16th. Will report back to Board of meeting. Motion carried 2-0

5: METROWEST MOVES 2013 KICK OFF MEETING – BOSE CORPORATION – FRAMINGHAM

Bob Landry: This is a 2 ½ hour event that will be held at the Bose Corporation in Framingham. This will be a big event, 16 awards will be given, guest speakers, etc. Board is invited. Please let me know if you are available and I will rsvp for us.

OLD BUSINESS:

1: MINUTES – MEETING – DECEMBER, 2012
Motion made to accept and place on file. Motion carried 2-0

2: SANITARIAN'S REPORTS – DECEMBER, 2012
Discussed several ongoing issues on monthly report:
Main issue was at 475 Lincoln Street which had many violations including bedbugs, electrical issues, etc. Deirdre O'Connor was back and forth to court with the Landlord, to no avail. Finally it was determined along with the Courts that the building needed to be evacuated and building brought up to code before any tenants may re-rent this property. Board requested that Landlord attend next monthly meeting to discuss progress.

Status of new food establishment at former Piccadilly Restaurant.

Dino's: major sewer back up with a lot of damage to first floor and restaurant. They lost a lot of business. But they are finally up and running with no further issues.

Board asked for update on Cotting Ave. apartments where fire was? They are still working with the insurance company, and will be rebuilding, but new tenants, I believe it will be a 'dry' house.

Motion made to accept report and place on file. Motion carried 2-0

3: ASSISTANT SANITARIAN'S REPORTS – DECEMBER, 2012
Motion made to accept report and place on file. Motion carried 2-0

4: PUBLIC HEALTH NURSE REPORTS – DECEMBER, 2012
Reviewed monthly report. Motion made to accept report and place on file. Motion carried 2-0

MOTION MADE TO ADJOURN: 7:30 pm

Respectfully submitted,

John Rowe, Chairman

MARLBOROUGH BOARD OF HEALTH MEETING FEBRUARY 12, 2013

RECEIVED
CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4: 22

There was a meeting of the Marlborough Board of Health on Tuesday, February 12, 2013, City Hall, 3rd floor, Memorial Hall.

Attending were: John Rowe, Chairman; John Tselikis, Member; Robert Landry, Sanitarian; Nancy Cleary, Public Health Nurse; Linda Goodwin, Secretary.

NEW BUSINESS:

1: JOHN DECROW – 475 LINCOLN STREET – BOH VACATED

John DeCrow did not attend. Board discussed ongoing issues and requests letter be sent to Mr. DeCrow reminding him any work must be done with required permits only, or will be in contempt of court for non-complying. Motion carried 2-0

2: METROWEST MOVES 2013 KICK OFF MEETING – BOSE CORPORATION – FRAMINGHAM

Bob Landry: Was a great kick-off, well attended, great participation. Very impressed.

OLD BUSINESS:

1: MINUTES – MEETING – JANUARY, 2013
Motion made to accept and place on file. Motion carried 2-0

2: SANITARIAN'S REPORTS – JANUARY, 2013
Discussed several ongoing issues on monthly report:
Working with the new owner of the former Piccadilly Pub now the Bolton Street Tavern set to open very soon, hopefully early March. TJX coming into the old Fidelity Building, gutting both buildings, just starting getting off the ground. Motion made to accept report, place on file. Motion carried 2-0

3: ASSISTANT SANITARIAN'S REPORTS – JANUARY, 2013
Bob Landry: Deirdre has been very busy dealing with a lot of housing issues this month, illegal apartments, etc. Motion made to accept report and place on file. Motion carried 2-0

4: PUBLIC HEALTH NURSE REPORTS – JANUARY, 2013
Discussed monthly report. Motion made to accept report and place on file. Motion carried 2-0

MOTION MADE TO ADJOURN: 7:30 pm

Respectfully submitted,

John Rowe, Chairman

MARLBOROUGH BOARD OF HEALTH MEETING MARCH 13, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4: 22

There was a meeting of the Marlborough Board of Health on Tuesday, March 13, 2013, City Hall, 3rd floor, Memorial Hall.

Attending were: John Rowe, Chairman; John Tselikis, Member; Robert Landry, Sanitarian; Nancy Cleary, Public Health Nurse; Linda Goodwin, Secretary.

NEW BUSINESS:

1: BEACH TESTING BUDGET –

Bob Landry: Spoke with Mayor this line item will be added to Recreation Budget for beach sampling.

2: UPDATE – BOH PHYSICIAN

Bob Landry: A retired Pediatrician in Marlboro Dr. Zand was thinking about applying to the Board of Health, but was recently asked to be the School Physician for the Marlboro Public Schools. Is no longer interested, but would be willing to sign medical orders for the BOH in the interim until a Doctor is found for the Board.

The Mayor has appointed a Respiratory Therapist named Dr. Griffin. His name has been recently submitted to the Personnel Committee for approval.

OLD BUSINESS:

1: MINUTES – MEETING – FEBRUARY, 2013
Motion made to accept and place on file. Motion carried 2-0

2: SANITARIAN'S REPORTS – FEBRUARY, 2013
Discussed several ongoing issues on monthly report:
Working with the DEP regarding a previous oil spill at as gas station on Bolton Street, now the Diesel pump is spilling a little a building up, informed to clean out and keep clean. Neighbors are concerned. Motion made to accept report, place on file. Motion carried 2-0

3: ASSISTANT SANITARIAN'S REPORTS – FEBRUARY, 2013
Bob Landry: Deirdre has been very busy dealing with a lot of housing issues this month, illegal apartments, etc. Has been to Worcester Housing court a few times this month. Still watching Mr. DeCrow's building, not activity as yet, we believe the property may actually be up for sale. Motion made to accept report and place on file. Motion carried 2-0

4: PUBLIC HEALTH NURSE REPORTS – FEBRUARY, 2013
Discussed monthly report. Motion made to accept report and place on file. Motion carried 2-0

MOTION MADE TO ADJOURN: 7:30 pm

Respectfully submitted,

John Rowe, Chairman

MARLBOROUGH BOARD OF HEALTH MEETING APRIL 9, 2013

RECEIVED
CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4: 22

There was a meeting of the Marlborough Board of Health on Tuesday, April 9, 2013, City Hall, 1st floor, Committee Room.

Attending were: John Rowe, Chairman; John Tselikis, Member; Robert Landry, Sanitarian; Nancy Cleary, Public Health Nurse; Linda Goodwin, Secretary.

NEW BUSINESS:

1: BEACH TESTING BUDGET –

Bob Landry: Spoke with Mayor this line item will be added to Recreation Budget for beach sampling. There are 9 to 10 sites to be tested Recreation Department will be responsible for paying for testing of these sites, BOH will regulate results of these sites. Motion made to accept report 2-0

2: BUDGET FOR BOH

Bob Landry: we have met with the Mayor and discussed our 2014 budget. It will be level funded and next step onto City Council & Finance Committee.

3: PERSONNEL NEEDS BOH

Bob Landry: The Board of Health has been running short staffed for a long time. We hope to be able to get a contract person in to help with food inspections, pools, etc. One item that was discussed with the Mayor.

4: UPDATE – BOH PHYSICIAN

Bob Landry: The Mayor has appointed a Respiratory Therapist named James Griffin. His name has been submitted to the Personnel Committee and approved. He will appear at the next monthly meeting scheduled for Tuesday, May 14th.

5: REQUEST FOR A HEARING – 14 DAY NOTICE

Bob Landry: The Board of Health received a request for a hearing by email. The issue had been settled at court, but tenant still wants to be heard by the Board of Health. Legal Department stated email is appropriate for request for hearing.

OLD BUSINESS:

1: MINUTES – MEETING – MARCH, 2013
Motion made to accept and place on file. Motion carried 2-0

2: SANITARIAN'S REPORTS – MARCH, 2013
Discussed several ongoing issues on monthly report:
Opened DQ for the season; Delana's Bakery on Main Street several issues had to close for a few days, but is now up and running for Easter. Had Deirdre go with the Fire Department and DEP to Evergreen Solar, a complaint had been received that they did not clean anything before they moved out, chemicals, etc. Motion made to accept report, place on file. Motion carried 2-0

3: ASSISTANT SANITARIAN'S REPORTS – MARCH, 2013
Bob Landry: Combined with Bob Landry's report. Motion carried 2-0

4: PUBLIC HEALTH NURSE REPORTS – MARCH, 2013
Discussed monthly report. Several ongoing issues, etc. Motion made to accept report and place on file. Motion carried 2-0

MOTION MADE TO ADJOURN: 7:30 pm

Respectfully submitted,

John Rowe, Chairman

MARLBOROUGH BOARD OF HEALTH MEETING MAY 21, 2013

RECEIVED
CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4:22

There was a meeting of the Marlborough Board of Health on Tuesday, May 21, 2013, City Hall, 1st floor, Committee Room.

Attending were: John Rowe, Chairman; James Griffin, Member; Robert Landry, Sanitarian; Nancy Cleary, Public Health Nurse; Patricia Gallier, Public Health Nurse; Linda Goodwin, Secretary.

NEW BUSINESS:

1: WELCOME NEW MEMBER JAMES GRIFFIN

James Griffin was introduced and welcomed to the Board.

2: DISCUSS NEW CONTRACT WORKER

Bob Landry: Gary Courtmache a previous contract worker, now an agent in Billerica is coming back on a part time basis to help with food inspections, pools, etc. until the end of our fiscal year June 30th. Marlborough is growing in leaps & bounds, we have over 280 food establishments that should be inspected twice a year, we are lucky if we get to them once year. Or when a food complaint is filed we are obligated to inspect. He hopes to start as soon as possible, he has a few things to do for Personnel Department, and then he will be on board.

3: BEACH REGULATIONS & TESTINGS

Bob Landry: There are seven locations around the lake that will be tested by the Recreation Department, and monitored by the Board of Health. We are working to get an intern in our office and will work with the intern from Conservation Department and together they will do the lake/beach testing, and bring to lab in Worcester. After speaking with the Mayor at budget review, the City has agreed (for this year) to put money in the Recreation Department to cover the testing of beach/lake. The City will be taking on a major renovation of the City beach area, water should tested and safe for all citizens and guests.

4: TOBACCO REGULATIONS

Bob Landry: Metrowest Moves consisting of 8-9 communities together working on healthy initiatives including Tobacco Control Regulations. Several years ago Marlborough and other communities were under the Worcester Collation, but with funding cuts etc. tobacco control was cut, so we were cut from the Worcester Collation. MetroWest Moves was awarded a Grant from the CDC with three new components to be crafted into the State's Tobacco Regulations. Including smoke-free housing (3-family or more); small business up to 200 employees, etc. The goal being to establish reasonable health regulations. As things are drafted we will need to read, review and discuss.

OLD BUSINESS:

1: MINUTES – MEETING – APRIL, 2013
Motion made to accept and place on file. Motion carried 2-0

2: SANITARIAN'S REPORTS – APRIL, 2013
Discussed several ongoing issues on monthly report:
Motion made to accept and place on file. Motion carried 2-0

3: ASSISTANT SANITARIAN'S REPORTS – APRIL, 2013
(no report this month)

4: PUBLIC HEALTH NURSE REPORTS – APRIL, 2013
Discussed several issues in report. Motion made to accept and place on file. Motion carried 2-0

MOTION MADE TO ADJOURN: 7:30 pm

Respectfully submitted,

John Rowe, Chairman

MARLBOROUGH BOARD OF HEALTH MEETING JUNE 11, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2013 JAN 15 P 4: 22

There was a meeting of the Marlborough Board of Health on Tuesday, June 11, 2013, City Hall, 1st floor, Committee Room.

Attending were: John Rowe, Chairman; John Tselikis, Member; James Griffin, Member; Robert Landry, Sanitarian; Linda Goodwin, Secretary.

NEW BUSINESS:

1: COLIE O'DONNEL @ SPRINGHILL FARM – 506 BROADMEADOW ROAD PERMIT TO RAISE OR KEEP ANIMALS (sheep, goats, hens)

Colie O'Donnel present with request for permit. We would like to bring this back to a working farm. It has been about 44 years since we actually have had animals on this farm. We have 12 acres of land, and our nearest neighbor is about ½ mile away. We border Gulbankian's Mobile Park and Callahan State Park. We are in the process of having the soil tested for chemicals. We want to be an organic farm, sell meat, organic vegetables, etc. We will have a community garden about a ½ acre which will be carved into plots to garden.

Bob Landry: You should talk to Priscilla Ryder. She runs the community garden for the City on Stow Road, the old turkey farm. The City has 42 plots which it leases to residents that are interested in gardening.

Colie O'Donnel: We also need a farm stand. Once we have the answer about the soil we will know what type of farm, we are definitely going forward no matter how the tests come out. Hopefully we will be able to have our organic farm, people have more interest in organic food these days.

Before the Board votes on this permit we would like to walk the property along with Priscilla Ryder the Conservation Officer for the City. We are concerned about abutters, etc. Once we visualize the property we can then vote on the application. We will reschedule until our next monthly meeting scheduled for July 16th. Motion made to address at next month meeting. Motion carried 3-0

OLD BUSINESS:

1: MINUTES – MEETING – MAY, 2013
Motion made to accept and place on file. Motion carried 3-0

2: SANITARIAN'S REPORTS – MAY, 2013
Discussed several ongoing issues on monthly report:
Motion made to accept and place on file. Motion carried 3-0

3: ASSISTANT SANITARIAN'S REPORTS – MAY, 2013
Motion made to approve and place on file. Motion carried 3-0

4: PUBLIC HEALTH NURSE REPORTS – APRIL, 2013
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 7:30 pm

Respectfully submitted,

John Rowe, Chairman

MARLBOROUGH BOARD OF HEALTH MEETING AUGUST 13, 2013

RECEIVED
CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4: 22

There was a meeting of the Marlborough Board of Health on Tuesday, August 13, 2013, City Hall, 1st floor, Committee Room.

Attending were: John Rowe, Chairman; John Tselikis, Member; James Griffin, Member; Robert Landry, Sanitarian; Linda Goodwin, Secretary.

NEW BUSINESS:

1: ONGOING PROJECTS

Bob Landry: a couple of big projects going on right now:
TJX ribbon cutting was today @ 4:00 pm. They have a few more items coming in before the kitchen will be completely ready to open. The ribbon cutting today will be catered.

Springhill Farm: We visited the farm, land, house, etc. We see no issue with allowing the animals to be brought to the farm. A great place will be a great asset to the City.

2: SUMMER INTERNSHIP

Bob Landry: Our summer intern is finishing up she is doing a great job, great help. Her big project was working on our septic filing system, identifying and scanning into computer. Eventually anyone wishing to obtain any information on their septic systems will find it on our city website. Working on the beach samples with the intern from Conservation Department, driving them up to Worcester to be tested. We are hoping to work out something where we can get her back holiday season when she is home for the holidays. Beach has had great results this year, we did not have to close. Great season.

OLD BUSINESS:

1: MINUTES – MEETING – JUNE, 2013
Motion made to accept and place on file. Motion carried 3-0

2: SANITARIAN'S REPORTS – JUNE/JULY, 2013
Discussed several ongoing issues on monthly report:
Motion made to accept and place on file. Motion carried 3-0

3: ASSISTANT SANITARIAN'S REPORTS – JUNE/JULY, 2013
Motion made to approve and place on file. Motion carried 3-0

4: PUBLIC HEALTH NURSE REPORTS – JUNE/JULY, 2013
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 7:30 pm

Respectfully submitted,

John Rowe, Chairman

MARLBOROUGH BOARD OF HEALTH MEETING SEPTEMBER 10, 2013

RECEIVED
CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4: 22

There was a meeting of the Marlborough Board of Health on Tuesday, September 10, 2013, City Hall, 1st floor, Committee Room.

Attending were: John Rowe, Chairman; John Tselikis, Member; James Griffin, Member; Robert Landry, Sanitarian; Nancy Cleary, Public Health Nurse; Patricia Gallier, Public Health Nurse; Linda Goodwin, Secretary.

NEW BUSINESS:

1: UPCOMING YEAR FOR MRC

Bob Landry: 4 major events scheduled for this year for MRC: city wide flu clinic @ Middle School; health fair at Senior Center; Convoy of Hope; Heritage Festival. Trainings as they come up, etc. We are actively recruiting all the time; working with Hudson & Southborough. We have a great group of volunteers.

2: UPCOMING PROJECTS

Bob Landry: TJX just opened one building, with a second slated to open October; Boston Scientific 4th building; Quest Diagnostics; housing project off Glen Street with 1,300 bedroom community; Monnick Supply moving and Savers will be renovating and moving in; it is going to be a very active year.

3: SUMMARY OF BEACH SAMPLES

Bob Landry: 10-week period all beaches complied except for Paquin Drive. Good year overall, a couple of spikes but none requiring closing the beaches. Interns did a great job, big help. Hope to have them back next summer. Hope to have our intern back at xmas break, spoke with Mayor's office waiting for response. She did a great job, huge project that needs to be continued.

OLD BUSINESS:

1: MINUTES – MEETING – AUGUST, 2013
Motion made to accept and place on file. Motion carried 3-0

2: SANITARIAN'S REPORT – AUGUST, 2013
Discussed several ongoing issues on monthly report:
Motion made to accept and place on file. Motion carried 3-0

3: ASSISTANT SANITARIAN'S REPORT – AUGUST, 2013
Motion made to approve and place on file. Motion carried 3-0

4: PUBLIC HEALTH NURSE REPORT – AUGUST, 2013
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 7:30 pm

Respectfully submitted,

John Rowe, Chairman

MARLBOROUGH BOARD OF HEALTH MEETING DECEMBER 10, 2013

RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH
2014 JAN 15 P 4:23

There was a meeting of the Marlborough Board of Health on Tuesday, December 10, 2013, City Hall, 1st floor, Committee Room.

Attending were: John Rowe, Chairman; John Curran, M.D., Member; James Griffin, Member; Robert Landry, Sanitarian; Nancy Cleary, Public Health Nurse; Patricia Gallier, Public Health Nurse; Linda Goodwin, Secretary.

NEW BUSINESS:

1: WELCOMED NEW BOARD MEMBER JOHN CURRAN, M.D.

2: DISCUSS CONVEY OF HOPE – OCTOBER, 2013

Bob Landry: This was a great success. There was up to 15 churches involved this is an international program, outreach program to reach as many people in need as possible. It will be held again next year. BOH & MRC will participate.

3: DISCUSS SUBSTANCE ABUSE AND PREVENTION

Bob Landry: Went to a presentation at the High School called "Anonymous People". Outreach efforts to teens, elderly, great presentation, and change image of way people think. Would like to discuss further at another meeting in the future.

4: PAT GALLIER – P/T BOH NURSE RETIREMENT

Pat Gallier presented her letter of resignation. Board discussed at length job description, etc. Pat has been working on a job description to help list the duties she performs as the part time nurse. This is a very important position that needs to be maintained. Board thanked her for her great service. Motion made to accept resignation. Motion carried 3-0

OLD BUSINESS:

1: MINUTES – MEETING – DECEMBER, 2013
Motion made to accept and place on file. Motion carried 3-0

2: SANITARIAN'S REPORT – SEPT., OCT. & NOV., 2013
Discussed several ongoing issues on monthly report:
Motion made to accept and place on file. Motion carried 3-0

3: ASSISTANT SANITARIAN'S REPORT – SEPT., OCT., & NOV., 2013
Motion made to approve and place on file. Motion carried 3-0

4: PUBLIC HEALTH NURSE REPORT – SEPT. OCT. & NOV., 2013
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 7:30 pm

Respectfully submitted,

John Rowe, Chairman

Marlborough Council on Aging Board
Minutes: Tuesday, November 26, 2013 Meeting
Walker Building, Rm. 104, Marlborough, MA

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CITY OF MARLBOROUGH
2014 JAN 13 P 4 21

Attendance: Leslie Biggar; Sheila Brecken; Jennifer Claro; Richard Collins; Jim Conley; Rita Connors; Brenda Costa; Marie Elwood; Tony Evangelous; Jeanne McGeough, Barbara McGuire

I. Call to order 8:46 a.m.

II. Approval of October Meeting Minutes

III. Director's Update
Jennifer reported that "My Senior Center" is a new CRM system that is being looked at. The new newsletter from the new publisher begins in January 2014. Articles and columns need to be submitted to the publisher the month before. There is a YMCA meeting to discuss the Marlborough area needs. There is a new entity in the Northborough area on Senior wellness. A grant was submitted with Public Health (Hudson and Northborough) regarding health and walkable communities.

Sheila's interview on the Thanksgiving dinner was well done and well received.

Jeanne has been doing a wonderful job working on the Transportation program, which began in October. Scheduled trips are on Monday and Tuesdays. Over 60 people registered. Calls are picked up 4 x's a day and returned within 24 hours, including weekends. Employment options does the scheduled trips (Grocery stores, restaurants, department stores, etc.). Good feedback has been received on how to improvement the system.

IV. Board Updates

A. BayPath Elder Services – The agency is growing and serving Marlborough seniors. Currently there is not wait list for services to Marlborough seniors. An ASAP trade agency award went to BayPath Elder Services.

V. Old Business

A. Coats System - 660 members

B. COA Party committee – Valentine's Day was discussed for suggestions on time of day. Possibly at 4:00 pm due to day light savings time and driving after dark.

VI. New Business

A. Officer Evangelous reported that the Police department is working with Dr. Coughlin's program (seminar) to prepare seniors to stop driving. They are looking for COA support from Hudson also. The program needs a large venue. Will look for a date in April to put on program. Current scam involves identity thefts regarding health insurance over the phones.

Friends board meeting is the 9th Thursday at 2:30 pm in craft meeting.

Meeting adjourned at 9:30 a.m..

Respectfully submitted,
Brenda Costa, Secretary

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2014 JAN 15 P 3:50

CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
May 3, 2012 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 P.M.

Members Present: - Edward Clancy – Chairman, John Skarin, David Williams, Lawrence Roy, Allan White, and Dennis Demers (Priscilla Ryder-Conservation Officer)

Absent: Michele Higgins,

Public Hearings
Request for Determination of Applicability
28 Taylor Rd. - Andrew Sexton
Proposes to construct a new patio with associated landscaping improvements to the rear of his property including adding a 22 ft. retention wall to be 75 ft. from a stream.

Mr. Andrew Sexton was present and showed the Commission drawing for a patio he'd like to install in his back yard below the existing deck. They are also proposing to add some granite steps to provide safer access to the back yard. The Commission discussed the need for erosion controls and that all excess material be removed from the site. As this work will be outside the 20' buffer zone the **Commission voted 6-0 unanimously to issue a Negative Determination of Applicability with standard conditions.**

Request for Determination of Applicability
721 Stow Rd. - Joseph Kenosian
Proposes to install an in-ground pool within the wetland buffer zone.

Mr. Kenosian was present and was represented by Glen O'Dillon from the Landscape Co. Mr. O'Dillon explained that they propose to install an in ground pool and shed. The pool is outside the buffer zone but the corner of the deck is 98' away from the wetland so falls within the 100' zone. They will install a 5' fence around the pool area. McCarthy pools will be installing he pool. Mr. Demers indicated that this area has ledge. If ledge is encountered Mr. O'Dillon indicated the project would likely be shelved. Ms. Ryder noted that the wetland identified as B1 shown on the plans does continue into a pipe under the driveway, this change was noted on the plans. **The commission voted unanimously 6-0 to issue a negative determination with standard conditions including the preconstruction meeting with the Conservation officer before work begins.**

Notice of Intent
79 Chase Rd. – DEP 212-1094- Mario Quintal
Proposes to construct a retaining wall within the buffer zone of a bordering vegetated wetland.

Mr. Quintal represented the owners of this property and explained that over the years the soil in the back yard has been sinking along the edge of the stream. They would like to install a stone wall above the 20' buffer zone line of the wetland to create a level, less wet back yard. The area between the wall and the stream will be naturalized with vegetation. He indicated that a small

section of the wall does encroach on the 20' buffer zone by 5 feet, but the remaining area is outside the 20' buffer zone. Mr. Roy expressed concern about the encroachment, but after some discussion it was determined that since the area along the stream will be converted from lawn to a more vegetated natural buffer this was a great improvement for water quality and the area will remain more natural and "wild". There was discussion about drainage from above this property. The Commission had no more questions and agreed this project would be an improvement. They **closed the hearing** and asked Ms. Ryder to draft an order of conditions for the following meeting May 17th.

Notice of Intent
420 Maple St. - Charlotte Maynard of Marlborough Maple Real Estate Trust c/o Creative Development
Proposes to add an addition to the existing building and make changes to the subsequent parking lot within the buffer zone and riverfront area.

Sam Finnley the owner was present along with Andy Trueman of Samiotes Consultants Inc. Mr. Trueman explained that they are adding to the aging well center and the Golds Gym building. The addition will be for the ageing well center which will include some additional green space and more room for this facility. The parking lot will be reconfigured; the added green space will reduce runoff. Under the stormwater regulations this site is considered a redevelopment site and as such they have worked to improve the current drainage situation. There is currently no closed drainage system on the site; it all drains off into the adjacent roadway. The Commission asked about the junk in the parking lot, over the years this has been an issue with trash blowing out of the dumpster and old junk cars being stored in the back. Mr. Finnley explained that the trailers will be removed and the dumpsters will be relocated. There was discussion about adding a new fence to prevent trash from blowing into the wetland. The Commission discussed the construction sequencing as well. Mr. Trueman explained that they will need to do some excavation for the frost wall and for the sewer line connection. All existing pavement not removed for the building or green space would remain in place and get restriped for more orderly parking. Snow storage according to Mr. Finnley will be along the edge of the pavement. Mr. Finnley said they did do a 21E site assessment and discovered a small amount of oil in the ground near Maple St. which has since been cleaned up. He asked if the dead pines along the edge of the wetlands slope could be removed before they fall on cars in the parking lot. The Commission agreed this was a prudent safety measure. After some discussion about the cleanup of the site and construction sequencing, the Commission agreed this project could be done without impacting the wetland, and **closed the hearing**. The commission asked Ms. Ryder to draft a set of conditions for review at the next meeting.

Notice of Intent
19 Royal Crest Dr. - Dan Milinazzo of AIMCO Marlborough, LLC
Proposes to perform foundation drainage and waterproofing upgrades and repairs to Building 21/22, Royal Crest Estates Apartment Complex, within a wetland buffer zone area.

Kenneth M. Lania of Cornerstone Land Consultants, Inc. firm was present representing the owners AIMCO. He explained that this apartment complex has inspected all the buildings and determined that many of them are suffering from leaky foundations. To correct this problem

Cornerstone Land Consultants, Inc. has been hired to evaluate the problem. They have identified buildings 21-22 which fall within the 100' buffer zone as needing to be water proofed. They would like to excavate and expose the footing, install new foundation drains and stone, add downspouts and connections and seal the foundations. The commission looked at the plans and asked why the drain pipe was ending in the lawn and not at the edge of the fence. Mr. Lania said he could redesign that and move it closer to the fence, he was trying to stay outside the 20' buffer but would be happy to move it, he will provide a revised plan showing this change. The Commission had no further questions but asked that the new plan be provided for the next meeting and asked Ms. Ryder to draft a set of conditions for review at the May 17th meeting as well.

Request for Determination of Applicability
19 Royal Crest Dr. - Dan Milinazzo, AIMCO Marlboro, LLC
Proposes foundation drainage and waterproofing upgrades and repairs at Building 5/6, Royal Crest Estates Apartment Complex. Work is within the wetland buffer zone.

Mr. Kenneth Lania of Cornerstone Land Consultants, Inc. explained that for buildings 5/6 they are looking at various designs to help drain the water away from these buildings. They may be able to tie into the existing catch basin in the roadway. But in the event they can't they want the option of connect into the existing drain in the back of the building with is within the 100' buffer zone. The Commission agreed this would be acceptable and would have no impact to the wetland. The Commission voted unanimously 6-0 to issue a negative determination with the standard conditions for this project.

Request for Determination of Applicability
19 Royal Crest Dr. - Dan Milinazzo, AIMCO Marlboro, LLC
Proposes foundation drainage and waterproofing upgrades and repairs at Building 25/26, Royal Crest Estates Apartment Complex. Work is within the wetland buffer zone.

Mr. Kenneth Lania of Cornerstone Land Consultants, Inc. explained that again for building 25/26 they hope to connect into the catchbasin in the roadway, however if that is not possible, they will need to discharge the roof drain and foundation drains to a defined lined stone channel as shown on the proposed plan down the back slope to discharge into the wetland. The stone swale will help dissipate any velocity the stormwater would have and at the bottom would discharge across a level spreader to help mitigate velocity before getting to the wetland. The Commission determined this design was acceptable and voted unanimously 6-0 to issue a negative determination with standard conditions and conditions relative to the level spreader location and erosion controls needed.

Certificate of Compliances:

- DEP 212-203 and 212-321 82 Littlefield Ln. These are old order which were previously released but not recorded. The owner has asked to have these released to clear the title and because it is registered land. The Commission voted unanimously 6-0 to issue Full Certificates for both these orders relative to this lot.

Extension Permit

- DEP 212-858 Extension Permit for Ft. Meadow weed treatment which expires 6/11/2014 so no extension is needed at this time. An error in the date was discovered.

Draft Order of Conditions:

- DEP 212-1091 The Marlborough Dept. of Public Works proposes to create a trench to improve drainage behind the homes at 63 and 73 Schofield Dr. 58 Brazeau Cir. and 64 and 74 Bergeron Rd. The Commission reviewed a copy of the Draft Order of Conditions. They discussed the excavator to be used must be a rubber tired vehicle, and that the swale should be stabilized with some type of jute matting or fabric along with the wetland mix. The Commission voted unanimously 6-0 to issue the Order of Conditions as drafted and amended.

Discussions:

- Lake Williams trail and clearing proposal – the DPW is proposing to construct a trail and do some tree clearing around Lake Williams. Ms. Ryder showed the commission a preliminary proposal. The Commission gave some comments and asked Ms. Ryder to have the DPW formalize the plans and get a permit for this work.
- Notice of pipeline maintenance activities
- Excellerex, Inc. 150-170 Locke Dr. – They will be filing for a WSPD Permit with the City Council for storage of chemicals.
- DEP 212-1060 Post Road Auto hazardous waste cleanup – Work is progressing on this cleanup. They will be mixing and stabilizing this week.
- Ft. Meadow Survey will occur on May 21st @ 1:00 PM (weather permitting)
- Aiden Stedman will receive the highest Scout award, the Hornaday Award. He is receiving the 98th award issued in this county since 1921. He had to accomplish 5 Eagle Projects to receive this highest honor.

Correspondence/Other Business:

The following correspondence was reviewed and the Commission voted to accept and place on file:

- Letter from National Grid, dated April 13, 2012 RE: Late winter/spring mechanical control
- Letter from Hatch Mott MacDonald, dated April 13, 2012 RE: Notification of Pipeline Maintenance Activities Tennessee Gas Pipeline Company

Meetings: Next Conservation Commission Meetings May 17th and June 7th, 2012 (Thursdays)

Adjournment – There being no further business, the meeting was adjourned at 9:20 PM.

Respectfully Submitted,
Priscilla Ryder
Priscilla Ryder
Conservation Officer

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2014 JAN 15 P 3:50

CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
September 20, 2012 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM

Members Present: Edward Clancy-Chairman, John Skarin, Dennis Demers, and Allan White (Priscilla Ryder-Conservation Officer)

Absent: Michele Higgins; Lawrence Roy and Dave Williams

Discussion: Royce Rd. reconstruction – DEP 212-1099 – De-watering Plan – Arruda\ Trenchless Construction

Joshua Alicandro of Lorusso Corp. was present. As required by the Order, the contractor came to explain how the work was to be done. The pipe contractor could not attend so he represented them. He explained that the work to line the pipe will be done when there are four consecutive days of clear weather. They will pump the stream around the pipe – they already installed a bypass when reconstructing the road so that is already in place. Once it is pumped dry they will pressure wash. Then they will use a spin caster to cast the cement in place. It will need to dry for at least 4 hours, after which they can let water through. They will have 4-6 pumps available to keep up with the stream flow.

Public Hearings:
Request for Determination of Applicability
95 Beach St. - Jason Benway

Proposes to install an above ground pool and deck near wetlands.

Jason Benway, the owner, was present and explained that he wanted to install an above ground pool and deck. The closest part of the pool is 48' away from the pond. The area is already leveled so there is a small amount of digging just to remove the sod and level the area, but work is minimal. He will also add some landscaping and stairs. He'd like to install it in May. **The Commission determined that the work was minimal and voted unanimously 4-0 to issue a Negative Determination with standard conditions regarding notification.**

Request for Determination of Applicability
61 Amory Rd. - Elli Hansen

Proposes to demolish an existing addition and rebuild a new addition and add a deck next to Ft. Meadow.

Jeff Marazo the contractor and Vue Alexander the Architect was present representing Elli Hansen. They would like to tear down the existing addition and replace it and also add a new deck. They will use the existing foundation for the addition and cantilever the room out 2 feet. The deck will be supported with sona tubes and will be the only excavation required. The work is about 35 ft. from the edge of the lake. The Commission determined that the work will have minor disturbance to the land and no impact to the wetland. **Therefore, they voted unanimously 4-0 to issue a negative determination with no conditions.**

Notice of Intent (Continued to Oct. 4th)
637 Sudbury St. - Richard Nardo

Proposes to construct a private road intended to provide access to three (3) single family dwellings (one of which is existing) and with associated utilities within the 100 ft. buffer to a Bordering Vegetated Wetland.
At the applicant's request, this item was continued to the Oct. 4th meeting.

Request for Determination of Applicability (Continuation)
3 Red Spring Rd. - The Inter-Colonial Club

Proposes to add sand to the lawn area near Ft. Meadow Reservoir.
At the applicants request this item was continued to the Oct. 4th meeting.

Certificates of Compliance:

- DEP 212-755 5 Melody Lane (Full) – to correct an erroneously recording
  This property is being sold and it appears that this order of conditions was erroneously recorded on this property. **The Commission voted unanimously 4-0 to issue a full certificate of compliance noting same.**

Correspondence/Other Business:

Discussion:

- 61 Maurice Dr. – Clearing in buffer zone- Violation.
  Hugo Prevetti the owner of this property was present and explained that he had been getting puddleing in his back yard and he decided to extend the drain pipe in this back yard to alleviate this puddling. After meeting with Ms. Ryder he understands that he should have filed for a permit first and he is willing to do that. He asked the Commission if he could use the green plastic pipe he has used, but Mr. Demers said he'd need to check with Engineering, he's pretty sure they will want him to use a concrete pipe. The Commission made an agreement with Mr. Prevetti that he would file for a permit and be back at the Oct. 18th meeting.

- RDA - Parameter Rd. resurfacing project . Tim Collins was present and explained that before they seek a contractor for this project they realized that there is a problem with some of the drainage off the roadway that needs some more work to be included. On

the west side of the roadway the existing swale will need to be adjusted and stabilized with riprap so that the surface water can easily drain OFF the road rather than across the road. All excess material will be removed from the site. Mr. Collins showed a map with this location. The Commission discussed the process and then agreed this was a minor change to the plans. They voted unanimously 4-0 to issue a letter accepting the revised plan as a minor change.

- 24 Hager St. DEP 212-1087- Mr. Santos the renter, has approached Ms. Ryder to get permission to repave the existing driveway. The Commission had no issues with this repaving which they considered maintenance, so he may proceed. However, they required Ms. Ryder to have him remove all the stones in the lower area near the barn. Ms. Ryder will convey.
- 28 Thomson Dr. DEP 212- 1101- Ms. Ryder has been asked by the owner if the condition requiring an As-Built Plan can be removed from this Order. No other dept. requires a survey and it will add an additional $2000 to the cost of the already expensive wall. The Commission discussed this and determined that as long as the contractor takes some measurements after construction and provides a hand drawn plan showing what was built, that would be sufficient. Ms. Ryder will convey.
- Crystal Brook Condos.—Ms. Ryder explained that the condo association has discovered that the drain pipe into the wetland is ½ full and that there is standing water at the end of the pipe. They would like permission to clean the pipe and create a positive drainage beyond the pipe to prevent mosquito breeding ground. The Commission asked that they file for a permit and see if Central Mass Mosquito Control could help. Ms. Ryder will convey.

Meetings: Next Conservation Commission meeting – October 4th and 18th, 2012 (Thursdays)

Adjournment: There being no further business the meeting was adjourned at 8:20 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer

MINUTES OF THE LICENSE BOARD MEETING HELD JANUARY 23, 2013

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2013 JAN 25 P 1: 23

There was a regular monthly meeting of the License Board held on Wednesday, January 23, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP–CATERING TASTY HOME COOKING – **2** - PERMITS

Ed Walsh present with **2** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 2-0

2: LAZY DOG – RIB OFF – FEBRUARY 3, 2013 – 3:00 PM – 8:30 PM

Matt LeDuc present with application for one day permit to hold a Rib-off in front lot of his restaurant for charity on Super Bowl Sunday. Same kind of event I held last year at the Westender. This will be outside until the game starts, we will clean up and be inside by the time kick off happens.

Board questioned insurance coverage for event. Make sure your current policy covers outside your establishment as well. Motion made to approve 2-0

3: ABCC NOTICE – COZY CAFÉ

ABCC suspension notice regarding previous violation at Cozy Cafe. Motion made to accept notice and hold license during suspension period. License holder believes ABCC will issue a fine in lieu of suspension. Board will confirm or suspension will be upheld. Motion carried 2-0

4: NOTICE – COZY CAFÉ – WRIT OF ATTACHMENT

Motion made to accept and place on file. Motion carried 2-0

OLD BUSINESS:

1: MINUTES PREVIOUS MEETING – DECEMBER, 2012
Motion made to accept and place on file. Motion carried 2-0

MOTION MADE TO ADJOURN: 8:00 PM

Respectfully submitted,

Walter Bonin, Chairman

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2014 JAN 15 P 4: 23

MINUTES OF THE LICENSE BOARD MEETING HELD FEBRUARY 27, 2013

There was a regular monthly meeting of the License Board held on Wednesday, February 27, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; James Riessle, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP–CATERING BY TASTY HOME COOKING – **5** - PERMITS

Ed Walsh present with **5** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 2-0

2: ROTARY CLUB – 1 - ONE DAY PERMIT BEER/WINE – FUND RAISER – MARCH 22ND – GREEK CHURCH FUNCTION HALL

Emily Greenwood present with **1** Beer/Wine one day permit application. This is our annual fundraiser for the Rotary Club. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

3: IC PARENTS ASSOCIATION – 1 - ONE DAY BEER/WINE SPAGHETTI DINNER – MARCH 23RD

Heather Short presented **1** Beer/Wine one day permit application for IC Parents Association. Motion made to approve by Gregory Mitrakas. Motion carried 3-0

4: ST. MATHIAS CHURCH – **2** – ONE DAY PERMITS (1 BEER/WINE; 1 ALL)

Steven Levy presented **2** one day applications for St. Mathias Church. Motion made to approve by Gregory Mitrakas. Motion carried 3-0

5: AMERICAN CANCER SOCIETY – **2** – FUNDRAISERS @ HILLSIDE SCHOOL

Aaron Todd present for American Cancer Society. We are having two events at Hillside School for a bike race to be held for the American Cancer Society. One event to be held before the race, and one event after the race. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

6: CLASS II – G L AUTO – GEORGE LARASSA – 109 MECHANIC STREET – 2 CARS ON DISPLAY

George Larassa present with application. I would like to apply for a Class II License at my location of 109 Mechanic Street, last year I did have a Class II with a partner and we were called S-N-L Auto Sales. I no longer have a partner, and would like to have license in my company name. Landlord has no issue with this license, and is aware that I sell used cars, as well as repair them. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

7: MARLBOROUGH COUNTRY CLUB – ALTERATION OF DESCRIPTION OF PREMISES

Attorney Sem Aykanian present with the Marlborough Country Club. It has recently come to the attention of the Marlborough Country Club that during recent renovations and changes to our club, that we failed to include snack shack & the beer cart which goes around the grounds of the golf course in our description of premises. Late this summer we were advised to apply for one day permits for non-profit portion of our club and charities we service. We would now like to alter our description of premises to include these on our current, and in good standing, ALL alcohol liquor license. We ask that you look favorably on this request.

Board discussed issues such as signs: no crossing with alcoholic beverages; trash receptacles, etc.

Attorney Aykanian agreed the Club is and will be very good about policing, guidelines, etc.

Motion made to approve alteration of description of premises to include snack shack and 1 beer cart, comply with ABCC golf course guidelines. Motion made by James Riessle seconded by Gregory Mitrakas. Motion carried 3-0

OLD BUSINESS:

1: MINUTES PREVIOUS MEETING – JANUARY, 2013
Motion made to accept and place on file. Motion carried 3-0

2: STONEY BROOK MARKET – S.BOLTON STREET

Board member noticed an ad that the Stoney Brook Market was for sale, and wanted to address the issue of the restriction on the liquor license of 25% of floor plan for storage of wine/beer. This restriction would be for any future owners as well. Board requested a letter be sent to owner and remind him that any potential new owners would be under same restriction 25% of former Vin Bin location not both store fronts.
Motion made by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

MOTION MADE TO ADJOURN: 8:40 PM

Respectfully submitted,

Walter Bonin, Chairman

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4:23

MINUTES OF THE LICENSE BOARD MEETING HELD MARCH 27, 2013

There was a regular monthly meeting of the License Board held on Wednesday, March 27, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; James Riessle, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP–CATERING BY TASTY HOME COOKING – **6** - PERMITS

Ed Walsh present with **6** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 2-0

2: NEW BEER/WINE RESTAURANT LICENSE – LA TAPATIA TAQUERIA – 460 LINCOLN STREET – JOSE CRUZ BARAJAS, MANAGER

Jose Cruz Barajas present with application and will be named manager. We had previously applied for this Beer/Wine Restaurant license. ABCC wanted further information. We have now incorporated and would like to re-submit our application. We are a small family style restaurant and plan no changes at this time. Motion made to approve and re-submit to ABCC in Boston. Motion carried 3-0

3: COZY CAFÉ – CLOSED- WRIT 0F ATTACHMENT

Motion made to accept Writ. Await communication from license holder. Motion carried 3-0

4: ATLANTIC LICENSE BROKERS – NO BOUNDARIES – CONTRACT

Motion made to accept contract, and keep on file. Motion carried 3-0

OLD BUSINESS:

1: MINUTES PREVIOUS MEETING – FEBRUARY, 2013
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 8:30 PM

Respectfully submitted,

Walter Bonin, Chairman

MINUTES OF THE LICENSE BOARD MEETING HELD APRIL 24, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4:23

There was a regular monthly meeting of the License Board held on Wednesday, April 24, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; James Riessle, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP–CATERING BY TASTY HOME COOKING – **6** – ALL ALCOHOL ONE DAY PERMITS

Ed Walsh present with **6** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

2: MOOSE LODGE – OUTDOOR PAVILLION- 8 – ONE DAY ALL ALCOHOL PERMITS

8 ALL alcohol one day permits for the outdoor pavilion at Moose Lodge. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

3: ITALIAN AMERICAN CLUB – OUTDOOR PAVLLION – 2 – ONE DAY ALL ALCOHOL PERMITS

2 ALL alcohol one day permits for the outdoor pavilion at Italian American Club. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

4: WESTENDER – OUTDOOR PATIO – FUNDRAISER – 1 – ONE DAY ALL ALCOHOL PERMIT

Manager present with application for one day permit on outdoor patio of Westender Restaurant. This will be a fundraiser with an acoustic band, raffles, local businesses coming together in light of recent tragedy. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

5: STRANGE BREW – 1- ONE DAY BEER/WINE PERMIT

Brian Powers present with application for a one day permit. We are having the same event that we had last year to coincide with National Brewing Day. We will block off the side of the building have a brewing expo set up. I will be at the entrance checking i.d., etc. We hope to make this an annual event. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

6: HORSESHOE PUB – 1 – ONE DAY BBER/WINE PERMIT

This is the same Mall event we had last Mother's Day at Solomon Pond Mall. The area is squared off. The mall will set up the area, some couches, tables with horsd'oeuvres and some samples of our beers and wine. A shopping and pampering event. Tickets are sold by the Mall. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

7: PREGNOLATTO'S PIZZERIA & CAFÉ – 2 BOSTON POST ROAD – EAST COMMON VICTUALLAR & FULL ENTERTAINMENT LICENSE

We are applying for a common victualler license and a full entertainment. This will be a small pizzeria & cafe', with tv, radios, a soloist, 2 piece band, etc. just some dinner music on Saturday's only from 7:00 pm – 10:00 pm.

Board questioned the entertainment: This is for dinner, background music, not a dance club? This is just for background music, we do not have and are not applying for a alcohol license at this time.

Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

OLD BUSINESS:

1: MINUTES PREVIOUS MEETING – MARCH, 2013
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 8:30 PM

Respectfully submitted,

Walter Bonin

Walter Bonin, Chairman

MINUTES OF THE LICENSE BOARD MEETING HELD MAY 22, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2013 JAN 15 P 4: 23

There was a regular monthly meeting of the License Board held on Wednesday, May 22, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; James Riessle, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP – CATERING BY TASTY HOME COOKING – **9** – ALL ALCOHOL ONE DAY PERMITS

Ed Walsh present with **9** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

2: MOOSE LODGE – OUTDOOR PAVILLION- **11** – ONE DAY ALL ALCOHOL PERMITS

Nancy Royane present with **11** ALL alcohol one day permits for the outdoor pavilion at Moose Lodge. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

3: ITALIAN AMERICAN CLUB – OUTDOOR PAVLLION –**5** – ONE DAY ALL ALCOHOL PERMITS

Jim Manning present with **5** ALL alcohol one day permits for the outdoor pavilion at Italian American Club. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

4: I.C. SCHOOL – PARENTS ASSOCIATION – 1- ONE DAY BEER/WINE PERMIT

Heather Short present for I.C. School Parents Association. This is an end of year function. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

5: TASTE OF MARLBOROUGH & BREWFEST – 1- ONE DAY BEER/WINE PERMIT

Bob Kane presented application for a one day beer/wine permit for the annual Taste of Marlborough & Brewfest on Main Street. We will only have 2 tents for beer/wine this year. I will get the insurance rider before I pick up the license. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

6: VIN BIN – 91 MAIN STREET – ONE DAY PERMIT – IN CONCERT WITH SUMMER CONCERT SERIES – WITH MEDC & DOWNTOWN VILLAGE ASSOCIATION

Rick Lombardi present with two applications. This will be our second year doing this with MEDC, and the Downtown Village Association. A great summer event, trying to promote the downtown area. City Council last year allowed this permitted use for Main Street. It would be great if other businesses followed suit. Getting people walking up and down Main Street like the old times would be great.

Board questioned where tables will be set up?

Rick Lombardi: I will have 3 or 4 tables set up in front of the store, I have barriers in place and will place the tables inside the barrier. Mary Scott and I will be managers with proceeds going to the Downtown Village Association. We had the same thing last year, but this year we will be better prepared. It runs the beginning of the Summer Concerts until the October Fest. Thursday, Friday and Saturday nights.

Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

7: 2 AUTOMATIC AMUSEMENT PERMITS – LAUDROMAT – 90 BROAD STREET

Michael Powers present as owner of Laundromat. Years ago I had automatic amusements on the property, but I took them out. I need something to amuse the kids, keep them busy while they wait.

Board questioned the type of machines? Just video games.

Board: No gambling of any kind.

Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

8: TAILGATERS – 735 BOSTON POST ROAD – EAST
ADDITION OF OUTDOOR PATIO – WITH 18 TABLES UP TO 72 SEATS

Dean Weeks present as owner of restaurant. Presented patio plans to Board. I have spoken with the Building Department, they are in process of reviewing the plans. I'm just trying to stay alive down there. Everyone is building patios, etc. people seem to like to be outside.

Richard Hayes – 748 Boston Post Road East

I live across the street from this restaurant and will be the most impacted by this patio. Entertainment, lighting, etc. Very concerned, the patio seems so close to Route 20.

Dean Weeks: There will be no entertainment; we may have tv's in the window if something special is on that customers may be interested in, sports events, news events, etc. But NO sound. We are not close to route 20, set back at least 60 ft from the road. Patio to consist of crushed stone along the side of the building, this looks nice, and easy to maintain. One side has a 8 ft. rock wall; 3 foot arborvitae bushes (planted close together) make a great natural sound barrier; low lights on tables or umbrella's so people do not feel on display or in a spot light (Route 20 is a state highway and they have certain rules for lighting, etc.); entrance will be through the restaurant only. Honestly, I think you will have more traffic noise, than noise from this patio.

Board agrees with shrubs, but they should be <u>mature 6 ft.</u> arborvitae, planted close together, and must be maintained.

Board questioned the hours of operation you are thinking about?

Dean Weeks: I was thinking daily 11:00 am – 12:00 midnight; maybe 1:00 a.m. on Thursday, Friday, Saturday evenings during the nice weather.

Carol Westerman – 46 Pioneer Trail
Mark Cowart – 46 Pioneer Trail

These neighbors were concerned with the plans for the patio, noise, etc. Overall very pleased with presentation, and they believe will not be an issue. They are now looking forward to patio being open.

Board also stated: We can tweak at any time: noise/light, etc. but cannot control the traffic noise.

Motion made to approve with the following conditions 6 ft. arborvitae bushes; existing 8 ft. stone wall remains; no entertainment (tv in window no sound); entry through restaurant; low table lighting (laws for state highway). Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

OLD BUSINESS:

1: MINUTES PREVIOUS MEETING – APRIL, 2013
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 8:30 PM

Respectfully submitted,

Walter Bonin

Walter Bonin, Chairman

MINUTES OF THE LICENSE BOARD MEETING HELD JUNE 26, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4: 23

There was a regular monthly meeting of the License Board held on Wednesday, June 26, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; James Riessle, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP – CATERING BY TASTY HOME COOKING – **6** – ALL ALCOHOL ONE DAY PERMITS

Ed Walsh present with **6** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

2: MOOSE LODGE – OUTDOOR PAVILLION- **8** – ONE DAY ALL ALCOHOL PERMITS

Nancy Royane present with **8** ALL alcohol one day permits for the outdoor pavilion at Moose Lodge. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

3: ITALIAN AMERICAN CLUB – OUTDOOR PAVLLION – **4** – ONE DAY ALL ALCOHOL PERMITS

John Manning present with **4** ALL alcohol one day permits for the outdoor pavilion at Italian American Club. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

4: COMMON VICTUALLER/ENTERTAINMENT – 581 BOSTON POST – EAST NEW OWNERS – THE MILL BAKERY & RESTAURANT, INC. (Former Pao Brazil Bakery & Restaurant)

Board reviewed application. New owners requesting a common victualler license and an entertainment license for TV's/radio's in the dining room. The same type of licenses held by the previous owners. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

5: TED EVANGELOUS d/b/a EVANGELOUS MOTOR SALES–128 BOLTON ST. NAME CHANGE: TED EVANGELOUS d/b/a METROWEST AUTO SALES (same address)

Ted Evangelous present with application and request to change name at this time. My brother also has a Class II license and it's confusing with 2 similar names. Easier for me to change my name, I have a small operation, with no storage of cars at any time; he has a whole lot of cars. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0.

6: BOLTON STREET TAVERN – DISCUSS PROCESS OF ADDITION OF OPEN DECK

Gregory Mitrakas stated a conflict of interest and did not discuss this issue.

John Stournaras present to discuss process. I am applying for a special permit through the City Council at this time, because the restaurant is not in a business zone. Because of our location on the water it is an ideal location for an open deck I believe. We are building a deck with about 40 seats with access thru the restaurant.

Board discussed the process and will have them make application at the next monthly meeting. Motion made to approve by James Riessle, seconded by Walter Bonin. Motion carried 2-0

7: COMMUNICATION FROM: ARARA'S BRAZILLIAN GRILL – 67 MECHANIC ST.

Board received communication from above mentioned restaurant requesting information for the process of applying for a liquor license, BYOB, etc. Motion made to return communication with the process, and Marlborough does not allow BYOB for any reason.

8: SOUCY'S AUTO BODY & SALES – 9 MILL STREET – 6 CARS

Donald Soucy requested to move his Class II to adjourning property he owns @ 9 Mill Street. His mother has sold the property @ 5 Mill Street he lives at the adjourning property and will now have his business there also.

Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0.

OLD BUSINESS:

1: MINUTES PREVIOUS MEETING – MAY, 2013
Motion made to accept and place on file. Motion carried 3-0

2: ABCC – NOTICE OF HEARING – OLIVE GARDEN
Motion made to accept and place on file.

3: ABCC – NOTICE CANCELLATION OF HEARING – PICCADILLY PUB
Motion made to accept and place on file.

MOTION MADE TO ADJOURN: 8:45 PM

Respectfully submitted,

Walter Bonin, Chairman

MINUTES OF THE LICENSE BOARD MEETING HELD JULY 31, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4: 23

There was a regular monthly meeting of the License Board held on Wednesday, July 31, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; James Riessle, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP – CATERING BY TASTY HOME COOKING – **5** – ALL ALCOHOL ONE DAY PERMITS

Ed Walsh present with **5** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

2: MOOSE LODGE – OUTDOOR PAVILLION- **10** – ONE DAY ALL ALCOHOL PERMITS

Nancy Royane present with **10** ALL alcohol one day permits for the outdoor pavilion at Moose Lodge. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

3: ITALIAN AMERICAN CLUB – OUTDOOR PAVLLION – **3** – ONE DAY ALL ALCOHOL PERMITS

John Manning present with **3** ALL alcohol one day permits for the outdoor pavilion at Italian American Club. Applications need to state John Manning Acting Manager. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

4: ITALIAN AMERICAN CLUB – CHANGE OF MANAGER – JOHN MANNING

Application presented to change manager from Richard MacIver to John Manning. Motion made to approve by James Riessle and seconded by Gregory Mitrakas. Motion carried 3-0

5: JIM PELTIKIS – GREEK CHURCH – ONE DAY PERMIT – LABOR DAY FESTIVAL

Jim Peltikis present for church. This is the same as last year, I will provide insurance rider once the permit is approved. Insurance company requires the permit first. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

6: TAILGATERS CHANGE OF MANAGER:
FROM: KIMBERLY GEHLERT TO: CHRISTOPHER ROTTI

Deen Weaks present. I am also in the process of changing the Corporation, officers, directors, stockholders, etc. as well as a d/b/a change to Fanz Sports Grille. I would like to amend my application to include the d/b/a change if possible. It doesn't required being advertised; just get a new business certificate which I will get once I make the corporate change, etc. I will be getting a new sign, etc. Motion made to approve change of manager and d/b/a change by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

7: BOLTON STREET TAVERN – ADDITION OF OPEN DECK

Gregory Mitrakas stated a conflict of interest and did not discuss or vote on this issue.

John Stournaras present. My special permit was approved unanimously and now I can go forward with the deck permit. The open deck will be on the side of the building 30 x 18 with approximately 40 seats. Because of its location on the water it is an ideal location for an open deck.

Motion made to approve by James Riessle, seconded by Walter Bonin. Motion carried 2-0

8: NOTICE MPD: VIOLATION- SELL TO A MINOR MARLBOROUGH MARKET – 1 EAST MAIN STREET – (2ND OFFENSE – 1: MPD 2: ABCC)

Board reviewed MPD police report. Have license holder at next month meeting to discuss. License to sell could be suspended and/or revoked. Motion made by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

9: LTR POSSIBLE GAMING VIOLATION – EZ MART – MAPLE STREET

Board received a letter regarding above possible violation. Sent notice to MPD who investigated and found to be true. Board discussed matter and will send notice to appear at next month meeting to discuss 4 unlicensed automatic amusement machines. Motion made by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

OLD BUSINESS:

1: MINUTES PREVIOUS MEETING – JUNE, 2013
Motion made to accept and place on file. Motion carried 3-0

2: ABCC – NOTICE OF HEARING – OLIVE GARDEN
Motion made to accept and place on file.

MOTION MADE TO ADJOURN: 8:45 PM

Respectfully submitted,

Walter Bonin

Walter Bonin, Chairman

MINUTES OF THE LICENSE BOARD MEETING HELD AUGUST 28, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MASCOUCH
2014 JAN 15 P 4:23

There was a regular monthly meeting of the License Board held on Wednesday, August 28, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; James Riessle, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP – CATERING BY TASTY HOME COOKING – **5** – ALL ALCOHOL ONE DAY PERMITS

Ed Walsh present with **5** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

2: MOOSE LODGE – OUTDOOR PAVILLION- **10** – ONE DAY ALL ALCOHOL PERMITS

Nancy Royane present with **10** ALL alcohol one day permits for the outdoor pavilion at Moose Lodge. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

3: ITALIAN AMERICAN CLUB – OUTDOOR PAVLLION – **6** – ONE DAY ALL ALCOHOL PERMITS

John Manning present with **6** ALL alcohol one day permits for the outdoor pavilion at Italian American Club. Applications need to state John Manning Acting Manager until he is formally approved by ABCC. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

4: I.C. SCHOOL – PARENTS ASSOCIATION – **1** – ONE DAY BEER/WINE PERMIT

Heather Short present for the I.C. School Parents Association. Motion made to approve **1** Beer/Wine one day permit for the Parents Association Welcome Back to School Function. Motion made by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

5: ASSABET AFTER DARK – **1** – ONE DAY BEER/WINE PERMIT

This is for a One Day course at Assabet After Dark for October 16th. Similar course we have every year. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

6: TAILGATERS: CHANGE OF CORPORATE NAME, D/B/A, OFFICERS & STOCKHOLDERS

Motion made to table until applicant can appear.

7: LINGUINE'S: CHANGE OF MANAGER:
FROM: ANASTASIO KESSARIS TO: JOHN WASWILL

Motion made to table until applicant can appear.

8: ASSURED AUTO LEASING – 5 MILL STREET NORTH – 6 CARS

Ben Donnaramma: I have recently purchased 5 Mill Street, there was a previous used car license at this property which has moved next door. I am interested in the same amount of cars; I believe there were 6 cars allowed. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

9: MPD: VIOLATION- SELL TO A MINOR MARLBOROUGH MARKET – 1 EAST MAIN STREET – (2ND OFFENSE – 1: MPD 2: ABCC)

Detective Turieo: Read from Police report and also presented a picture of 17 year old female student who purchased 4 Loco for $2.50. Employee did ask for I.D. she did not have an I.D., she did not have a purse, phone, etc., he said "are you sure you are old enough", you don't want to get me in trouble? Then he sold her the product; I entered the store, and advised the employee that he had just sold to a minor. Then he proceeded to tell me how he had done the same thing last week, and was advised by ABCC. He did not show the student the other violation, but he told me and showed me the violation, that is how I got a copy to present to Board. We then called the owner to make him aware of the offense, but I was unable to reach him. I did ask the house sitter to have him call me to discuss after he returns from vacation. Then I notified the Board.

Attorney Matt Iler present for Attorney Joe Devlin who was unavailable for tonight's meeting.

Attorney Iler: First we would like to thank the Marlboro Police Department for the service they provide. My client is very sorry this has happened, and will not be repeated. Does the Marlborough Police Department have published guidelines for stings?

Det. Turieo: Not on file. Protocol: NO purse; NO I.D.; only cash; report; then document.

Attorney Iler: No written guidelines? Aware of ABCC guidelines?

Det. Turieo: Adopted?? Aware – not adopted – follow ABCC guidelines as close as possible.

Attorney Iler: did you ask about the prior offense?

Det. Turieo: No, he told me about and showed me the citation, student was not aware; he did not show her the citation.

Attorney Iler: As stated my client is very upset & very sorry this violation occurred. But this should be considered the first and only offense my client has not received any notices or hearings from ABCC. If not substantiated, this should not be considered a second violation. My client addressed this issue 8-9 days later as soon as he returned home from vacation. He called Det. Turieo, who came over, went over what occurred, tried to advise so it doesn't happen again. He contacted Jim Staples, a retired ABCC investigator who does these types of trainings, from JBS Professional Services. Mr. Patel, as well as 3 other employees were trained and certified. Certificates have been provided, as well as a letter from Janet DeCarlo-Staples who actually did the training and certifications.

Walter Bonin: First and foremost we support the MPD and have no issues with the way the conduct Stings.

Detective Turieo wanted it noted that he had received several complaints about this location selling to minors; we also checked two other locations the same night with NO problems. Also ABCC guidelines file a criminal complaint against anyone selling alcohol to minors, I choose not to do this, to do this, you could ruin someone's future for one mistake. If it is a continual problem, I of course would file a criminal complaint. I have never had to, this way usually works out. I was surprised to see a problem just 9 days prior.

Board discussed issues: Very concerned a false i.d. is one thing, but to not ask is deplorable. It is a simple act to 'ask'. Minors test new places all the time, they can be very determined.

Board questioned if employee still working?

Mr. Patel: Yes, but with limited hours, and no alcohol sales. We have all since been trained.

Board concerned still employed, two violations in a very short time.

Mr. Patel: I will fire if Board wants me to. He was very remorseful this happened. I wanted to give him another chance.

Board: Not our place to tell you to employ. This is your business to run.

Attorney Iler: I wanted to state that we have no intent on appealing your decision. It is not my intent to make it worse for Mr. Patel.

Board is very concerned with this series of events. We did not have to give you this license, there was some opposition. Please do not make us regret that we did.

Board discussed and decided on 10 days with 5 days served and 5 days held in abeyance.

Mr. Patel: I would like to request the full two weeks to show my employees how serious this is.

Board agreed this is very serious. We will require the 5 days, but if you want to self- impose punishment you may close the additional 5 days. We will continue to hold 5 days in abeyance.

Motion made to suspend for 10 days. Five days suspension to be served starting Monday September 9th – 13th; and five days held in abeyance for l year. Motion made by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

10: BERTUCCI'S MASS FILING – CHANGE OF OFFICERS, DIRECTORS, STOCKHOLDERS

Board received notice regarding a mass filing for Bertucci's. Change was advertised, Board approved and forwarded to ABCC. Motion carried 3-0

11: JBS PROFESSIONAL SERVICES – NEW TIPS EQUIVALENT COURSE

James Staple a former investigator for the ABCC now retired has started this company several years ago. This company was hired to perform training for Marlborough Market, and would like to be recognized by the Board and has provided there training package for review. A letter stating the course was completed and passed by: Garvit Patel; Dinesh Patel; Jhonny Patel. Board reviewed material and will keep on file. Motion carried 3-0

OLD BUSINESS:

1 : MINUTES PREVIOUS MEETING – JULY, 2013
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 9:15 PM

Respectfully submitted,

Walter Bonin, Chairman

MINUTES OF THE LICENSE BOARD MEETING HELD OCTOBER 2, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4:23

There was a regular monthly meeting of the License Board held on Wednesday, October 2, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; James Riessle, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP – CATERING BY TASTY HOME COOKING — **6** ALL ALCOHOL ONE DAY PERMITS

License Board received a complaint from MPD about activities occurring at events held at Jacobs Hall @ Masonic ran by Ed Walsh: Tasty Home Cooking. Especially concerns regarding two individual that were renting the hall on Friday & Saturday evenings which seemed to always have problems involving the MPD. The MPD made the License Board aware of these problems. These issues were discussed with Ed Walsh with the MPD. He now has new protocols in place to prevent these types of problems. First and foremost he cancelled all bookings by these two individuals for September; and will no longer rent the hall to either of these individuals. Adults are allowed to purchase one drink at bar; lights are up on the dance floor so DJ can always watch floor and know what is going on; someone (myself) will be at the door make sure no one leaves with a drink or leaves and comes back in. My brother will help me by being the doorman checking all id's and if someone leaves the premises not allowed back in. I will be his backup. When people are renting the hall they will be made aware of these changes & I will make them part of the rental agreement. I apologize this has happened, I have not been well this year, but that is no excuse. I will be at all events at this location, I really need this license, I cannot afford to lose.

The Board emphasized how important these protocols will be, any issues or problems call the MPD, have individuals removed. Make everyone aware of rules ahead of time, no money is refunded and you will get compliance.

Ed Walsh thanked the Board for their patience and understanding.

Ed Walsh presented **6** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

2: MOOSE LODGE – OUTDOOR PAVILLION- **5** – ONE DAY ALL ALCOHOL PERMITS

Nancy Royane present with **5** ALL alcohol one day permits for the outdoor pavilion at Moose Lodge. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

3: ITALIAN AMERICAN CLUB – OUTDOOR PAVLLION – **2** – ONE DAY ALL ALCOHOL PERMITS

John Manning present with **2** ALL alcohol one day permits for the outdoor pavilion at Italian American Club. Applications need to state John Manning Acting Manager until he is formally approved by ABCC. Motion made to approve by Gregory Mitrakas, seconded by James Riessle. Motion carried 3-0

4: BRIAN POWERS – STRANGE BREW – 416 BOSTON POST ROAD – EAST

Brian Powers: I wanted to discuss my plans with the License Board. I am still interested in going forward with Brew Pub or Farm Brewery License. I have run into a problem with the new Building Inspector regarding a Zoning interpretation; I had gotten approval from the previous Building Inspector, but the new inspector does not agree with his interpretation. With the Brew Pub license I would have a small tasting area; I would have to serve food items maybe light snacks, etc. I have no problem with that but, I would really prefer going with the Farm Brewery License. I am not interested in becoming a restaurant or a pub. I am in the process of talking with other brewers to see how they proceeded, etc. I really just want to distribute my brew, with a small tasting area. We are a small operation, right now we do about 15 barrels, I would like to eventually get to about 450/gals. A Farm Brewery License is a new license and the direction I would like to head, but not sure I will be able to. Both of these licenses will not affect the City's quota. I will keep the Board advised of what I am doing, and hope I have the Board's support.

OLD BUSINESS:

1 : MINUTES PREVIOUS MEETING – AUGUST, 2013
Motion made to accept and place on file. Motion carried 3-0

2: ABCC NOTICES – (3) – VIOLATIONS & HEARING DATES
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 9:00 PM

Respectfully submitted,

Walter Bonin

Walter Bonin, Chairman

MINUTES OF THE LICENSE BOARD MEETING HELD OCTOBER 23, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4:23

There was a regular monthly meeting of the License Board held on Wednesday, October 23, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; James Riessle, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP – CATERING BY TASTY HOME COOKING — 7 - ALL ALCOHOL ONE DAY PERMITS

Ed Walsh presented **7** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

2: BUFFET WAY FOR SPECIAL OLYMPICS EVENT – 1 ONE DAY- FOREST ST

Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

OLD BUSINESS:

1 : MINUTES PREVIOUS MEETING – SEPTEMBER, 2013
Motion made to accept and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 8:00 PM

Respectfully submitted,

Walter Bonin

Walter Bonin, Chairman

MINUTES OF THE LICENSE BOARD MEETING HELD NOVEMBER 20, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4:23

There was a regular monthly meeting of the License Board held on Wednesday, November 20, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; James Riessle, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP – CATERING BY TASTY HOME COOKING — **4** - ALL ALCOHOL ONE DAY PERMITS

Ed Walsh presented **4** ALL alcohol one day permit applications. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

2: CHANGE OF MANAGER – BERTUCCI'S – SOLOMON POND MALL

District Manager present with new manager Matthew Bourgault replacing Manager David Hodgdon. Board reviewed application. Brief discussion on application. Motion made to approve by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

3: TRANSFER OF LICENSE:
FROM: STONYBROOK MARKET – 27 S.BOLTON STREET
TO: MARCO BREW, THARWAT HENEN, MANAGER – SAME LOCATION

Attorney Amad present with new owner Tharwat Henen. He gave a brief history of Mr. Henen, experiences, etc. He will comply with the restrictions the Board had previously placed on the license premises now in effect. He too wants to have a Convenience Store, not a Package Store. Beer/Wine sales will be secondary to convenience items. It is a great location, a great business; he is very excited to start this new venture.

Board agreed it is a nice location, but it has really taken on the appearance of a package store more than a convenience store. Wine racks on walls, shelves of wine, signs in window, wine tastings, etc. The Yogurt stand seems like a good idea, but with the signs may actually deter families. We have had problems with trying to get this location in

compliance with the floor space, beer/wine sales getting bigger and bigger, less convenience items. Board also has concerns about the name Marco Brewing ? gives the appearance of a package store, not a family run convenience store.

Salim Kousoff previous owner: I disagree with not complying. I have worked hard to make this a nice looking store; families do come in for the yogurt stand. We do not have wine tastings all the time, distributors like us to have them every so often so they can get there product noticed. We did a wine tasting event with the Chamber of Commerce. They set it up, and we monitored. We moved immediately when Board voiced their concerns. We want families to come in, especially with the new yogurt stand. It has been a great addition. Marco's Brewing, but there will be no brewing of any sort.

Attorney Amad: They are not totally vested with the name, but no brewing in any way. This will be the corporate name may change the d/b/a name.

Motion made to approve transfer keeping the license restriction of 25% of floor space dedicated to beer/wine sales. Keeping the appearance of a Convenience Store rather than a package store. New floor plan was submitted by transferor and will be adhered to. Motion made to approve by James Riessle, seconded by Walter Bonin. Gregory Mitrakas, voted against. Motion carried 2-1

4: LTR: ATTY. JAMES AGORITSAS – RE: COZY CAFÉ

Letter notifying Board that license has been awarded back to original license holder and notice should be coming shortly from the Sheriff's Department. Motion made to accept communication and place on file. Motion carried 3-0

5: CLASS II – MAPLE/SOUTH

Gill present with an application for a Class II license on the corner of Maple & South Street. Right now it's an empty parking lot. Property owner has split the use with Electrical Store. I will be placing a small trailer for an office, similar to Evangelous Motors also on Maple Street.
Board discussed application. This is in the correct zone. Board referred applicant to Building Inspector to see what would be required to open a new business at this location. Signs, green space, etc. Board also asked

applicant where car repairs will be done? I own a gas station on Main Street. I no longer sell gas, do auto repairs there at this time. Board reminded applicant that NO cars for sale at any time at that location only at Maple/South Street location. Applicant agreed, and was aware of.

Motion made to approve once all approvals from the Building Department obtained, and a $25,000 Class II Bond to the City is presented. Motion made by James Riessle, seconded by Gregory Mitrakas. Motion carried 3-0

OLD BUSINESS:

1 : MINUTES PREVIOUS MEETING – OCTOBER, 2013
Motion made to accept and place on file. Motion carried 3-0

2: LTR – RE: ONE DAY PERMIT @ SPECIAL OLYMPICS
Board received an anonymous letter regarding an event at Special Olympics. Motion made to accept and place on file. Motion carried 3-0

3: ABCC DECISIONS (4) HEARINGS
Motion made to accept communications and place on file. Motion carried 3-0

4: FORMER 401 – NEW CONTRACT WITH ATLANTIC LICENSE BROKERS
Motion made to accept communication and place on file. Motion carried 3-0

MOTION MADE TO ADJOURN: 8:00 PM

Respectfully submitted,

Walter Bonin

Walter Bonin, Chairman

MINUTES OF THE LICENSE BOARD MEETING HELD DECEMBER 18, 2013

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 15 P 4: 23

There was a regular monthly meeting of the License Board held on Wednesday, December 18, 2013 at 7:30 pm, City Hall, 3rd floor, Memorial Hall.

Attending were: Walter Bonin, Chairman; Gregory Mitrakas, Member; Linda Goodwin, Secretary.

Meeting was called to order by Walter Bonin, Chairman at 7:30 pm.

NEW BUSINESS:

1: MASONIC CORP – CATERING BY TASTY HOME COOKING — **3** - ALL ALCOHOL ONE DAY PERMITS

Ed Walsh presented **3** ALL alcohol one day permit applications. Motion made to approve by Gregory Mitrakas seconded by Walter Bonin. Motion carried 2-0

2: MARLBOROUGH ROTARY CLUB – 1 – ONE DAY ALL ALCOHOL PERMIT

Application made for 1 one day ALL alcohol permit @ Greek Orthodox Church function hall. Rotary Club fundraiser. Motion made to approve by Gregory Mitrakas, seconded by Walter Bonin. Motion carried 2-0

3: HOLIDAY INN – 7 – AUTOMATIC AMUSEMENT DEVICES

Jahayra Santiago manager present with 7 applications for automatic amusement devices in the hotel small game room. Need something to keep the kids busy that are visiting for hockey tournaments, etc. Board reviewed applications. Motion made to approve by Gregory Mitrakas, seconded by Walter Bonin. Motion carried 2-0

4: CHANGE OF MANAGER – HALFWAY CAFÉ

Present at next meeting scheduled for January 22, 2014.

5: CHANGE OF MANAGER – OLIVE GARDEN

Present at next meeting scheduled for January 22, 2014.

6: NOTICE: MA STATE KENO APPLICATION – ONE ENERGY @ 175 LAKESIDE AVE.

Motion made to accept application and place on file. Motion carried 2-0

7: APPROVAL 2014 LIQUOR LICENSES

Motion made to approve all applications. Motion carried 2-0

OLD BUSINESS:

1 : MINUTES PREVIOUS MEETING – NOVEMBER, 2013
Motion made to accept and place on file. Motion carried 2-0

MOTION MADE TO ADJOURN: 8:00 PM

Respectfully submitted,

Walter Bonin

Walter Bonin, Chairman

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2014 JAN 14 A 9:43

MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

Call to Order **December 16, 2013**

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, Edward Coveney, Shawn McCarthy & Brian DuPont.
Also in attendance were Board Secretary Melissa Irish and City Engineer Thomas Cullen.

1. Meeting Minutes:

A. Regular Meeting November 4, 2013

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

B. Regular Meeting December 2, 2013

On a motion made by Ms. Hughes, seconded by Mr. Fay it was voted to approve the minutes of the December 2, 2013 meeting. Motion carried.

2. Chair's Business:

A. Country Club Estates Modification to agreement

On a motion made by Mr. Fay, seconded by Mr. Coveney it was voted to table the correspondence. Motion carried.

B. Country Club Estates Performance Bond, acceptance of new, release of original

On a motion made by Mr. Fay, seconded by Mr. Coveney it was voted to table the correspondence. Motion carried.

C. Board Opinion regarding the Open Space and Recreation Plan.

On a motion made by Mr. McCarthy, seconded by Mr. Coveney it was voted to send a favorable recommendation to the Conservation Officer Ms. Priscilla Ryder in support of the Open Space and Recreation Plan. Motion carried.

3. Approval Not Required:

A. Marlborough Northborough Realty Trust

Ms. Hughes read the City Engineers findings into the record.
On a motion made by Mr. Fay seconded by Mr. Hodge the findings were accepted and placed on file.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was duly voted to accept and endorse the plan of land believed to be Approval Not Required Consolidation of existing lots 6, 7 & 8 and create New Lots A & B. Owned by Marlborough/Northborough Land Realty Trust.
Prepared by: Vanasse Hangen Brustlin, Inc. 101 Walnut St, Watertown, MA 02471.
Date of Submission November 7, 2013, Revision December 9, 2014.
A courtesy copy of the plan is also to be submitted to the Zoning Board of Appeals. Motion carried.

4. Public Hearings: None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

City Engineer Cullen read the following communication into the record, pertaining to the proposed Hudson Street Open Space Subdivision:

Tom and Sandra,

I have attached for your use the section of the City Code relating to Open Space Developments for the proposed subdivision before the Marlborough Planning Board.

There are a couple of questions / concerns that need to be addressed before advancing this proposed subdivision:

1) Chapter 650-28 (D) – "Site ownership. The development may consist of a single parcel of land or contiguous parcels, provided they are in common ownership or are submitted with the binding consent of different owners."
   a) One of the critical components based on my review of the submitted plan is the sewer taking parcel that will ultimately cross the proposed roadways under your "conventional" plan and the "open space" plan. Can I suggest that the proponent provide a copy of the deed for the land and the sewer taking, provide a legal brief as to why what they are proposing does not negatively impact their proposal, and have our Legal Department weigh in on the legality of their argument. My concern is the parcel that is created across the roadway and the fact that it divides the proposed roadway/frontage roadway. I believe a legal opinion is in order.
2) Chapter 650-28(E) – "Dimensional and intensity requirements"
   a) The answer to the first concern above may address the concern that the "total area of the site proposed for open space development shall be at least five acres."
   b) The applicant shall prepare a conventional plan to show the number of lots which could be created by right under conventional zoning. In order to ensure that the lots are buildable, the plan shall not include building lots that have more than 50% coverage of wetlands or by slopes of 25% or greater:
      i) Please provide in a summary table for each conventional subdivision lot the percentage of wetlands on said buildable lot noting the above;
      ii) Please provide in a summary table for each conventional subdivision lot that contains slopes of 25% or greater noting the zoning requirements for the conventional building lot (i.e. as currently depicted Lot 5 seems to indicate a section of the lot that has a slope greater than 25%, and by interpretation of this section of the Code it would be considered not buildable but if this section of the lot were pulled out of the lot and a parcel created, then the remaining lot (assuming it meets zoning would be considered buildable) . If you have any questions as to what is needed for this comment, please contact me.

3) There is a section of the proposed roadway for the conventional subdivision that crosses a wetland. Will Conservation allow such a crossing noting that this will impact the number of buildable lots with proper frontage. Please check and resolve.
4) Please provide the necessary annotation on the conventional subdivision concept plan concerning the building box including the frontage (mean direction line) for each of the lots with emphasis on Lots 4, 5, 6, and 9.
5) For the conventional subdivision plan, the Planning Board per the Rules and Regulations may also in proper cases require the plan to show a park or parks suitably located for playground or recreation purposes. Please check and resolve if this provision of the Planning Board's rules will be required because it possibly impacts the number of buildable lots.

Assuming all the above issues get resolved, you will then need the Planning Board to provide you with direction if the Open Space Special Permit should be advanced noting that the final plan will need to show much more detail consistent with the Rules and Regulations.

If you have any questions and/or concerns concerning the above, please contact me.

Mr. Cullen stated that he has heard from Attorney Austin and is waiting for further communication from her.

B. Mauro Farms; Nolan Way, Spenser Circle Request to Plow

Ms. Hughes read the request into the record.
On a motion made by Ms. Hughes, seconded by Mr. Coveney the correspondence was accepted and placed on file. Motion carried.

C. Mauro Farms; Capital Group Request for lot release; Lots 26, 27, 28, 29

Ms. Hughes read the request into the record.
On a motion made by Ms. Hughes seconded by Mr. Coveney it was voted to refer the request to the Engineering Department as well as the Code Enforcement Officer.

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

7. Definitive Subdivision Submission: None

8. Signs:

A. Brasileirnho Market

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

B. First Church Congregational

Mr. George Pellerin was in attendance with Pastor Weberton, of the Herob Presbyterian Reforemed Church. Mr. Pellerin supplied to the Board the requested "Banner" application however that application has not been presented to the Building Department for either approval or denial. The application will be filed with the Building Department in the morning. Mr. Pellerin was informed that once the temporary sign permit was acted on by the Building Commissioner the Board would then be able to act on the variance request before them.

This item is to be carried over to the next regularly scheduled meeting January 13, 2014..

9. Unfinished Business:

A. Berlin Farms

The letter as referred by Tim Collins was sent out Certified Mail Return Receipt Requested and it was returned to the Engineering Department as unclaimed.
Mr. Freeman was in touch with Mr. Fay via email on December 13, 2013. Ms. Hughes read the brief communication into the record. The Engineering Department is still waiting for the As Built drawings to be received.
It was noted to keep this item for reporting purposes on the next Planning Board agenda as well.

B. Dental Clinic zoning change clarification to proposed definition

Councilor Clancy presented the clarification to the definition of the term "Dental Clinic" as proposed in the proposed zoning change. The clarification is as follows:

DENTAL CLINC- Buildings or portions thereof used by licensed dentists to provide dental care services on less than a 24 hours basis , and at which are employed not more than three (3) dentists, on site with necessary support staff.

The clarification adds the term "on Site" into the proposed definition.

On a motion made by Mr. Fay, seconded by Ms. Hughes it was voted to forward a favorable recommendation to the City Council including the amendment as proposed by Councilor Clancy. Motion carried.

10. Informal Discussions:

A late communication from Solicitor Rider was read into record by Ms. Hughes pertaining to the requested clarification from the Board regarding the "technical" submittal date of plans ie: ANR, Preliminary & Definitive subdivisions. It is the legal opinion that plans are presented at a regular meeting or by registered mail only. The date of the regularly scheduled meeting, or receipt of the registered mail is the date that triggers the time line for decisions.
On a motion made by Mr. Fay, seconded by Mr. Hodge the communication was accepted and placed on file. Motion carried.

11. Correspondence:

A. **MASS Development, final approval revenue bond**
B. Directions 2013 Fall Issue

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

12. Public Notices of other Cities and Towns:

A. **Town of Hudson, Zoning Board of Appeals, Notice of Decision 11-14-13**
B. City of Marlborough, City Council Public Hearing 1-13-14

On a motion made by Ms. Hughes, seconded by Mr. Coveney it was voted to accept the notices

A-B and place on file. Motion carried.

Adjournment: On a motion made by Mr. DuPont, seconded by Mr. Hodge it was voted to adjourn at 7:47pm.

Respectfully submitted,

Colleen Hughes

/mai