

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 JAN -7 P 2:53

1. Minutes, City Council Meeting, December 21, 2015.
2. **From President Clancy - City Council Regular Meeting Schedule and City Council Committee Assignments for Legislative Year 2016.**
3. Communication from the Mayor re: Free Cash transfer request in the amount of \$1,825,000.00 which moves funds from Undesignated to various accounts as noted on the attached spreadsheet to invest in a variety of City facilities and vehicles.
4. Communication from the Mayor re: FY16 Capital Bond request for various amounts in which the bond package represents high priority projects and addresses a number of infrastructure needs throughout the City of Marlborough.
5. Communication from the Mayor re: DPW transfer request in the amount of \$419,376.81 which moves funds from Insurance Proceeds Over 20k to Capital Outlay accounts as noted on the attached spreadsheet to address damages that occurred to DPW property and Public Library.
6. Communication from the Mayor re: Marlborough Fire Department transfer request in the amount of \$123,827.16 which moves funds from Reserve for Salary accounts to Deputy Chief and Sick Leave Buy Back to fund sick leave buy back and vacation pay for upcoming retirements.
7. Communication from the Mayor re: MMEA transfer request to fund the recently ratified collective bargaining contract for fiscal years 2016-2018.
8. Communication from the Mayor re: Middle School Turf Field Bond Update.
9. Communication from the Mayor re: Parks and Recreation Revolving Fund.
10. Communication from the Mayor re: Massachusetts Council on Aging Grants in the amounts of \$600.00 each to be used for "Keep Moving Walking Club" and "Live your Life Well 1 Day Event".
11. Communication from the Mayor re: Order of Taking by Eminent Domain of Permanent Sewer Easements for the Sudbury Street Sewer Project.
12. Minutes, Council on Aging, July 14 & October 13, 2015.
13. Minutes, Public Library Board of Trustees, November 3 & December 1, 2015.
14. Minutes, Planning Board, November 16, 2015.
15. Minutes, Conservation Commission, November 19 & December 3, 2015.
16. Minutes, Zoning Board of Appeals, October 27, 2015.
17. Communication from MetLife on behalf of John Dearden re: other property damage.
18. CLAIMS:
 - a. Kevin Boyle, 106 Preston St., other property damage.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Personnel Committee

19. **Order No. 15-1006379 - The Appointment of Judith Kane to the Council on Aging to fill the vacancy left by the recent passing of longtime board member, Rita Connors, for a term of four years. Recommendation of the Personnel Committee is to approve the appointment of Judith Kane to the Council on Aging for a term of four years. Motion made by Councilor Delano, seconded by the Chair, to approve the appointment. The motion carried 3-0.**

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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

DECEMBER 21, 2015

Regular meeting of the City Council held on Monday, DECEMBER 21, 2015 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Oram, Robey, Delano, Tunnera, Irish and Landers. Absent: Ossing & Elder. Meeting adjourned at 8:16 PM.

ORDERED: That the Minutes of the City Council meeting DECEMBER 7, 2015, **FILE;** adopted.

ORDERED: That the City Clerk transfer request in the amount of \$3,500.00 which moves funds to and from accounts within the Clerk's Office to cover the costs associated with the Annual Street Listing/Census and purchasing Dog Tags for 2016, **APPROVED;** adopted.

| CITY OF MARLBOROUGH | | | | | | | | | |
|---------------------------|------------|----------|--------|----------------------|-------------------|---------------------------------------|--------|------------------------|------------|
| BUDGET TRANSFERS - | | | | | | | | | |
| DEPT: City Clerk/Election | | | | | FISCAL YEAR: 2016 | | | | |
| FROM ACCOUNT: | | | | | TO ACCOUNT: | | | | |
| Available | Amount | Org Code | Object | Account Description: | Amount | Org Code | Object | Account Description: | Available |
| Balance | | | | | | | | | Balance |
| \$7,932.68 | \$2,000.00 | 11610004 | 53150 | Advertising | \$500.00 | 11610004 | 53930 | Printing | \$175.99 |
| | | | | | Reason: | cover cost of 2016 Dog Licensing tags | | | |
| \$7,638.13 | \$1,500.00 | 11620003 | 51460 | Constables | \$1,000.00 | 11610005 | 54220 | Office Supply/Expenses | \$452.19 |
| | | | | | Reason: | Purchase Vnal Paper | | | |
| | | | | | \$2,000.00 | 11620005 | 54220 | Office Supply/Expenses | \$1,050.55 |
| | | | | | Reason: | Street List Stuffing Project | | | |

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Council on Aging Grant from the Brigham Family Trust in the amount of \$4,200.00 which will be utilized for a Nutrition Literacy Program; adopted.

ORDERED: That the Communication from the Public Employee Retirement Administration Commission (PERAC) re: Appropriation for Fiscal Year 2017, **FILE**; adopted.

ORDERED: That the Communication from Central MA Mosquito Control Project re: Notice of Public Meeting on Proposed Budget for Fiscal Year 2017, **FILE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JANUARY 25, 2016** as **DATE FOR PUBLIC HEARING** On the Application to Modify Special Permit from Attorney Bergeron, on behalf of 110 Pleasant LLC, to allow for 18 residential units in place of 17 residential units and 1 office unit, (Howe Shoe Factory condominium) X-Order No. 10-1002683B & 11-1002923F, refer to **URBAN AFFAIRS COMMITTEE, ADVERTISE AND CARRY OVER TO NEW LEGISLATIVE YEAR**; adopted.

ORDERED: That the Minutes, Library Board of Trustees, October 6, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Youth Commission, January 20, March 2, March 24, May 5, June 16, and September 15, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, October 1, 2015, **FILE**; adopted.

ORDERED: That the Minutes, , Council on Aging, November 10, 2015, **FILE**; adopted.

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

- a. Roxanne Vallejo Torres, 799 Farm Road, #12, pothole or other road defect.

Reports of Committees:

Councilor Delano reported the following Order from the Urban Affairs Committee **BE CARRIED OVER TO THE 2016/2017 LEGISLATIVE SESSION-CARRIES**.

Order No. 15-1006336-Application for Site Plan Review from Atty. Arthur Bergeron on behalf of Bolton Granger Realty Trust, George Voyiatzis Trustee, for the Atrium Place housing project at 21-29 South Bolton Street.

Councilor Tunnera reported the following out of the Personnel Committee:

Meeting Name: City Council Personnel Committee

Date: December 21, 2015

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

Convened: 6:01 PM

Adjourned: 6:10 PM

Present: Chairman Tunnera; Personnel Committee Member Councilor Irish; Vice-President Delano, Member ex-officio;

President Clancy; Councilor Landers

Absent: Personnel Committee Member Elder

Reports of Committees cont'd:

Order No. 15-1006379: The Appointment of Judith Kane to the Council on Aging to fill the vacancy left by the recent passing of longtime board member, Rita Connors, for a term of four years. Recommendation of the Personnel Committee is to approve the appointment of Judith Kane to the Council on Aging for a term of four years. Motion made by Councilor Delano, seconded by the Chair, to approve the appointment. The motion carried 3-0.

Motion made by Councilor Delano, seconded by the Chair, to adjourn. The motion carried 3-0. The meeting adjourned at 6:10 PM.

Councilor Tunnera reported above Order **BE CARRIED OVER TO THE 2016/2017 LEGISLATIVE SESSION-CARRIES.**

Councilor Robey reported the following Order from the Legislative and Legal Affairs Committee **BE CARRIED OVER TO THE 2016/2017 LEGISLATIVE SESSION-CARRIES.**

Order No. 15-1006343-Proposed Acceptance of Deed of Open Space Parcel from Waters Edge Realty Trust.

ORDERED: That the Appointment of Judith Kane to the Council on Aging to fill the vacancy left by the recent passing of longtime board member, Rita Connors, for a term of four years, **BE CARRIED OVER TO THE 2016/2017 LEGISLATIVE SESSION;** adopted.

ORDERED: That the City Council of the City of Marlborough (GRANTEE), pursuant to the provisions and conditions of Mass. Gen. Laws c. 40, § 8C, does hereby accept from A.A. Farooq Ansari, Trustee of Waters Edge Realty Trust (GRANTOR), the open space in the City of Marlborough known as Open Space Parcel "A," Open Space Parcel "B," and Open Space Parcel "C," as shown on sheet 3 of a 3-page plan entitled "Plan of Acceptance of Easements, Open Space, Worster Drive, Beauregard Circle, Gaucher Circle and Perolman Drive, in Marlborough, MA," prepared by Thomas Land Surveyors and Engineering Consultants, Inc., 265 Washington Street, Hudson, MA 01749, prepared for Ansari Builders, 6 Edgewood Road, Westborough, MA., dated May 16, 2006 (on sheet 3), with latest revision date of February 2, 2012, Scale 1" = 80' (on sheet 3), as more fully described on the said plan which is to be recorded.

Said open space is to be managed and controlled by the Marlborough Conservation Commission for the purposes of the promotion and development of natural resources, watershed protection, passive recreation, and conservation of open space. The open space parcels of land are intended to remain in their natural state, in perpetuity, except as the Marlborough Conservation Commission may deem appropriate as to trail development for non-motorized vehicles.

Acceptance of this open space is subject to all terms and conditions of a Special Permit granted on or about May 5, 1997 by the Planning Board of the City of Marlborough and a covenant approved on February 9, 1998 by the Planning Board of the City of Marlborough, both of which are attached hereto and incorporated herein by reference, **BE CARRIED OVER TO THE 2016/2017 LEGISLATIVE SESSION;** adopted.

Councilor Oram abstained.

ORDERED: That the Application for Site Plan Review from Attorney Bergeron on behalf of Bolton Granger Realty Trust, George Voyiatzis Trustee, for the Atrium Place project at 21-29 South Bolton Street, **BE CARRIED OVER TO THE 2016/2017 LEGISLATIVE SESSION**; adopted.

ORDERED: That the Reappointment of Priscilla Ryder as Conservation Officer for a term of three years to begin upon date of City Council approval, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:16 PM.

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

CITY COUNCIL REGULAR MEETING SCHEDULE - 2016

2016 JAN -7 A 9:19

January 11

January 25

February 8

February 22

March 7

March 21

April 4

April 25

May 9

May 23

June 6

June 20

July 25

August 29

September 12

September 26

October 3

October 17

November 14

November 28

December 5

Classification Public Hearing

December 19

[Additional meetings may be added as necessary to accommodate required public hearings]

CITY COUNCIL COMMITTEES

2016

Edward J. Clancy, President
Joseph F. Delano, Jr., Vice-President

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 JAN -7 A 9:19

FINANCE

Michael H. Ossing
Kathleen D. Robey
David Doucette
Mark A. Oram
John Irish

PUBLIC SERVICES

Donald R. Landers
John Irish
David Doucette

LEGISLATIVE & LEGAL AFFAIRS

Kathleen D. Robey
Joseph F. Delano, Jr.
Peter J. Juairé

AFFORDABLE HOUSING

Combined with
Urban Affairs in 2008

WIRELESS COMMUNICATIONS

Mark A. Oram
David Doucette
Peter J. Juairé

PUBLIC SAFETY

John Irish
Robert J. Tunnera
Michael H. Ossing

URBAN AFFAIRS & HOUSING

Joseph F. Delano, Jr.
Matthew H. Elder
Peter J. Juairé
Robert J. Tunnera
Donald R. Landers

HUMAN SERVICES

Donald R. Landers
Mark A. Oram
Robert J. Tunnera

VETERANS' AFFAIRS

Peter J. Juairé
Michael H. Ossing
Kathleen D. Robey

OPERATIONS & OVERSIGHT

Matthew H. Elder
Kathleen D. Robey
Donald R. Landers

OPEN SPACE

David Doucette
Matthew H. Elder
Joseph F. Delano, Jr.

PERSONNEL

Robert J. Tunnera
John Irish
Matthew H. Elder

RULES COMMITTEE

Edward J. Clancy
Joseph F. Delano, Jr.
Michael H. Ossing

FIRST PERSON NAMED SHALL SERVE AS CHAIRMAN

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



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2016 JAN -7 A 11:46

140 Main Street

Marlborough, Massachusetts 01752

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

www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 7, 2016

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Transfer Request – Free Cash Transfer for Investments in Facilities and Equipment

Honorable President Clancy and Councilors:

Enclosed please find a transfer request in the amount of \$1,825,000 in order to fund various investments in City of Marlborough facilities and equipment.

As I indicated in my letter submitting the Fiscal Year 2016 Capital Bond Request, I have submitted for your approval the enclosed transfer from Free Cash to invest in a variety of City facilities and vehicles.

These funds will be used to make HVAC upgrades, repair floors, and doors in City buildings. They will also be used to purchase a number of vehicles for the Department of Public Works and a new command vehicle for the Marlborough Fire Department. These purchases will upgrade our fleet and replace some outdated equipment.

This transfer will also fund the purchase of cameras and mobile data terminals for police vehicles to help the Marlborough Police Department respond to incidents and provide important, up to date information as they perform their duties.

The Department Heads who have made requests and I will be available to discuss these investments with you in greater detail. In the meantime, if you have any questions, please do not hesitate to contact me.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

Free Cash Investment in Facilities and Equipment

FACILITIES

| | |
|-------------------------|----------------|
| HVAC | 300,000 |
| Flooring | 100,000 |
| Doors | 100,000 |
| Total Facilities | 500,000 |

EQUIPMENT

| | |
|--|------------------|
| #5 6WHL Hook loader, Dump/Sander w/plow & wing | 229,542 |
| #8 10whl Dump/Sander w/plow & wing | 300,000 |
| #79 6WHL Logging Truck | 200,000 |
| #71 F450 Utility w/plow | 58,458 |
| Camera Truck | 260,000 |
| Mini Track Excavator | 100,000 |
| Materials & Screens | 52,000 |
| Mobile Data Terminals for Police Vehicles | 25,000 |
| Cameras for Police Vehicles | 40,000 |
| Fire Department Command Vehicle | 40,000 |
| Library Surveillance Cameras | 20,000 |
| Total Equipment | 1,325,000 |
| Total Free Cash | 1,825,000 |

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Various

FISCAL YEAR: 2016

FROM ACCOUNT:

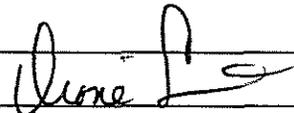
TO ACCOUNT:

| Available Balance | Amount | Org Code | Object | Account Description: | Amount | Org Code | Object | Account Description: | Available Balance |
|-----------------------|-----------------------|-----------------------------------|--------------|--------------------------|-----------------------|-----------------|--------------|----------------------------------|--------------------|
| <u>\$6,721,252.00</u> | <u>\$1,825,000.00</u> | <u>10000</u> | <u>35900</u> | <u>Undesignated Fund</u> | <u>\$500,000.00</u> | <u>19300006</u> | <u>58467</u> | <u>Capital Outlay-Facilities</u> | <u>\$0.00</u> |
| | Reason: | <u>To fund equipment requests</u> | | | | | | | |
| | | | | | <u>\$1,200,000.00</u> | <u>19300006</u> | <u>58731</u> | <u>Capital Outlay-DPW</u> | <u>\$6,818.19</u> |
| | | | | | <u>\$65,000.00</u> | <u>19300006</u> | <u>58593</u> | <u>Capital Outlay-Police</u> | <u>\$21,169.29</u> |
| | Reason: | | | | | | | | |
| | | | | | <u>\$40,000.00</u> | <u>19300006</u> | <u>58512</u> | <u>Capital Outlay-Fire</u> | <u>\$309.24</u> |
| | Reason: | | | | | | | | |
| | | | | | <u>\$20,000.00</u> | <u>19300006</u> | <u>58719</u> | <u>Capital Outlay-Library</u> | <u>\$0.00</u> |
| | Reason: | | | | | | | | |
| | <u>\$1,825,000.00</u> | <u>Total</u> | | | <u>\$1,825,000.00</u> | <u>Total</u> | | | |

Department Head signature:

Auditor signature:

Comptroller signature:





City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Office of the Mayor

2016 JAN - 7 A 11: 45 140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 7, 2016

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: FY16 Capital Bond Request

Honorable President Clancy and Councilors:

Enclosed for your approval is the Capital Bond Request for Fiscal Year 2016. This bond package represents high priority projects and addresses a number of infrastructure needs throughout the City of Marlborough.

These investments in our streets, water mains, and sewer lines are much needed and they include a variety of projects across the City.

In addition to the Capital Bond Request, I will also be submitting for your approval transfers from Free Cash in order to purchase needed equipment and vehicles to ensure we have the necessary hardware to perform City services.

These investments are the result of numerous collaborative meetings with both department heads as well as City Council members. They were carefully vetted and scrutinized to ensure we are addressing the City's greatest needs. While we move forward on these projects, DPW will continue to evaluate projects for the future and will be doing design work on several, including Lakeshore Drive.

Any and all offsets to existing bond requests will be provided to the Finance Committee in no less than one week prior to their hearing.

Thank you in advance for your consideration. Please do not hesitate to contact me with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

**CITY OF MARLBOROUGH
CAPITAL PROJECTS FY 2016**

| Location | Description | Project Amount |
|---|----------------------------------|-----------------------|
| STREETS | | |
| Various Streets | Crack Sealing | 100,000 |
| Lincoln Street (portion) | Reconstruction | 1,100,000 |
| West Hill Road | Reconstruction | 2,100,000 |
| Hosmer Street | Mill & Overlay, inc. Drainage | 1,000,000 |
| Elm Street | Culvert Replacement | 350,000 |
| Various Streets | Road Deficiencies/Partial Paving | 500,000 |
| Jefferson Street | Reconstruction | 300,000 |
| Elm Street (Pleasant Street to Mechanic Street) | Reconstruction, drainage | 900,000 |
| | Total Streets | 6,350,000 |
| WATER & SEWER | | |
| Water Meters | | 650,000 |
| Concord Road | Sewer Truck Line | 350,000 |
| Sligo Tank/Fairmont Hill | Rehabilitation | 1,350,000 |
| Various | Gate Valve Replacement | 300,000 |
| Hollis Street | Water Main Installed | 100,000 |
| Donald Lynch Blvd | Water Main Installed | 1,600,000 |
| | Total Water & Sewer | 4,350,000 |
| | TOTAL PROJECTS | 10,700,000 |

STREET MAINTENANCE AND CONSTRUCTION PROJECTS

| Street | Project Type | Cost |
|---|---|------------------|
| Various Streets | Crack Sealing | 100,000 |
| Lincoln Street (portion) | Reconstruction | 1,100,000 |
| West Hill Road | Reconstruction | 2,100,000 |
| Hosmer Street | Mill & Overlay, inc. Drainage | 1,000,000 |
| Elm Street | Culvert Replacement | 350,000 |
| Various Streets | Road Deficiencies/Partial Paving | 500,000 |
| Jefferson Street | Reconstruction | 300,000 |
| Elm Street (Pleasant Street to Mechanic Street) | Reconstruction, drainage | 900,000 |
| | DPW Total Street Maintenance and Construction Projects | 6,350,000 |

ORDERED:

That the sum of \$6,350,000 (six million three hundred fifty thousand dollars) be and is hereby appropriated for street construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$6,350,000.

Pursuant to the provisions of Chapter 44, Section 7 (5) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue.

ADOPTED
In City Council
Order No. 16-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

**** Please note we are confirming final draft language for this order with Bond Counsel and will provide updated language, if necessary ****

WATER METERS

| | | |
|--------------|---------------------------|----------------|
| Water Meters | | 650,000 |
| | Total Water Meters | 650,000 |

ORDERED:

That the sum of \$650,000 (six hundred fifty thousand dollars) be and is hereby appropriated for water meters.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$650,000.

Pursuant to the provisions of Chapter 44, Section 8 (7A) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue.

ADOPTED
In City Council
Order No. 16-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

SEWER PROJECTS

| | | |
|--------------|-----------------------------|----------------|
| Concord Road | Sewer Truck Line | 350,000 |
| | Total Sewer Projects | 350,000 |

ORDERED:

That the sum of \$350,000 (three hundred fifty thousand dollars) be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$350,000.

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

ADOPTED
In City Council
Order No. 16-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

WATER MAIN PROJECTS

| | | |
|--------------------------|----------------------------------|------------------|
| Sligo Tank/Fairmont Hill | Rehabilitation | 1,350,000 |
| Various | Gate Valve Replacement | 300,000 |
| Hollis Street | Water Main Installed | 100,000 |
| Donald Lynch Blvd | Water Main Installed | 1,600,000 |
| | Total Water Main Projects | 3,350,000 |

ORDERED:

That the sum of \$3,350,000 (three million three hundred fifty thousand dollars) be and is hereby appropriated for water main construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,350,000.

Pursuant to the provisions of Chapter 44, Section 8 (5) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than forty (4) years from its date of issue.

ADOPTED
In City Council
Order No. 16-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

140 Main Street

2016 JAN -7 A 11:4
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 7, 2016

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Transfer Request – Department of Public Works Insurance Claims

Honorable President Clancy and Councilors:

Enclosed please find a transfer request from Commissioner John Ghiloni in the amount of \$419,376.81.

As the letter from Commissioner Ghiloni indicates, this transfer is to move the proceeds from two insurance claims from damages that occurred to Department of Public Works property and to the Marlborough Public Library.

In June, an unfortunate water leak at the Marlborough Public Library damaged furniture and fixtures; a claim of \$100,503.98 was approved for payment to the City. This past winter, a storage shed and the DPW's primary salt shed were damaged and an insurance claim of \$318,872.83 was approved for payment to the City.

If you have any questions, please do not hesitate to contact me or Commissioner Ghiloni.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure



CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 7200
Facsimile (508) 624-7699 TDD (508) 460-3610

January 5, 2016

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

Re: Insurance Claims

Dear Mayor Vigeant,

As you are aware, we have filed a number of insurance claims this past year due to winter storm damage that occurred at the Department of Public Works property in February and water damage that occurred at the Public Library in June.

I am requesting that the proceeds from insurance claim # M15PR85600/M15PR85613 that was filed on February 10, 2015 for damage to a storage shed and the primary salt shed at DPW be transferred from Insurance Proceeds Over 20K (account # 27000099-48470) to Capital Outlay-Salt Shed (account # 19300006 58314).

In addition, I am requesting that the proceeds of claim #M15PR90409 that was filed August 1, 2015 for damage to the Public Library's furniture and fixtures be transferred from insurance Proceeds Over 20K (account # 27000099-48470) to Capital Outlay-Public Library (account # 19300006 52480).

Please contact me if you require any additional information.

Sincerely,

John L. Ghiloni
Commissioner

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT: Public Facilities

FISCAL YEAR: 2016

FROM ACCOUNT:

TO ACCOUNT:

| Available Balance | Amount | Org Code | Object | Account Description: | Amount | Org Code | Object | Account Description: | Available Balance |
|---------------------|---------------------|-------------------------|--------------|------------------------------------|---------------------|---|--------------|---------------------------------|---------------------|
| <u>\$419,376.81</u> | <u>\$419,376.81</u> | <u>27000099</u> | <u>48470</u> | <u>Insurance Proceeds over 20K</u> | <u>\$318,872.83</u> | <u>19300006</u> | <u>58314</u> | <u>Capital Outlay-Salt Shed</u> | <u>\$200,000.00</u> |
| | Reason: | <u>Insurance Claims</u> | | | | <u>Insurance proceeds for storage shed and primary salt shed at DPW</u> | | | |
| | | | | | <u>\$100,503.98</u> | <u>19300006</u> | <u>52480</u> | <u>Capital Outlay-Library</u> | <u>\$0.00</u> |
| | | | | | | <u>Insurance proceeds for damage to Library</u> | | | |
| | Reason: | _____ | | | | _____ | | | |
| | Reason: | _____ | | | | _____ | | | |
| | Reason: | _____ | | | | _____ | | | |
| | Reason: | _____ | | | | _____ | | | |
| | \$419,376.81 | Total | | | \$419,376.81 | Total | | | |

Department Head signature: _____

Auditor signature: _____

Comptroller signature: _____

[Handwritten Signature]

[Handwritten Signature]

CHECK # 139783

INSURED: 0043
POLICY #: PR14-0043
CLAIM #: M15PR85600
CLAIMANT NAME: City of Marlborough
DATE OF ACCIDENT: 2/10/2015
LOCATION: 100
IN PAYMENT OF: Storage Shed Collapse ACV Payment
PAYMENT TYPE: EMPLOYEE
CHECK DATE: 10/13/2015
CHECK AMOUNT: \$ 170,545.96
TAX I.D. #: COSSUMTN
VENDOR CODE: City of Marlborough

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

MIAA

MASSACHUSETTS
BASED
NON-RESIDENT
DRIVER

PROPERTY / LIABILITY CLAIMS

Boston Private Bank and Trust Company
Ten Post Office Square
Boston, Massachusetts 02109-4603

CHECK NO.

139783

PAY
EXACTLY

One hundred seventy thousand five hundred forty-five and 96 / 100 Dollars

DATE

AMOUNT

10/13/2015

***\$170,545.96

City of Marlborough
City Of Marlborough
135 Neil St.

Marlborough, MA 01752

Stephen M. Bunting
[Signature]

VOID IF NOT CASHED WITHIN 90 DAYS

⑈ 139783 ⑈ ⑆ 011002343 ⑆ 943482488 ⑈

CHECK # 139784

INSURED: 0043
 POLICY #: PR14-0043
 CLAIM #: M15PR85613
 CLAIMANT NAME: City of Marlborough
 DATE OF ACCIDENT: 2/12/2015
 LOCATION: 100
 IN PAYMENT OF: Salt Shed Collapse ACV Payment
 PAYMENT TYPE: EMPLOYEE
 CHECK DATE: 10/13/2015
 CHECK AMOUNT: \$ 148,326.87
 TAX I.D. #: COSSUMTN
 VENDOR CODE: City of Marlborough

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER



MASSACHUSETTS
BASED
MEMBER
DRIVER

Boston Private Bank and Trust Company
Ten Post Office Square
Boston, Massachusetts 02109-4603

CHECK NO.

139784

PROPERTY / LIABILITY CLAIM

PAY EXACTLY

One hundred forty-eight thousand three hundred twenty-six and 87 / 100 Dollars

| DATE | AMOUNT |
|------------|------------------|
| 10/13/2015 | ****\$148,326.87 |

City of Marlborough
City Of Marlborough
135 Neil St.

Marlborough, MA 01752

VOID IF NOT CASHED WITHIN 90 DAYS

⑈ 139784 ⑆ ⑆ 01100 2343 ⑆ 94348 2488 ⑆

CHECK # 141568

| | |
|-------------------|---|
| INSURED: | 0043 |
| POLICY #: | PR15-0043 |
| CLAIM #: | M15PR90409 |
| CLAIMANT NAME: | City of Marlborough |
| DATE OF ACCIDENT: | 8/1/2015 |
| LOCATION: | 100 |
| IN PAYMENT OF: | Water Damage Public Library 2500 Deductible |
| PAYMENT TYPE: | EMPLOYEE |
| CHECK DATE: | 12/28/2015 |
| CHECK AMOUNT: | \$ 100,503.98 |
| TAX I.D. #: | COSSUMTN |
| VENDOR CODE: | City of Marlborough |

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER



MASSACHUSETTS
BASED
MEMBER
DRIVER

PROPERTY / LIABILITY CLAIMS

Boston Private Bank and Trust Company
Ten Post Office Square
Boston, Massachusetts 02109-4603

CHECK NO.

141568

PAY EXACTLY *One hundred thousand five hundred three and 98 / 100 Dollars*

DATE

AMOUNT

12/28/2015

****\$100,503.98

City of Marlborough
City Of Marlborough
135 Neil St.

Marlborough, MA 01752

VOID IF NOT CASHED WITHIN 90 DAYS

⑈ 141568 ⑈ ⑆ 01002343⑆ 943482488 ⑈



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Nicholas Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

2016 JAN - 7 A 11: 46

January 7, 2016

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Transfer Request – Marlborough Fire Department

Honorable President Clancy and Councilors:

Enclosed for your approval is a transfer request to fund sick leave buy back and vacation pay for upcoming retirements. I have also enclosed a letter from Chief Kevin Breen with additional information.

Upon your approval, a total of \$123,827.16 will be transferred from the Reserve for Salaries account.

Thank you and please do not hesitate to contact me or Chief Breen if you have any questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure



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

January 6, 2016

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

Re: Transfer Request

Dear Mayor Vigeant,

I am submitting for your approval a transfer request to fund sick leave buy back and vacation pay out for upcoming retirements. Retirements are not figured into our line items therefore, I respectfully request the following:

1. \$19,478.46 from 11990006-57820 (Reserve for Salaries) to 12200001-50335 (Deputy Chief); this is for vacation pay out for two Deputy Fire Chiefs @ 6 weeks each.
2. \$104,348.70 from 11990006-57820 (Reserve for Salaries) to 12200003-51920 (Sick Leave Buy Back); this is for the same two Deputy Fire Chiefs @ 90 days each.

Please feel free to contact me if you have any questions.

Sincerely,

Kevin J. Breen
Fire Chief



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2016 JAN -7 A 11:46 140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 7, 2016

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Transfer Request - MMEA Contract

Honorable President Clancy and Councilors:

Enclosed for your approval is a transfer request to fund the recently ratified collective bargaining contract between the City of Marlborough and the Marlborough Municipal Employees Association (MMEA) for Fiscal Years 2016, 2017 and 2018 and is effective as of July 1, 2015.

The contract represents months of negotiations between myself, the MMEA leadership, and our labor attorneys. I believe the enclosed Memorandum of Understanding represents a financially responsible agreement that is a fair deal for both our employees as well as city government.

I wish to recognize and thank the MMEA leadership team for their professionalism and patience over the last several months.

This transfer also funds the salary increases for nonunion employees who will receive the same 2 percent increase as union employees.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

**MEMORANDUM OF AGREEMENT
BETWEEN THE
CITY OF MARLBOROUGH
AND THE
MARLBOROUGH MUNICIPAL EMPLOYEES ASSOCIATION**

The Negotiating Subcommittee of the City of Marlborough ("the City"), acting subject to the ratification of this Memorandum of Agreement by the Mayor of the City of Marlborough to whom the Subcommittee agrees to recommend acceptance, and the Negotiating Team of the Marlborough Municipal Employees Association ("the Association"), acting subject to the ratification of this Memorandum of Agreement by the membership of the Association to whom the Negotiating Team agrees to recommend acceptance, hereby mutually agree to the following terms and conditions of settlement of a Collective Bargaining Agreement that will be in effect for the three (3) year period from July 1, 2015 – June 30, 2018.

1. Term of New Contract (Article 22, Duration)

The new Contract shall be effective for the three (3) year period from July 1, 2015 – June 30, 2018. Applicable date changes shall be made to the cover page, Article 22 and in all other appropriate provisions of the Contract in order to reflect the term of the new Contract.

2. Provisions of New Contract

Except as provided for in this Memorandum of Agreement and, except for technical matters such as date changes, all other provisions of the July 1, 2012 – June 30, 2015 Contract shall be carried over intact into the successor Contract.

3. Civil Service

Amend Article 2 (Management Rights) by deleting the words "and, if applicable, subject to the terms of G.L. c. 31" in subsections (b), (f), and (r).

Amend Article 10 (Just Cause) by deleting the stricken language:

"An employee who successfully completes the twelve-month probationary period and is in a permanent position shall not receive a formal oral reprimand that requires documentation to a permanent employee's personnel file, a written reprimand, suspension or demotion, or be discharged from a permanent position except for just cause, ~~if any, subject to the requirements of Chapter 31 of the General Laws, if applicable.~~"

Amend Article 15 (Seniority), Section 1 by deleting the current text and adding the following:

"For purposes of this Agreement, as applicable, seniority is defined as length of tenure in the City, regardless of Department"

Amend Article 15 (Seniority), Section 3 by deleting the stricken language and adding the italicized language:

"An employee ~~A provisional Civil Service employee, as defined by M.G.L. Chapter 31,~~ who is "laid off" due to lack of work, lack of money, or abolition of position shall have recall rights, in accordance with this Section of Article XV and Article II (Management Rights), for a period of two (2) years after the effective "layoff" date, provided s/he keeps the City's Personnel Director apprised of his/her current mailing address. A "laid off" employee's recall rights under the Agreement shall be limited to his/her same title, subject to qualification, within his/her department only at the time of the "lay off" ~~and subject to M.G.L., Chapter 31.~~ The City shall have the right to identify the specific job title within a department to be "laid off" and shall "lay off" the employee with the least departmental seniority in the specific job title within said department. For purposes of this Section, the term "department" shall be defined, by example, as follows: Auditor's Office, City Clerk's Office, Department of Public Works, etc.

For clarity, notwithstanding the above modifications, the Parties agree to remove from the Agreement, including from any addendum or attachment, any and all additional references, if any, to Civil Service or M.G.L. Chapter 31.

4. Health Insurance

Amend Article 13 (Benefits), Section 12 (Insurance) by deleting the third paragraph of this Section in its entirety.

Delete Addendum C (City of Marlborough Health Insurance Plan Design Co-Pays) in its entirety.

The foregoing agreed upon changes related to health insurance in the Collective Bargaining Agreement do not constitute a waiver by either party of its rights under Chapter 150E or any other law.

5. Public Safety Dispatchers

The City will provide certified public safety dispatchers a one-time increase to base wages of \$1000.00, which amount will be made retroactive to July 1, 2015.

6. Part-Time Librarians

The City agrees to review the wages of part-time librarians during the term of this Agreement. If the City determines that it is appropriate to make any changes in the wages of part-time librarians, it will notify the MMEA for the purpose of engaging in mid-contract negotiations on these wages.

7. Article 4 (Grievance and Arbitration)

Amend Article 4 to clarify that calculation of time at each step of the Grievance procedure is measured by "calendar day."

8. Article 11 (Wages)

Section 1 – Replace the schedule in the Agreement with the following language:

- A. Effective July 1, 2015, there will be a two percent (2%) increase in base wages (retroactive)
- B. Effective July 1, 2016, there will be a two percent (2%) increase in base wages
- C. Effective July 1, 2017, there will be a two percent (2%) increase in base wages

The Parties agree that in the event a higher across the board salary percent increase is negotiated as part of negotiations with another City bargaining unit – excluding the Marlborough Police Command Officers (Local 355, MCOP AFL CIO), the Marlborough Police Patrol Officers (NEPBA, Local 81), and the Marlborough Firefighters (IAFF, Local 1714) – during the term of this Agreement, this Agreement will be reopened for the limited purposes of further discussions on this base salary issue only."

Amend Article 11 by adding the following new section:

Section 4 Direct Deposit

All employees shall be paid by way of electronic, paperless, direct deposit on a weekly basis."

All members will be responsible to provide the information necessary to make such direct deposits to the City's Accounting Department within sixty (60) days of the execution of this agreement."

9. Article 13 (Benefits), Section 1 (Sick Leave)

Amend Section 1, subsection 3 by adding the italicized language:

“Eligible employees shall be entitled to receive payment for a maximum of ninety (90) *unused available* sick days as a retirement incentive if the employee meets the following conditions:”

Add the following italicized language to subsection 3(a)

“Notwithstanding the conditions set forth above, in the event of a catastrophic illness or injury, *as defined below*, of the employee or the employee’s spouse, the notice requirement set forth in subsection 3(a)(i) *and the requirement under 3(a)(ii) to maintain a minimum of ninety (90) sick days annually for five (5) consecutive years prior to the retirement shall be waived.*

10. Article 13 (Benefits), Section 5 (Vacation)

Add the following language at the end of the Section:

“6. Effective Calendar Year 2016, between December 1 and December 31 of each calendar year, certified public safety dispatchers may elect to cash out up to one week (5 days) of their unused accrued vacation time, if available.”

11. Article 13 (Benefits), Section 18 (Clothing and Uniform Allowance)

Amend Article 13, Section 18 by deleting the stricken language and adding the italicized language:

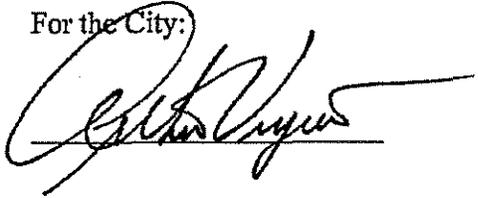
~~Effective July 1, 2014,~~ All non-office public facilities employees and all employees who conduct inspections as part of their regular job duties shall be required to purchase and wear certain clothing items in the conduct of their duties that is subject to the prior approval of management. All clothing that is purchased by such employees for their work will be reimbursed upon submission of a voucher by the employee up to a maximum amount of \$600 per calendar year. *Effective January 1, 2016, an employee may be reimbursed upon submission of a voucher for a total of \$700 per calendar year.* Management reserves the right to determine and, from time-to-time, change the uniform items, in its sole discretion, which decision will not be the subject of a grievance or arbitration for any purpose.

12. Incorporation of Existing Memoranda of Agreement

The Parties agree to incorporate this Memorandum of Agreement, as well as the Memoranda of Agreement between the Parties dated February 28, 2014 and December 17, 2013 into the July 1, 2015 – June 30, 2018 Contract.

Executed this 22nd day of Dec., 2015

For the City:



A handwritten signature in cursive script, appearing to read "John Vignone", written over a horizontal line.

For the Union:

Cristina Mafalone, President

M. Moore, Vice President

Maureen Ky Treasurer

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

| DEPT: | | FROM ACCOUNT: | | | | FISCAL YEAR: 2016 | | | | TO ACCOUNT: | |
|---------------------|---------------------|-------------------------------|--------------|-----------------------------|-------------------|-------------------------------|--------------|----------------------------|--------------------|-------------|--|
| Available Balance | Amount | Org Code | Object | Account Description: | Amount | Org Code | Object | Account Description: | Available Balance | | |
| <u>\$775,517.00</u> | <u>\$131,150.00</u> | <u>11990006</u> | <u>57820</u> | <u>Reserve for Salaries</u> | <u>\$1,240.00</u> | <u>11110002</u> | <u>50350</u> | <u>Council Secretary</u> | <u>\$29,184.86</u> | | |
| | Reason: | <u>Contractual Obligation</u> | | | Reason: | <u>Contractual Obligation</u> | | | | | |
| | | | | | <u>\$290.00</u> | <u>11110002</u> | <u>50586</u> | <u>Part Time Clerical</u> | <u>\$13,010.72</u> | | |
| | Reason: | | | | Reason: | <u>Contractual Obligation</u> | | | | | |
| | | | | | <u>\$125.00</u> | <u>11110003</u> | <u>51430</u> | <u>Longevity</u> | <u>\$5.41</u> | | |
| | Reason: | | | | Reason: | <u>Contractual Obligation</u> | | | | | |
| | | | | | <u>\$825.00</u> | <u>11110003</u> | <u>51920</u> | <u>Sick Leave Buy Back</u> | <u>\$2,340.00</u> | | |
| | Reason: | | | | Reason: | <u>Contractual Obligation</u> | | | | | |
| | | | | | <u>\$1,705.00</u> | <u>11210001</u> | <u>50010</u> | <u>Mayor</u> | <u>\$40,145.12</u> | | |
| | Reason: | | | | Reason: | <u>Contractual Obligation</u> | | | | | |
| | | | | | <u>\$1,240.00</u> | <u>11210001</u> | <u>50321</u> | <u>Executive Aide</u> | <u>\$29,179.75</u> | | |
| | Reason: | | | | Reason: | <u>Contractual Obligation</u> | | | | | |
| | | | | | <u>\$1,030.00</u> | <u>11210002</u> | <u>50590</u> | <u>Executive Secretary</u> | <u>\$24,207.60</u> | | |
| | Reason: | | | | Reason: | <u>Contractual Obligation</u> | | | | | |
| | | | | | <u>\$2,445.00</u> | <u>11330002</u> | <u>50062</u> | <u>Finance Assistants</u> | <u>\$57,596.50</u> | | |
| | Reason: | | | | Reason: | <u>Contractual Obligation</u> | | | | | |
| | | | | | <u>\$845.00</u> | <u>11330002</u> | <u>50770</u> | <u>Senior Clerk</u> | <u>\$19,989.11</u> | | |
| | Reason: | | | | Reason: | <u>Contractual Obligation</u> | | | | | |
| | | | | | <u>\$2,360.00</u> | <u>11330001</u> | <u>50015</u> | <u>Comptroller</u> | <u>\$56,105.14</u> | | |
| | Reason: | | | | Reason: | <u>Contractual Obligation</u> | | | | | |

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

| DEPT: | FROM ACCOUNT: | | FISCAL YEAR: | 2016 | TO ACCOUNT: | |
|---------|---------------|------------|--------------|-------|------------------------|-------------|
| | | \$95.00 | 11330003 | 51920 | Sick Leave Buy Back | \$4,610.00 |
| Reason: | | | | | Contractual Obligation | |
| | | \$120.00 | 11330003 | 51430 | Longevity | \$11.49 |
| Reason: | | | | | Contractual Obligation | |
| | | \$1,620.00 | 11350001 | 50020 | City Auditor | \$38,079.10 |
| Reason: | | | | | Contractual Obligation | |
| | | \$1,320.00 | 11350001 | 50174 | Procurement Officer | \$31,017.13 |
| Reason: | | | | | Contractual Obligation | |
| | | \$1,225.00 | 11350002 | 50062 | Finance Assistant | \$28,787.21 |
| Reason: | | | | | Contractual Obligation | |
| | | \$1,115.00 | 11350002 | 50550 | Head Clerk | \$26,255.28 |
| Reason: | | | | | Contractual Obligation | |
| | | \$425.00 | 11350002 | 50770 | Senior Clerk | \$10,000.03 |
| Reason: | | | | | Contractual Obligation | |
| | | \$110.00 | 11350003 | 51430 | Longevity | \$5.03 |
| Reason: | | | | | Contractual Obligation | |
| | | \$45.00 | 11350003 | 51920 | Sick Leave Buy Back | \$2,110.00 |
| Reason: | | | | | Contractual Obligation | |
| | | \$1,115.00 | 11410002 | 50550 | Head Clerk | \$26,260.28 |
| Reason: | | | | | Contractual Obligation | |
| | | \$845.00 | 11410002 | 50550 | Senior Clerk | \$20,003.66 |
| Reason: | | | | | Contractual Obligation | |

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

| DEPT: | FROM ACCOUNT: | FISCAL YEAR: | 2016 | TO ACCOUNT: | |
|-------|---------------|--------------|------------|---|--------------------|
| | | | | <u>11410003 51920 Sick Leave Buy Back</u> | <u>\$2,105.00</u> |
| | | | \$45.00 | Reason: <u>Contractual Obligation</u> | |
| | | | | <u>11440001 50042 City Collector</u> | <u>\$34,063.32</u> |
| | | | \$1,615.00 | Reason: <u>Contractual Obligation</u> | |
| | | | | <u>11440002 50770 Senior Clerk</u> | <u>\$39,282.29</u> |
| | | | \$1,625.00 | Reason: <u>Contractual Obligation</u> | |
| | | | | <u>11510001 50030 City Solicitor</u> | <u>\$50,290.81</u> |
| | | | \$2,135.00 | Reason: <u>Contractual Obligation</u> | |
| | | | | <u>11510001 50172 Asst City Colicator</u> | <u>\$40,707.98</u> |
| | | | \$1,730.00 | Reason: <u>Contractual Obligation</u> | |
| | | | | <u>11510001 50175 Paralegal</u> | <u>\$20,765.71</u> |
| | | | \$885.00 | Reason: <u>Contractual Obligation</u> | |
| | | | | <u>11520001 50530 Personnel Director</u> | <u>\$38,074.09</u> |
| | | | \$1,620.00 | Reason: <u>Contractual Obligation</u> | |
| | | | | <u>11520001 50532 Personnel Assistant</u> | <u>\$25,019.26</u> |
| | | | \$1,065.00 | Reason: <u>Contractual Obligation</u> | |
| | | | | <u>11520002 50775 Senior Clerk</u> | <u>\$20,001.68</u> |
| | | | \$850.00 | Reason: <u>Contractual Obligation</u> | |
| | | | | <u>11550001 50014 IS Director</u> | <u>\$25,847.48</u> |
| | | | \$1,100.00 | Reason: <u>Contractual Obligation</u> | |
| | | | | <u>11550001 50210 Senior System Analyst</u> | <u>\$31,231.05</u> |
| | | | \$1,330.00 | Reason: <u>Contractual Obligation</u> | |

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:

FISCAL YEAR:

2016

| Reason: | FROM ACCOUNT: | Reason: | TO ACCOUNT: | |
|---------|---------------|------------|--|-------------|
| | | \$1,705.00 | Contractual Obligation | |
| | | | 11550001 50213 Network Engineer | \$40,103.28 |
| | | \$120.00 | Contractual Obligation | |
| | | | 11550003 51920 Sick Leave Buy Back | \$5,710.00 |
| | | \$1,620.00 | Contractual Obligation | |
| | | | 11610001 50050 City Clerk | \$38,089.08 |
| | | \$1,205.00 | Contractual Obligation | |
| | | | 11610002 50290 Asst. City Clerk | \$28,352.05 |
| | | \$850.00 | Contractual Obligation | |
| | | | 11610002 50770 Senior Clerk | \$20,000.06 |
| | | \$330.00 | Contractual Obligation | |
| | | | 11620002 50141 Clerk | \$8,900.92 |
| | | \$995.00 | Contractual Obligation | |
| | | | 11620002 50520 Principal Clerk | \$23,346.24 |
| | | \$555.00 | Contractual Obligation | |
| | | | 11920001 50291 Public Facility Director / Arch | \$32,130.00 |
| | | \$4,115.00 | Contractual Obligation | |
| | | | 11920001 50292 Bldg Maint. Craftman | \$74,112.86 |
| | | \$615.00 | Contractual Obligation | |
| | | | 11920001 50300 Asst public Facility Dir. | \$14,732.50 |
| | | | Contractual Obligation | |

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

| DEPT: | FROM ACCOUNT: | | FISCAL YEAR: | 2016 | TO ACCOUNT: | |
|-------|---------------|------------|--------------|-------|------------------------|-------------|
| | | \$1,160.00 | 11920001 | 50385 | Electrician | \$27,296.43 |
| | Reason: | | | | Contractual Obligation | |
| | | \$1,340.00 | 11920001 | 50690 | Foreman | \$28,044.62 |
| | Reason: | | | | Contractual Obligation | |
| | | \$500.00 | 11920002 | 50520 | Principal Clerk | \$11,665.79 |
| | Reason: | | | | Contractual Obligation | |
| | | \$3,140.00 | 11920003 | 50560 | Custodian | \$91,039.63 |
| | Reason: | | | | Contractual Obligation | |
| | | \$190.00 | 11920003 | 51920 | Sick Leave Buy Back | \$13,685.00 |
| | Reason: | | | | Contractual Obligation | |
| | | \$2,300.00 | 11920003 | 51940 | Clothing Allowance | \$2,856.05 |
| | Reason: | | | | Contractual Obligation | |
| | | \$1,620.00 | 12410001 | 50090 | Building Inspector | \$41,226.90 |
| | Reason: | | | | Contractual Obligation | |
| | | \$1,490.00 | 12410001 | 50109 | Environmental Officer | \$35,006.64 |
| | Reason: | | | | Contractual Obligation | |
| | | \$2,390.00 | 12410001 | 50260 | Asst. Bldg Inspector | \$57,575.91 |
| | Reason: | | | | Contractual Obligation | |
| | | \$1,330.00 | 12410001 | 50370 | Plumbing Inspector | \$30,953.84 |
| | Reason: | | | | Contractual Obligation | |
| | | \$685.00 | 12410001 | 50380 | Electrical Inspector | \$15,589.70 |
| | Reason: | | | | Contractual Obligation | |

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:

FISCAL YEAR:

2016

FROM ACCOUNT:

TO ACCOUNT:

Reason:

Reason:

Contractual Obligation

\$275.00

14001003 51920 Sick Leave Buy Back

\$13,630.00

Reason:

Reason:

Contractual Obligation

\$270.00

15120001 50220 Sealer of Weights & Meas.

\$6,277.36

Reason:

Reason:

Contractual Obligation

\$1,830.00

15120001 50390 Health Nurse

\$26,346.63

Reason:

Reason:

Contractual Obligation

\$1,310.00

15120001 50605 Sanitarian Administrator

\$37,178.45

Reason:

Reason:

Contractual Obligation

\$2,430.00

15120001 50611 Asst. Sanitarian

\$44,202.20

Reason:

Reason:

Contractual Obligation

\$805.00

15120002 50770 Senior Clerk

\$19,968.19

Reason:

Reason:

Contractual Obligation

\$1,570.00

16100001 50230 Library Director

\$36,963.68

Reason:

Reason:

Contractual Obligation

\$975.00

16100001 50470 Children's Librarian

\$23,287.88

Reason:

Reason:

Contractual Obligation

\$995.00

16100001 50471 Young Adult's Librarian

\$23,331.24

Reason:

Reason:

Contractual Obligation

\$1,115.00

16100001 50656 Head of Circulation

\$26,250.27

Reason:

Reason:

Contractual Obligation

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

| DEPT: | FROM ACCOUNT: | FISCAL YEAR: | 2016 | TO ACCOUNT: | |
|-------|---------------|--------------|------|------------------------|--------------------------------------|
| | | \$920.00 | | 16100003 51259 | Reference Librarian \$31,921.22 |
| | Reason: | | | Contractual Obligation | |
| | | \$995.00 | | 16100002 50520 | Principal Clerk \$23,331.26 |
| | Reason: | | | Contractual Obligation | |
| | | \$1,620.00 | | 16100003 50490 | Library Staff \$20,000.03 |
| | Reason: | | | Contractual Obligation | |
| | | \$620.00 | | 16100003 50860 | Clerk \$33,113.88 |
| | Reason: | | | Contractual Obligation | |
| | | \$970.00 | | 16100003 50480 | Cataloguer \$23,295.86 |
| | Reason: | | | Contractual Obligation | |
| | | \$1,375.00 | | 14920001 50110 | Recreation Director \$32,351.64 |
| | Reason: | | | Contractual Obligation | |
| | | \$1,140.00 | | 14920001 50110 | Recreation Program Mngr. \$26,829.12 |
| | Reason: | | | Contractual Obligation | |
| | | \$850.00 | | 14920002 50770 | Senior Clerk \$19,995.10 |
| | Reason: | | | Contractual Obligation | |
| | | \$80.00 | | 14920003 51920 | Sick Leave Buy Back \$3,750.00 |
| | Reason: | | | Contractual Obligation | |
| | | \$1,035.00 | | 15430001 50080 | Veteran's Director \$24,342.77 |
| | Reason: | | | Contractual Obligation | |
| | | \$1,920.00 | | 14001101 50640 | City Engineer \$45,527.24 |
| | Reason: | | | Contractual Obligation | |

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:

FISCAL YEAR:

2016

FROM ACCOUNT:

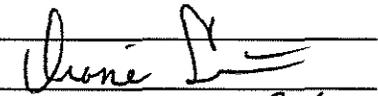
TO ACCOUNT:

| | | | | | | | | |
|---------|--------------|-------|-------|--------------|----------|-------|------------------------|--------------|
| _____ | _____ | _____ | _____ | \$55.00 | 12100003 | 51342 | Longevity | \$90,750.29 |
| Reason: | _____ | _____ | _____ | | | | Contractual Obligation | |
| _____ | _____ | _____ | _____ | \$230.00 | 12100003 | 51920 | Sick Leave Buy Back | \$154,890.35 |
| Reason: | _____ | _____ | _____ | | | | Contractual Obligation | |
| _____ | _____ | _____ | _____ | \$910.00 | 15410001 | 50312 | Outreach Worker | \$23,165.89 |
| Reason: | _____ | _____ | _____ | | | | Contractual Obligation | |
| _____ | _____ | _____ | _____ | \$850.00 | 15410002 | 50770 | Senior Clerk | \$20,010.07 |
| Reason: | _____ | _____ | _____ | | | | Contractual Obligation | |
| _____ | _____ | _____ | _____ | \$690.00 | 15410001 | 50191 | Program Coordinator | \$7,829.48 |
| Reason: | _____ | _____ | _____ | | | | Contractual Obligation | |
| | \$131,150.00 | Total | | \$131,150.00 | Total | | | |

Department Head signature:

Auditor signature:

Comptroller signature:







City of Marlborough

Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 JAN -7
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

140 Main Street

Marlborough, Massachusetts 01752

Arthur G. Vigeant
MAYOR

Nicholas Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 7, 2016

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Middle School Turf Field Bond Update

Honorable President Clancy and Councilors:

Enclosed please find a copy of a letter from City Engineer Evan Pilachowski regarding the bid award for the Turf Field project at the Whitcomb Middle School.

As you can see in the letter, the low bid was \$3,287,000. When combined with the design costs and the purchase of Musco field lights, the cost of the project climbs to \$3,763,953, leaving \$91,106 for contingency. Per your request, DPW included a bid alternate for the substitution of the sand and rubber infill with an organic infill system. The low bid for the organic with the infill system is \$3,636,665, which when combined with design and field light costs, exceeds the bond authorization amount.

In order to move forward on the project and to ensure the completion of the project by Fall 2016 for the fall sports season, I recommend accepting the bid without the organic fill. It is also important to make a decision quickly because the 60 day window to award the bid closes in March.

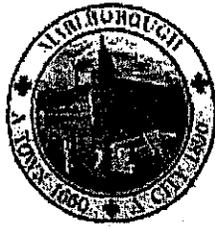
I am very excited about this project – a turf field will allow students, athletes, and the community to use this field earlier in the spring, later in the fall, and more often than our grass fields can sustain. It is a key investment for the schools and the City.

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

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure



CITY OF MARLBOROUGH
Department of Public Works
Engineering Division
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 33200
Facsimile (508) 624-7699 TDD (508) 460-3610

December 21, 2015

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

RE: Middle School Artificial Turf Bid Results

Dear Mayor Vigeant,

Bids for the construction of the artificial turf field at the Middle School were opened on Tuesday, December 15, 2015 at 3:00 pm. For the base bid, the low bidder is Quirk Construction with a bid of \$3,287,000. As you know, we included a bid alternate at the request of City Council for the substitution of the sand and rubber infill with an organic infill system. For the base bid plus the organic infill system, the low bidder is David W. White & Son with a bid of \$3,636,665.

The approved bond amount for the project is \$3,855,059 of which \$212,795 are design costs and \$264,158 are for the purchase of Musco field lights. Therefore, the breakdown of the bid without organics is as follows:

Bid - \$3,287,000 (Quirk)
Musco - \$264,158
Soft Costs - \$212,795
Contingency - \$91,106 (2.8% of bid cost)
Total=\$3,855,059

The contingency included in the above breakdown is less than the 5% that I would prefer at the beginning of the project, but it is in line with the cost increases we have encountered on recent recreation projects (Memorial Beach and Ward Park) which averaged approximately 3%.

If City Council elects to pursue the organic infill bid alternate, the low bid will exceed the approved Bond amount by \$349,665. This cost is less than the anticipated cost increase of \$451,365 that was presented to City Council during the discussion for the bond approval for the artificial turf field.

Given the lead time for several of the items that are included in the project, awarding this project as soon as possible would be advantageous for the City. The bid included a 60 day window to award the project, which runs until March 14, 2016. After this time, the bidders would need to agree to hold their prices. Waiting until March to award the contract could extend the construction period for this project and potentially push the date of final completion into September 2016 or beyond, severely impacting the fall sports schedule. I would recommend awarding this contract no later than the beginning of February to avoid delays.

Please do not hesitate to contact me at 508-624-6910 extension 33200 if you have any questions or need any clarification.

Thank you,



Evan Pilachowski, P.E.
City Engineer

cc: John L. Ghiloni, DPW Commissioner



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2016 JAN - 7 A 11: 46

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

Arthur G. Vigeant
MAYOR

Nicholas Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 7, 2016

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Parks and Recreation Revolving Fund

Honorable President Clancy and Councilors:

Enclosed for your review is a letter from Public Works Commissioner John Ghiloni requesting authorization to expend an additional \$1,000,000.00 from the Parks and Recreation Revolving Fund.

Earlier this year, the City Council reauthorized the Parks and Recreation Revolving Fund; the reauthorization of the account limits the Commissioner to spending no more than \$100,000.00 unless otherwise authorized by the City Council and the Mayor.

The funds in this account have been accumulating for the past few years and Commissioner Ghiloni and his staff have prepared a list of park improvements at Stevens Park, John Street Playground, the Community Center Field behind the Whitcomb Middle School, and Ghiloni Park. Please see the attached letter from Commissioner Ghiloni for more information.

I encourage you to visit Ward Park if you have not since the majority of the renovations are complete. While the field itself was not opened yet in order to allow it to grow in fully, I hope you are as thrilled as I am with the project. From tennis and basketball courts to the skate park and playground, the Ward Park project is a great example of the kind of improvements our investments have made.

I am excited by these upcoming projects and I ask that you support Commissioner Ghiloni's request to expend an additional \$1,000,000.00 from the Parks and Recreation Revolving Fund.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure



CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 7200
Facsimile (508) 624-7699 TDD (508) 460-3610

January 5, 2016

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

Re: Parks and Recreation Revolving Fund

Dear Mayor Vigeant,

The Parks and Recreation Revolving Fund that was authorized by the City Council on May 18, 2015 authorizes the Commissioner of Public Works to expend no more than \$100,000.00 in Fiscal 2016 unless otherwise authorized by the City Council and the Mayor.

I am requesting authorization to expend an additional \$1,000,000.00 from The Parks and Recreation Revolving Fund. These funds have been accumulating in the revolving account for a number of years and we have prepared a list of park improvements at Stevens Park, John Street Playground, Ghiloni Park and Community Center Field that are detailed on the attached spreadsheet. Please contact me if you require any additional information.

Sincerely,

John L. Ghiloni
Commissioner



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2016 JAN -7 A 11:46

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

Arthur G. Vigeant
MAYOR

Nicholas Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 7, 2016

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Grant Acceptance – Council on Aging

Honorable President Clancy and Councilors:

Please find enclosed for your acceptance two grant awards, each in the amount of \$600.00, for the Council on Aging. Both grants were awarded by the same entity – the Massachusetts Council on Aging (“MCOA”).

As the letter from Council on Aging Executive Director Patricia Pope indicates, one grant award will be used for a Keep Moving Walking Club to be held at the newly renovated Ward Park behind the Senior Center and the other award will be used for a Live Your Life Well Day event to be held at the Senior Center.

I have also included for your review two notifications of grant award forms and the Massachusetts Council on Aging grant agreement.

If you have any questions, please do not hesitate to contact me or Trish Pope.

Thank you,

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Council on Aging and Senior Center

40 New Street
Marlborough, Massachusetts 01752
Telephone (508) 485-6492 Facsimile (508) 460-3726

Patricia A. Pope
EXECUTIVE DIRECTOR

December 28, 2015

Mayor Arthur Vigeant
140 Main Street
Marlborough, MA 01752

Re: MCOA Grant Acceptance

Dear Mayor Vigeant;

I am submitting to you two grant awards in the amount of \$600.00 each from the Massachusetts Council on Aging, (MCOA). The grant monies will be used for a Keep Moving Walking Club to be held at the newly renovated Ward Park and a Live Your Life Well 1 Day event to be held at the Senior Center. I ask that you forward these grants to the City Council for their action.

We are thrilled to have received both these grants which will help continue to enhance the quality of life for our senior population here in Marlborough. I am available should you or the City Council have any questions.

Sincerely,

Patricia A. Pope
Executive Director

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: COA DATE: 12/28/15

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Insh Pope

NAME OF GRANT: MCOA

GRANTOR: MCOA

GRANT AMOUNT: \$600¹⁰

GRANT PERIOD: 1/1/16 - 6/30/16

SCOPE OF GRANT/
ITEMS FUNDED Keep Moving Walking Club
Maps and materials for walking club
Incentives and transportation to other
walking routes.

IS A POSITION BEING
CREATED: NO

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

ARE MATCHING CITY
FUNDS REQUIRED? NO

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

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

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: As soon as possible

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

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: COA DATE: 12/28/15

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Irish Pope

NAME OF GRANT: MCOA

GRANTOR: MCOA

GRANT AMOUNT: \$600⁰⁰

GRANT PERIOD: 11/1/16 - 6/30/16

SCOPE OF GRANT/
ITEMS FUNDED Live Your Life. Will 1-Day Event
Marketing and materials for event
Door prizes

IS A POSITION BEING
CREATED: NO

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

ARE MATCHING CITY
FUNDS REQUIRED? NO

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

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

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: As soon as possible

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



MCOA Direct Grant Agreement (FY2016)

This Direct Grant Agreement (this "Agreement") is entered into by and between the Massachusetts Association of Councils on Aging, Inc. ("MCOA"), and the MARLBOROUGH COA (the "GRANTEE").

| GRANTOR | | GRANTEE | |
|---|---|--|--|
| Massachusetts Association of Councils on Aging 116 Pleasant Street, Suite 306 Easthampton, MA 01027 413-527-6425 Primary Contact : Mary Kay Browne Email: marykay@mcoaonline.com | | Entity: Address: Phone: Primary Contact: Email: | |
| GRANT PERIOD | | January 1, 2016 – June 30, 2016 | |
| Total Funds Awarded | | \$ 1,200. — | |
| <input type="checkbox"/> Job Fair and Networking Meeting Groups for Older Workers (\$1,500) | <input type="checkbox"/> Falls Prevention Exercise Class Instructor (\$1,680) | <input type="checkbox"/> Regional Monthly Caregiver Support Group with On Site Respite (\$1,200) | |
| <input checked="" type="checkbox"/> Keep Moving Walking Club (\$600) | <input type="checkbox"/> Regional Monthly Bereavement Support Group (\$500) | <input type="checkbox"/> Aging Mastery Program \$1,600 deploying in house staff as leader <input type="checkbox"/> AMP \$3,100 to hire a leader | |
| <input type="checkbox"/> Convening an Age Friendly Planning Project Team (\$2,000) | <input checked="" type="checkbox"/> Live Your Life Well 1-Day Event (\$600) | <input type="checkbox"/> Innovative Project () | |
| MCOA's Funding Source Name: | FY'16 Service Incentive Grant from the MA Executive Office of Elder Affairs | | |
| Method of Payment | <input checked="" type="checkbox"/> Cost Reimbursement | <input type="checkbox"/> Advance Payment and periodic cost reimbursement payments. See schedule details in Section III C. | |
| Approved for MCOA by: | | Approved for GRANTEE by AUTHORIZING AGENT: | |
| Name: David P. Stevens | | Name: | |
| Title: Executive Director | | Title: | |
| Signature: Sign on page 9. | | Signature: Sign on page 9. | |

WITNESSETH

WHEREAS, it is the mission of MCOA to support the independence of older adults in the Commonwealth of Massachusetts by advocating for programs and services to meet their needs, promote the growth and quality of Councils on Aging and senior centers, and strengthen the professional skills of Council on Aging staff; and

WHEREAS, the GRANTEE wishes to provide certain services, as detailed below, in furtherance of MCOA's mission; and

WHEREAS, in compensation for the GRANTEE's services, the parties desire to enter into an agreement whereby MCOA will distribute certain funds received under its Fiscal Year 2016 Service Incentive Grant from the Massachusetts Executive Office of Elder Affairs to the GRANTEE;

NOW, THEREFORE, in consideration of the mutual promises and representations set forth herein, it is agreed by and between the parties hereto as follows:

I. PURPOSE

The GRANTEE understands and agrees that the purpose of this Agreement is to implement new programs for the benefit of older adults, generally sixty (60) years of age and older, in the Commonwealth of Massachusetts, based upon the program and project descriptions set forth in Exhibit 1 hereto.

The primary requirements of all funded projects, to be undertaken over the six (6) month period from January 1, 2016 to June 30, 2016, shall include:

- Designating a program-level staff member to serve as the project coordinator who will take responsibility for working with MCOA on initiative components including the implementation and evaluation of the project.
- Focusing upon increasing the participation of older adults throughout the time period of the initiative.
- Increasing local public awareness of the needs of older adults to lead healthy and fulfilling lives and the relevant issues underlying the initiative(s).
- Providing reports of participation figures, lessons learned during the project period, participant feedback, and required financial and end-of-grant reporting.

- Sharing best practices and project management tools.
- Participating in periodic conference calls and/or responding promptly to periodic emails aimed at gathering information, such as case studies and best practices that will be helpful to MCOA, the Executive Office of Elder Affairs, or other organizations in their resource development and/or project management efforts.
- Hosting MCOA staff for project site visits, if appropriate.

In the event that the GRANTEE is unable to perform any of the above-described services, or any of the services described in Exhibit 1, consistent with the letter and spirit of this Agreement, the GRANTEE shall immediately so notify MCOA in writing, and MCOA shall have the right (but not the obligation) to terminate this Agreement for cause.

II. PARTIES' RELATIONSHIP

A. Grantee's Legal Authority

The GRANTEE represents that the GRANTEE is in compliance with all applicable state and federal requirements and standards, and that it possesses the legal authority pursuant to any proper, appropriate and official motion, resolution or action passed or taken, giving the GRANTEE authority to enter into this Agreement, receive the funds authorized by this Agreement, and to perform the services the GRANTEE has obligated itself to perform under this Agreement.

The person or persons signing and executing this Agreement on behalf of the GRANTEE, or representing themselves as persons authorized to sign and execute this Agreement on behalf of the GRANTEE, do hereby represent that they have been fully authorized by the GRANTEE to execute this Agreement on behalf of the GRANTEE and to validly and legally bind the GRANTEE to all terms, conditions, performances and provisions set forth in this Agreement.

MCOA shall terminate this Agreement for cause, effective immediately, if it becomes apparent to MCOA that the GRANTEE, or any person acting or purporting to act on behalf of the GRANTEE, lacks legal authority to enter into this Agreement. In such event, the GRANTEE shall immediately reimburse and repay MCOA for any and all monies received from MCOA under the terms of or in connection with this Agreement.

B. Independent Contractors

Each of the parties is an independent contractor and neither party is, nor shall be considered to be, an agent, distributor or representative of the other. Neither party shall act or represent itself, directly or by implication, as an agent of the other or in any manner assume or create any obligation on behalf of, or in the name of, the other. Neither party has authorization to enter into any contracts, assume any obligations or make any warranties or representations on behalf of the other party. Nothing in this Agreement shall be construed to establish a relationship of co-partner or joint venture between the parties. MCOA shall not be responsible and shall have no obligation to GRANTEE, the employees of GRANTEE or any governing body to withhold Federal, State, or local income tax, or MCOA's employee portion of FICA or other payroll taxes, and other taxes relating from any individual assigned by GRANTEE to provide services under this Agreement; GRANTEE shall indemnify, defend and hold MCOA harmless from all liabilities, costs and expenses, including without limitation reasonable attorneys' fees resulting from all third party claims brought against MCOA for any FICA, FUTA, or SUI contributions and any other payroll taxes or any claims of any nature, by GRANTEE or other resources providing the Services under this Agreement.

C. Indemnification

The GRANTEE shall indemnify, defend and hold harmless MCOA for any and all liabilities, costs, claims and expenses, including, without limitation, reasonable attorneys' fees, arising from any third party claims brought against MCOA for personal injury or death or damage to real property or intangible or tangible personal property, to the extent caused by the negligent acts or omissions of the GRANTEE.

D. Lobbying Prohibited

The person signing this Agreement on behalf of the GRANTEE certifies, to the best of his or her knowledge and belief, that:

1. The GRANTEE will not attempt to influence any member of the Congress, or any State or local legislator, to favor or oppose any legislation or appropriation with respect to this Agreement.
2. Grant funds shall not be used for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, or any State or local legislature.

3. Grant funds shall not be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriation pending before the Congress, or any State or local legislature.

E. Subcontracting Restrictions

The GRANTEE shall not subcontract or delegate any work under this Agreement to any third party except with MCOA's prior written consent, which must include MCOA's written approval of any sub-contracting agreement. The GRANTEE shall be solely responsible for the performance of any subcontractor, subsidiary or affiliate, and shall be liable for and indemnify, defend and hold MCOA harmless for any wrongdoing by any such subsidiary, affiliate or subcontractor, including without limitation the misuse or misappropriation of any funds.

F. Publicity

1. Either party may freely use in advertising, publicity, web sites, press releases, or otherwise, the name of the other party, or refer to the existence of this Agreement and the project(s) funded herein.
2. Any materials produced with grant funding should contain an acknowledgement to the effect that "This [product] has been produced in [part] [full] from a grant awarded to the Massachusetts Association of Councils on Aging by the Massachusetts Executive Office of Elder Affairs. Any opinions expressed herein are solely those of [GRANTEE]."
3. Use of MCOA's logo is encouraged.

III. ADMINISTRATIVE PROVISIONS

A. Term of Agreement

The term of this Agreement shall be the Grant Period specified in the table at page 1 above.

B. Grantee's Reporting Requirements

1. On March 15, 2016 and May 15, 2016, the GRANTEE shall report in writing to MCOA via the MCOA's website, www.mcoaonline.com. The purpose of these written reports shall be to

provide particulars regarding the GRANTEE's progress toward the goals and requirements of the funded project.

2. No later than July 15, 2016, and together with the GRANTEE's shall provide a final project narrative report (the "Final Report") to MCOA. The Final Report shall accompany the GRANTEE's Q2 invoice (See Section III.D. below) and shall consist of a brief description of project outcomes and lessons learned, so that MCOA and other agencies may improve upon the project model. The final invoice shall also contain an explanation of any variance in spending of ten percent (10%) or greater.
3. The GRANTEE shall respond promptly to the MCOA's emails and communications, and web-based surveys aimed at gathering information, such as case studies and best practices, which will be helpful to the other organizations in their outreach and enrollment efforts. The GRANTEE shall share samples of materials and tools that are developed under this project.

C. Total Funds Awarded

The GRANTEE shall be compensated in accordance with the payment schedule shown on Page 1 and at Section III.D. below. Payments will be distributed by check only after the parties' execution of this Agreement, and in satisfaction of complete and valid invoices submitted by the GRANTEE to MCOA. It is expressly understood that in no event shall the total distribution of funds to the GRANTEE under the terms of this Agreement exceed the amount set forth in the table on Page 1.

D. Payment Schedule

Disbursements to the GRANTEE shall be in the form of reimbursement for the GRANTEE's actual expenditures as of the end of each quarter, following MCOA's receipt and approval of a quarterly invoice for Q1 (January through March) and a quarterly invoice for Q2 (April through June). To be considered complete and valid, the Q2 invoice must be accompanied by the Final Report, unless MCOA waives this requirement in writing.

The GRANTEE shall be solely responsible for ensuring the accuracy of all invoices and any supporting documentation submitted to MCOA. MCOA shall terminate this Agreement for cause, effective immediately, if it becomes apparent to MCOA that the GRANTEE has, knowingly or otherwise, submitted falsified invoices other documentation.

MCOA may, with the consent of the GRANTEE, adjust or correct any invoice. A copy of any adjusted or corrected invoice shall be promptly sent to the GRANTEE.

Contingent upon MCOA's receipt of grant funding from the Executive Office of Elder Affairs, all complete and valid invoices shall, to the extent possible, be satisfied by MCOA within thirty (30) days of receipt. MCOA shall promptly notify the GRANTEE of any expected delay of payment beyond the specified period.

The GRANTEE is encouraged to use MCOA's Direct Grant Invoice Form, attached hereto as Exhibit 2, to prepare quarterly invoices.

E. Termination

1. Termination for Cause

In the event that either party fails to substantially perform under the terms of this Agreement, the other party shall be entitled to terminate this Agreement for cause in accordance with Section 3 ("Notice of Termination") below.

If the GRANTEE fails to provide any of the services contemplated herein, or fails to make sufficient progress, so as to endanger performance, MCOA shall notify the GRANTEE of such unsatisfactory performance in writing. The GRANTEE shall have ten (10) business days in which to respond with a written plan, acceptable to MCOA, for promptly addressing the deficiencies. The GRANTEE's failure to respond satisfactorily within the appointed time shall entitle (but not obligate) MCOA to terminate this Agreement for cause.

2. Termination for Convenience

Either party shall be entitled to terminate this Agreement without cause on thirty (30) days written notice. In the event of such termination, and subject to Section III.B ("Total Funds Awarded") above, the GRANTEE shall be entitled to equitable compensation for any allowable services actually and satisfactorily performed under this Agreement through the effective date of termination, and such compensation shall constitute the extent and entirety of the GRANTEE's recourse against MCOA in connection with this Agreement.

3. Notice of Termination

Termination shall be effectuated by one party's delivery to the other party of a Notice of Termination, specifying whether the termination is for cause or for convenience. In the event of termination for cause, the Notice of Termination shall also include a brief description of

reason(s) for termination. Except as otherwise provided in this Agreement, the effective date of termination shall be ten (10) days from a party's receipt of a Notice of Termination for cause, and thirty (30) days from a party's receipt of a Notice of Termination for Convenience. Notice of Termination shall be delivered by hand or certified mail to the party's address first set forth above.

IV. MISCELLANEOUS

A. Severability

The provisions of this Agreement are severable and if for any reason a clause, sentence, paragraph or other part of this Agreement shall be determined to be invalid by a court, federal agency, board or commission having jurisdiction over the subject matter thereof, such invalidity shall not affect those provisions of this Agreement which can be given effect without the invalid provision.

B. Successors and Assigns

The GRANTEE shall not assign, transfer or delegate any of the rights or obligations under this Agreement without the prior written consent of MCOA. This Agreement and all of its provisions shall inure to the benefit of and become binding upon the parties and the successors and permitted assigns of the respective parties.

C. Survival

Any provision of this Agreement which by its nature must survive termination or expiration in order to achieve the fundamental purposes of this Agreement shall survive any termination or expiration of this Agreement.

D. Governing Law

This Agreement shall be governed by, and construed in accordance with, the laws of the Commonwealth of Massachusetts without giving effect to choice of law principles. Any action brought under or in relation to this Agreement shall be brought in a court having subject matter jurisdiction and located in Hampshire County, Massachusetts.

E. Entire Agreement

This Agreement, together with the Exhibits hereto, constitutes the parties' entire agreement concerning the work and services to be performed hereunder.

IN WITNESS HEREOF, the parties hereto have caused this instrument to be executed on the day and year first above written.

**MASSACHUSETTS ASSOCIATION OF
COUNCILS ON AGING, INC.**

GRANTEE

By: 
Name: David P. Stevens
Title: Executive Director
Date: _____

By: 
Authorizing Agent Name:
Title: Mayor
Date: 12/24/15

By: 
Primary Contact (Implementation Manager)
Name: Patricia A. Pope
Title: Executive Director
Date: 12/23/15



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Office of the Mayor

2016 JAN - 7 A 11: 46
140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Nicholas Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 7, 2016

City Council President Edward J. Clancy
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Order of Taking by Eminent Domain Of Permanent Sewer Easements for the Sudbury Street Sewer Project

Honorable President Clancy and Councilors:

On behalf of the Department of Public Works, enclosed herewith please find a proposed Order Of Taking By Eminent Domain concerning the Sudbury Street Sewer Project. No appropriation is necessary.

As Commissioner Ghiloni's letter indicates, the City would acquire a permanent sewer easement in private land located at 49 Harper Circle and at 302 Sudbury Street.

Additional information can be found in the attached order, but the Commissioner and/or Engineering will be available to answer any specific questions relative to the project.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

Cc: John Ghiloni, Commissioner
Evan Pilachowski, City Engineer
Mark Dascoli, Associate City Engineer
Cynthia Panagore Griffin, Assistant City Solicitor



CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 7200
Facsimile (508) 624-7699 TDD (508) 460-3610

January 7, 2016

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

RE: Order of Taking by Eminent Domain Of Permanent Sewer Easements for the Sudbury Street Sewer Project

Dear Mayor Vigeant:

I request that you send to the City Council, for their action, the attached Order of Taking by Eminent Domain.

By the proposed Order of Taking, the City would acquire a permanent sewer easement in private land located at 49 Harper Circle and at 302 Sudbury Street. The purpose of the takings, more fully described in the order, is related to the Sudbury Street Sewer Project.

I am available to answer any specific questions relative to the project.

Sincerely,

John L. Ghiloni
Commissioner

Enclosures

Cc: Cynthia Panagore Griffin, Assistant City Solicitor
Evan Pilachowski, City Engineer
Mark Dascoli, Associate City Engineer

Eminent Domain Order of Taking

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare and safety necessitates that certain sewer improvements be made to the Sudbury Street area, and that said improvements require the taking by eminent domain of permanent sewer easements in certain parcels of land located on Harper Circle and Sudbury Street as more particularly described herein; and,

WHEREAS, in order to promote the public welfare, safety and necessity, it is necessary to take by Eminent Domain permanent sewer easements in, on, under, over, across and through the herein described land; and,

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, does hereby take by Eminent Domain permanent sewer easements in the following described land and all trees and brush thereon.

DESCRIPTION OF LAND TAKEN

1. Property H – Permanent Sewer Easement: A certain parcel of land located on the North Easterly side of Harper Circle in Marlborough, Middlesex County, Massachusetts and being shown as Proposed Easement H on a plan entitled, "Easement Plan Of Land In Marlborough, Massachusetts;" Prepared For City of Marlborough & AECOM; April 15, 2013; By: Bryant Associates, Inc. 90 Canal Street, Suite 301, Boston, MA 02114, Scale 1"=40'; Sheet 2 of 3;" said Plan to be recorded with the Middlesex South District Registry of Deeds together with an attested copy of this Order.

Meaning and intending to take and taking by Eminent Domain a permanent sewer easement, shown as Proposed Easement H as described in the aforementioned plan, which is a portion of the land as described in the deed recorded at the Middlesex South District Registry of Deeds in Book 27774, Page 119.

OWNERS: Stephen A. Silen and Pirjo Silen
49 Harper Circle

The land consisting of Proposed Easement H as referred to in the description above is also shown on the City of Marlborough Assessors Map as a portion of Parcel 81 on Map 23. The total land area being taken consists of 11,762 +/- square feet.

2. Property I – Permanent Sewer Easement: A certain parcel of land located on the Westerly side of Sudbury Street in Marlborough, Middlesex County, Massachusetts and being shown as Proposed Easement I on a plan entitled, "Easement Plan Of Land In Marlborough, Massachusetts;" Prepared For City of Marlborough & AECOM; April 15, 2013; By: Bryant Associates, Inc. 90 Canal Street, Suite 301, Boston, MA 02114, Scale

1"=40'; Sheet 2 of 3;" said Plan to be recorded with the Middlesex South District Registry of Deeds together with an attested copy of this Order.

Meaning and intending to take and taking by Eminent Domain a permanent sewer easement, shown as Proposed Easement I as described in the aforementioned plan, which is a portion of the land as described in the deed recorded at the Middlesex South District Registry of Deeds in Book 14954, Page 388.

OWNERS: John D. Nicholson, Jr. and Claire G. Nicholson
302 Sudbury Street

The land consisting of Proposed Easement I as referred to in the description above is also shown on the City of Marlborough Assessors Map as a portion of Parcel 10 on Map 23. The total land area being taken consists of 6,067 +/- square feet.

AWARDS

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

| <u>OWNER</u> | <u>MARLBOROUGH ASSESSORS MAP/PARCEL</u> | <u>AREA</u> | <u>AWARD</u> |
|---|---|-------------|--------------|
| Stephen A. Silen and Pirjo Silen | 23/81 | 11,265±SF | \$7,645.00 |
| John D. Nicholson, Jr. and Claire G. Nicholson | 23/10 | 6,067±SF | \$7,585.00 |

ADOPTED
In City Council
Order No. 16 -
Adopted

Approved By Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

CITY OF MARLBOROUGH MEETING MINUTES

2015 DEC 17 P 2: 27

Meeting: Council on Aging Board Meeting
Date: Tuesday, July 14, 2015
Time: 8:30 AM
Location: Senior Center, 40 New Street, Marlborough, MA – Conference Room

ATTENDANCE: Jeanne McGeough, R. Cygan, Marie Elwood, Leslie Biggar, Pat Gallier, Richard Collins, Sheila Brecken, Jim Confrey, Trish Pope, Brenda Costa, Barbara McGuire (Friends of the Marlborough Seniors Board)

Excused: Rita Connors

I. The July board meeting was called to order at 8:40 AM by Chair, Jim Confrey.

II. June meeting minutes reviewed and approved.

III. Directors Update – Trish Pope

- Volunteer Coordinator position has been filled. Pending CORI check, we should expect a start within a few weeks.

- Donation plaques for rooms and equipment discussed.

- Summer Intern is working on My Senior Center and will start to de-activate cards that haven't been picked up.

- The SCRPT program is ready and handouts are at the front desk. We hope to take some of the SCRPT people and have them sit by the front door to explain to people coming in to the center how to use My Senior Center scanner. The Mayor has been asking for counts and it is imperative that we capture all who enter.

- A special effort will be made to ask the Contract Bridge players to sign up and receive and use cards.

- Questions were asked re the Quinsigamond contract. We will know more after this afternoon's Friends meeting.

- Automatic door openers in place in the first floor Ladies and Men's Rest Rooms.

- Clocks will be purchased and installed in all rooms within the next couple of weeks.

IV. Transportation Update – Jeanne McGeough

- During the month of June we have had a total of 60 rides; 14 to the Senior Center, 7 to Medical Appointments and the balance of 39 to our Monday/Tuesday scheduled rides.

- It appears that we will shortly be again able to offer rides to the Senior Center and to medical appointments. Trish Pope and I met with Ed Carr, head of MWRTA, last Monday and we have to come to an agreement. We are awaiting final approval from the Mayor's office. Letters will be sent out to all who have signed up since March letting them know that they are now eligible for rides to the Center and to medical appointments. Letters will also be sent out to those who have registered but have not provided proof of age. We hope to achieve this by the end of next week.

IV. Board Updates

BayPath Elder Services, Inc. – Brenda Costa

- June BayPath Board Meeting Highlights were discussed - attached

V. Old Business

MySeniorCenter System Update - Framingham & Marlborough cards work at both centers. Tracking is important regarding center usage for reporting purposes.

Parking issues were discussed - Suggestions were offered of possible carpooling and alternative parking location for trips.

Exercise Room issues were raised on usage, regarding access and waiver compliance.

V. New/ Old Business

Discuss Senior Center operations

- Usage of upstairs space was discussed. The original intent for space was to provide for growth capacity. 2016 voting for ward will be at Senior Center, the parking lot is expected to be completed.

- Pool travel team information will be requested from Northborough COA, regarding pool room usage.

VI. Adjourn

There is no board meeting in August. Therefore, the next board meeting is Tue, September 8th in the conference room at the Senior Center, 40 New Street, Marlborough, MA.

Respectfully Submitted,

Brenda Costa, Secretary

**BayPath Elder Services
Board Meeting Highlights
June 24, 2015**

Fiscal Year 2016 Budget

The state budget is in joint conference committee. We are hoping the higher Senate figures will prevail in the end. The committee is also looking at outside sections of the budget, in particular, raising the home care income eligibility level. This had been passed by the senate. If passed, it would use up to \$6.25 million in federal funds that have been deposited in the Community first Trust Fund to expand the home care income eligibility limit from \$27,000 to \$35,000.

Consumer Programs

All programs have continued to see steady growth throughout the year. Currently there are 1,317 consumers in all Home Care programs; there are 6 consumers in the PCA program; 6 consumers in the AFC program; 1,291 consumers in the home care program; 835 consumers in the SCO and Once Care programs.

(EOEA) MASS HOME CARE

Alice Bonner is the new Secretary of Elder Affairs and began her position on June 1. She brings a wealth of experience, including positions at CMS and the Massachusetts Department of Public Health. She is also a Registered Nurse.

Area Agency on Aging

BayPath has received a waiver from Elder Affairs to use \$7,000 in Title III-D funds for Healthy Living in FFY 16. AAA grant recommendations from the Planning and Allocations Committee will be coming before the board at the July meeting.

Agency Other

Caregiving MetroWest is now a year old. We celebrated the first anniversary of our launch in May. In our first year, we welcomed nearly 10,000 users to the site. We look forward to helping many more family caregivers for years to come.

BayPath welcomed Carol DeRienzo to the Board of Directors. Carol is a Registered Nurse and owner/manager of Solace RNovations Inc.

Judith Quinn and Karen Tafuri will be leaving the board June 30 as they have served two 3 year terms. Kathy Nealon's term is also expiring on June 30, but she has agreed to serve another year as past president. Brenda Costa, Larry Griffin and Jerry Anderson are eligible and have agreed to serve another year in their positions as officers of the corporation. John Beeler from Sudbury has been elected Clerk.

2015 DEC 17 P 2: 27

CITY OF MARLBOROUGH MEETING MINUTES

Meeting: Council on Aging Board Meeting
Date: Tuesday, October 13, 2015
Time: 8:30 AM
Location: Senior Center, 40 New Street, Marlborough, MA – Conference Room

ATTENDANCE: Leslie Biggar; Sheila Brecken; Jim Confrey; Brenda Costa; Richard Cygan; Marie Elwood; Pat Gallier; Jeanne McGeough; Trish Pope

Excused: Rita Connors

Absent: Richard Collins

- I. CALL TO ORDER – 8:32 am
- II. APPROVAL OF SEPTEMBER MINUTES
- III. DIRECTOR'S UPDATE
 - A. Trish reported that a revolving account has been set up with the city to handle the programming money.
 - B. Quinsigamond is starting the food program in January, meanwhile an RFP has been issued for a caterer to cover until Quinsigamond is operational.
- IV. BOARD UPDATES
 - A. BAYPATH ELDER SERVICES, INC.
 1. Board Meeting Highlights attached.
- V. OLD BUSINESS
 - A. MY SENIOR CENTER SYSTEM UPDATE
 1. System is up and running.
 - B. TRANSPORTATION REPORT
 1. The numbers for August: 62 - 19 to the senior center, 5 medical appointments, the rest were to the mall; September: Van Program total 67; 21 trips, 6 medical appointments.
 2. The city has come to an agreement with MWRTA – Service is available to seniors in the city.
 - C. HOLIDAY PARTIES

1. Halloween Party - Lisa is handling with Marie – The Buffet Way is catering.
2. Thanksgiving Party – Lisa is handling with Cy – Assabet is catering.
3. Christmas Party – Lisa is handling with Cy

VI. NEW/OLD BUSINESS

- A. EOEa traing with Emmett Schmarsow – Cy, Pat and Leslie attending.
- B. The Spanish swim class was cancelled for nonparticipation.
- C. AARP safety driving course may be offered, possibly in spring.
- D. It is estimated that the DOT driving class for the van will be in the 1st weekend in November.
- E. The traveling pool team is up and running.
- F. The Men’s Group takes trips once a month on Thursdays.

VIII. Adjourn – 9:20 AM

The next board meeting is Tue, November 10th in the conference room at the Senior Center, 40 New Street, Marlborough, MA.

Respectfully Submitted,

Brenda Costa, Secretary

**BayPath Elder Services
Board Meeting Highlights
September 23, 2015**

Fiscal Year 2016 Budget

The state is expected to have a supplemental budget in October. Mass Home Care is working with Senator L'Italien on an amendment that would allow applicants whose income is within 10% of the current limit to be able to claim "hardship deductions" if they have high housing or health care costs. The threshold for this program would be those with annual gross incomes between \$27,014 and \$29,714.

Consumer Programs

All programs have continued to see steady growth throughout the year. Currently there are 1,330 consumers in all Home Care programs; there are 346 consumers in the PCA program; 13 consumers in the AFC program; 819 consumers in the SCO and 73 consumers in the One Care plan.

Dementia Friendly Communities

Christine Alessandro spoke at length about her recent trip to Minnesota to meet with the ACT on Alzheimer's initiative. Ms. Alessandro and the COA directors from Northborough, Hudson and Marlborough, as well as Arthur Bergeron, Esq. found the meetings to be very informative, engaging and they are very enthusiastic about moving forward with this initiative on the local level. Ms. Alessandro outlined the implementation phases for this pilot program.

Agency Other

The BayPath board of Director's named Arthur P. Bergeron as BayPath's Person of the Year for 2015. Mr. Bergeron will be acknowledged at BayPath's Annual meeting on October 2nd for his work and dedication to area elders.

Steve Corso, Director of Strategic Initiatives spoke about a new segment of our Caregiver Program, Grandparents Raising Grandchildren. Mr. Corso noted the high numbers of grandparents raising their grandchildren and the need for outreach activities to this population.

Marlborough Public Library Board of Trustees
Meeting Minutes

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

November 3, 2015
Bigelow Auditorium, Marlborough Public Library

2015 DEC 21 P 4: 39

Meeting called to order by Ray Hale, Vice Chair at 7:06pm

Board Members Present: Tom Abel, Nena Bloomquist, William Brewin, Raymond Johnson, Raymond Hale, Rustin Kyle, Susan Laufer, Janice Merk, and Robyn Ripley

Also Present: Margaret Cardello, Library Director

Absent: none

Proceedings:

1. **Minutes:** A motion to approve the meeting minutes from the October 6th meeting was passed. (Laufer/Ripley)
2. **Trust Fund Reports:** A motion to approve the Trust Fund Reports for October was passed. (Merk/Brewin)
3. **Director's Report:** (see attached for more details)
 - Margaret attended a tour of the Harvard Book Depository facility with a group that included Mayor Vigeant and Council President Clancy.
 - Mayor Vigeant asked city departments to submit any requests for capital projects. Margaret submitted a request to cover the cost of installing wireless cameras since the ones we purchased cannot be used in the library. She may also have a buyer for those cameras which cannot be installed.
 - Margaret has drafted a letter to a patron who has \$910 worth of overdue library materials (this is not including any applicable fines). The letter has been reviewed by the city's lawyer and Margaret has also apprised the Chief of Police of the situation, in case the police need to be contacted. The letter offers to waive all fines as long as materials are returned in a timely manner.
4. **Committee Reports:**
 - Foundation:
 - There was terrific turnout of about 35 people at the introductory meeting. A follow up letter will be sent to the attendees.
 - The next meeting of the Foundation will be December 1st.
 - Friends:
 - See Attached

5. **Old Business:**

- Building Committee
 - We are compiling a list of possible committee members and hope to have an odd number of 7 or 9 members.

6. **New Business:**

- Remote Attendance Guidelines
 - After discussion the trustees are considering the following statement to be included in the by-laws:
 - "If a member cannot attend a meeting, he or she may listen remotely but will not count toward a quorum, may not vote, may not participate, and will still be considered absent."
- Donation from DCU
 - MPL has received a \$5,000 donation and hope to use it for a concrete project (similar to the Teen Room design last year). A motion to approve the use of the DCU donation towards the revitalization of the reference room into a flexible meeting space was approved (Hale/Ripley).
- Logo Ideas
 - Margaret showed the current logo designs and received feedback from the board.
- Retirement
 - Susan Laufer announced her resignation from the board effective this evening.

7. **Adjournment:** A motion to adjourn passed at 8:45pm (Laufer/Bloomquist).

Minutes submitted by Secretary, Robyn Ripley.

Marlborough Public Library Board of Trustees
Meeting Minutes

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

December 1, 2015
Bigelow Auditorium, Marlborough Public Library

2016 JAN -6 A 9:43

Meeting called to order by Rustin Kyle at 7:43pm

Board Members Present: Tom Abel, Nena Bloomquist, William Brewin, Raymond Johnson, Raymond Hale, Rustin Kyle, Janice Merk, and Robyn Ripley

Also Present: Margaret Cardello, Library Director; Jason Homer, Assistant Director; and John Irish, City Councilor.

Absent: none

Proceedings:

1. **Minutes:** With a few agreed upon changes, a motion to approve the meeting minutes from the November 3rd meeting was passed (Johnson/Bloomquist).
2. **Trust Fund Reports:** A motion to approve the Trust Fund Reports for November was passed (Hale/Johnson).
3. **Director's Report:** (see attached for more details)
 - New laptops are coming soon and a charging station will be needed for them. Margaret would like to move some of the Old Homestead paintings (on the wall outside of the teen room) in order to make room for the laptops. It was agreed that the paintings could be displayed at the Senior Center or in safe, locked storage.
 - The Old Homestead paintings have a printed guide that needs to be re-printed. A motion was passed to use money from the O'Connell Fund to cover the expenses of said printing (Able/Kyle).
 - The One City One Book project wrapped up on November 14th. Many books were given out and the events were a success, however it was a definite learning experience and the next program will benefit from all that's been learned this year.
 - The library is aligning with the Small Business Administration to offer workshops and resources for people starting or running small businesses.

4. Committee Reports:

- Foundation:
 - A tentative follow-up meeting has been scheduled for January 12th.
- Friends:
 - See Attached
 - An estimate to replace the sound equipment that was damaged in the flood came to \$2,000.
 - The Friends would like to hold a fundraiser with appraisal services. A motion was passed to allow The Friends to add the fundraiser to their calendar of events (Able/Bloomquist).

5. Old Business:

- Patron with substantial overdue items
 - A letter to this patron has recently been sent out. No response as of yet.
- Building Committee
 - Still generating a list of potential members and contacting
- Remote participation guidelines
 - The guidelines have been edited to be Remote Attendance Guidelines and will read as follows:
 - "If a member cannot attend a meeting, he or she may listen remotely but will not count toward a quorum, may not vote, may not participate, and will be considered absent."

6. New Business:

- Display by Employment Options
 - A 4 foot cardboard display for mental health awareness will be displayed in the library for one month before moving on to another location.
- Open seat on the board
 - Margaret will contact Judy Kane and Rustin will contact the Mayor's Office to see if he has any suggestions.
- Officer elections
 - The next meeting in January will need to include officer elections.

7. **Adjournment:** A motion to adjourn passed at 8:35pm (Johnson/Merk).

Minutes submitted by Secretary, Robyn Ripley.

2015 DEC 17 P 3:29

**MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

Call to Order

November 16, 2015

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: Barbara Fenby, Colleen Hughes, Philip Hodge & Shawn McCarthy.

Brian DuPont, Edward Coveney & Sean Fay were absent.

Also in attendance were Board Secretary Melissa Peltier & City Engineer Evan Pilachowski.

1. Meeting Minutes:

A. Regular Meeting November 2, 2015

On a motion made by Ms. Hughes, seconded by Mr. Hodge it was voted to accept and place on file the minutes of the November 2, 2015 Regular Meeting. Motion carried.

2. Chair's Business:

A. Discussion/Update regarding Planning Board Application Form

Chairperson Fenby noted the updated application form has been delivered to each member present (4).

On a motion made by Ms. Hughes, seconded by Mr. McCarthy it was voted to table the draft application form until all members have given their input. Motion carried.

3. Approval Not Required: None

4. Public Hearings: 7:15pm None

5. Pending Sub Division Plans: Updates and Discussion:

A. Engineers Report

City Engineer Pilachowski noted that he has prepared recommendations for both DiCenzo Boulevard and LaCombe Street.

Ms. Hughes read the favorable recommendation for the acceptance of DiCenzo Boulevard into the record.

On a motion made by Mr. Hodge seconded by Mr. McCarthy it was duly voted to: Recommend to the City Council to Accept DiCenzo Boulevard along with all pertinent easements as a city way. The motion carried by a vote of 4-0-0.

Ms. Hughes read the favorable recommendation for the acceptance of LaCombe Street into the record.

On a motion made by Mr. Hodge seconded by Ms. Hughes it was duly voted to:

Recommend to the City Council to Accept the LaCombe Street extension as a city way as well as all pertinent easements. Due to the ownership issue on the easterly side of the street is cleared. The motion carried by a vote of 4-0-0.

City Engineer Pilachowski continued his report noting that the Walker Brook Estates subdivision is diligently moving forward there is one house framed and another foundation in the works. It is the developers' intent to continue to work at this pace until the weather closes in.

The erosion control issues noted at the Cider Mill Estates subdivision late last week have been corrected as of an inspection made today.

The Waters Edge Subdivision cost to complete the needed infrastructure updates has been calculated. The amount necessary far outstrips the funding left in the subdivision bond. The poor condition is attributed to two strong factors in the City Engineers opinion. Factor one is simply age, the roadway was installed approximately 15 years ago and has not been maintained in any way. Factor two would be the construction was not completed according to the means and methods in place at the time of construction. In other words the construction was sub-par.

City Solicitor Rider noted that his office is still working on the Title issue and is also working on the 21E Assessment, noting that the Conservation Officer upon a visual inspection of the site has reported no apparent issues.

The Engineering Department is currently reviewing the bond status to ensure the bond is still valid prior to recommending the Board take any action.

On a motion made by Mr. McCarthy, seconded by Mr. Hodge it was voted to table this discussion pending additional information. Motion carried.

B. Howes Landing Request for Bond Amount

Ms. Hughes read the bond recommendation from the City Engineer into the record.

On a motion made by Mr. Hodge, seconded by Mr. McCarthy it was voted to set the security amount for the construction of the Howes Landing subdivision at \$273,000.00.

Solicitor Rider also noted that his office has been reviewing the proposed Tri-Partite Agreement as well as the Open Space Parcel(s) Quitclaim Deed. At this point neither of those documents is ready to be released by his office. There are changes needed that will required communication between both the City's legal department and the representing attorney for the developer.

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

7. Definitive Subdivision Submission: None

8. Signs:

A. Festival of Trees Olde Marlborough, Inc.

Ms. Janet Licht, President of Olde Marlborough Inc., was in attendance to discuss the requested variance.

On a motion made by Ms. Hughes, seconded by Mr. Hodge, a recess was called at 7:25pm
On a motion made by Mr. McCarthy, seconded by Mr. Hodge the meeting reconvened at 7:35pm
The largest requested signs comprised of 3' X 4' two sided sandwich board style signs.

The sign locations for this style sign are:

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

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

The sign locations for this style sign are:

| | |
|----------------------------------|----------|
| 133 South Bolton Street: | Approved |
| Corner of Bolton & Union | Approved |
| 377 Elm St. (Historical Society) | Approved |
| 220 Hildreth Street | Approved |
| 340 Maple Street | Approved |

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

There were 14 multiple locations requested.

The sign locations for this style sign are:

13 Hosmer Street
57 West Main Street
7 Ash Street
113 Hudson Street
421 Bolton Street
281 Pleasant Street
218 Ash Street
200 Millham Street
603 Brigham Street
982 Boston Post Rd East
80 West Hill Road
23 Central Street
595 Hosmer Street
540 Concord Road

On a motion made by Mr. McCarthy seconded by Ms. Hughes it was duly voted to allow for the placement of the above requested signage. Duration of this approval is effective November 29, 2015- December 13, 2015. Motion carried.

Requirement of the Board is that the City Seal be affixed to each individually approved sign with the text "Variance approved by the Planning Board 2015" attached.

9. Unfinished Business:

A. Blackhorse Farms Update

City Engineer Pilachowski noted that he has received an inquiry from Guerriere & Hanlon, Inc. regarding the requirements for the "As-Builts" and for the close out documentation to complete

the subdivision.

It was noted to keep this on the next regularly scheduled meeting agenda for updates.

B. Mauro Farms Update

City Engineer Pilachowski noted that the developer has forwarded information pertaining to the request for street acceptance for the subdivision. This request will appear on the agenda for the next regularly scheduled meeting (December 7, 2015).

Solicitor Rider noted that he has not yet heard back from the Attorney for the developer regarding the property marker issue.

It was noted to keep this on the next regularly scheduled meeting agenda for updates.

10. Informal Discussions: None

11. Correspondence:

A. Notice from National Grid

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

12. Public Notices of other Cities and Towns:

A. Town of Framingham, Planning Board Notice of Decision (2), Notice of Public Hearing (2) 11-19-15

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

Adjournment: On a motion made by Mr. McCarthy, seconded by Ms. Hughes it was voted to adjourn at 7:53pm. Motion carried.

Respectfully submitted,

Colleen Hughes
Clerk

/mai

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 DEC 22 P 4: 12

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
November 19, 2015 (Thursday)**

**Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

Present: Edward Clancy - Chairman, John Skarin, David Williams, Dennis Demers, Karin Paquin, and Allan White. Also present was Priscilla Ryder - Conservation Officer.

Absent: Lawrence Roy

Minutes: The minutes of November 5, 2015 were unanimously approved 5-0 as written.

Public Hearings:

Notice of Intent

Corner of Lizotte Dr. and Williams St. - Lake Williams Marsh LLC

Peter Lavoie P.E. from Guerriere & Halnon was present and representing the owners for the property at the corner of Lizotte Dr. and Williams St. and Jackson Dr. He presented a proposal to build a 2 story office building with 43 parking spaces. Access would be off Jackson Dr. The property is serviced by water and sewer. All the drainage will be collected, treated and discharge on this property. The drainage includes several catch basins, stormceptors, underground basins, and two shallow detention areas – one a plung pool for the cultech system drainage, the other collecting sheet flow. They have honored the 50' no disturb buffer zone associated with the Water Supply Protection District Ordinance. Two retaining walls are proposed just outside the 50' buffer zone. The footings will be outside this 50' buffer zone, which was a concern of the Commission. The walls and building look very close to the buffer zone, the Commission wanted to know how this will be built without impacting this area. Mr. Clancy noted that the riverfront area for the adjacent stream should be located on the plan to be sure no work is proposed in this zone. Ms. Ryder noted that she had checked the wetland flags and was not comfortable with the delineation as shown in the field. She asked Mr. Lavoie for the wetland data sheets. He indicated that the flagging had been done some time ago and they would send a Goddard Consultant out there to re-define the line. The line will be re-checked and they will contact Ms. Ryder to verify once that is done.

The Chairman opened up the floor to the audience:

- Mr. Jackson who lives at 154 Williams St. explained that it has been extremely dry this year, and that the area in question is quite wet. He wanted to be sure this current weather pattern was taken into consideration in reviewing the plan.
- Eileen Welton of 287 Clover Hill St. expressed concern about whether this project might cause some drainage problems on her property which abuts the upstream pond. She discussed traffic issues at that intersection when the charter school is in session. She also expressed concern that her family's house on the corner would get inundated with lights

from this new office park and asked for some vegetated screening and that the placement of lighting be planned out, so as to not impact her property.

- Reis Nelson of 250 & 298 Clover Hill St. was also concerned with the existing drainage and the need for landscaping to buffer the project from the family's home at 250 Clover Hill. Mrs. Reis also expressed similar concerns.

After some discussion, the Commission voted to continue the hearing to the Dec. 17th meeting.

Request for Determination of Applicability

615 Williams - St Olga Franchi, Williams St. Holding LLC

Nicole Hayes from Goddard Consulting was present and represented the owners. She explained that the owners have owned the property for a while and are interested in doing something with it. It was not clear based on the USGS maps if the stream which runs behind the property is intermittent or perennial and if the Rivers Bill applies to this property. She provided visual photos of 4 consecutive days of a dry stream bed, as evidence that the stream does dry up, even during non-drought times. She provided the stream stats analysis that the drainage area was less than ½ square mile, which would make it intermittent. She also confirmed that Dept. of Environmental Protection (DEP) had not declared a drought this summer, even though it was dry. After some discussions about the stream and watershed, the Commission agreed the stream was intermittent, however they noted that there is likely Bordering Vegetated Wetland and perhaps floodplain that would need to be delineated before they go any further with their planning. Ms. Hayes indicated that was the plan, they simply wanted to know if the Riverfront Area applied to the project before they continued planning. The Commission voted unanimously 6-0 to close the hearing and issue a Positive Determination indicating that the stream behind the property is an intermittent stream.

Discussion/Correspondence/Other Business:

- Mass Wildlife Habitat Management Grant Program - Ms. Paquin attended a workshop regarding this new grant program which provides funding for projects that can improve habitat and extra points are provided if the property also allows for hunting. The Commission discussed the use of goats at Cider Knoll to remove invasive plants, or a project at the Desert Natural Area to remove invasive plants prior to doing any timber management projects there. Ms. Ryder and Ms. Paquin will work together on the application. The application is due on November 30th.

Project Updates:

- Toll Brothers is about to request a Certificate of Compliance for the Residents at Assabet Ridge project on Crowley Dr. Ms. Ryder will be doing a site walk prior to the next meeting.
- Mr. O'Donnel who owns the farm at the end of Broadmeadow Rd. is considering putting in an organic garden on the property. He just purchased from Mr. Rousseau. He asked Ms.

Ryder for some input from the Commission. Ms. Ryder, Ms. Paquin and Mr. Clancy all agreed to attend and do a site walk.

Meetings - Next Conservation meetings -December 3, and December 17, 2015 (Thursdays)

Adjournment - There being no further business, the meeting was adjourned at 8:17 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer.

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

2015 DEC 22 P 4: 12

Minutes

December 3, 2015 (Thursday)

**Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

Present: John Skarin - Acting Chairman, David Williams, Lawrence Roy, Karin Paquin, and Allan White. Priscilla Ryder – Conservation Officer.

Absent: Edward Clancy and Dennis Demers

Discussion

• 329 Maple St. – Violation – All Star Auto Sales

Attorney Arthur Bergeron and his clients Benjamin Donnaruma owner of All Star Auto Sales were present along with Chris who works with Mr. Donnaruma. Mr. Bergeron showed a power point presentation of the property as it exists today and a proposed plan with the brook covered. He noted that per the violation notice his client received in October, they have moved the large storage bins off the stream. However, they have not moved anything else away from the edge of the stream. Attorney Bergeron's interpretation of the regulations is that the Floodplain and Wetlands (sec. 650-23 of city code) protection district 30' set back requirement is only for permanent structures, not for cars. The building is pre-existing. Ms. Ryder will look into this and get an opinion from the City Solicitor.

Mr. Bergeron explained that his client would like to expand his business and as a car dealer would like to have full visibility from the street, his idea is to propose a zoning change to eliminate the green space requirements along the roadway in this automotive zone. His wish is to cover the brook and compensate for the flood storage lost on his lot. The stream is a three sided open culvert now, so the only wetland values he sees is that of flood storage. He has advised his clients to hire a wetland consultant/engineering firm that can analyze the floodplain and floodway regulations to see how to design the property to meet the wetland regulations. Ms. Ryder noted that the Commission is only permitted to consider the alteration of up to 5,000 sq. ft. of any wetland type with restoration/compensation. Any alteration above that threshold will require the DEP Commissioners approval. The Commission expressed concern with this idea of covering the brook and noted that trees were taken down recently as well removing lots of green space and that snow was seen last winter being dumped in the brook, which is not permitted. They expressed concern that a proposal to cover the brook is not favorable to them. Mr. Bergeron indicated once his client has discussed this with their engineer and

come up with a design that can meet the wetland regulations, they would be back to discuss with the Commission.

Public Hearings:

Notice of Intent

225 Boundary St., Millham Dam Maintenance– City of Marlborough DPW

Michele Higgins, Assistant Commissioner of Utilities at the DPW was present and explained that in order to better maintain the face of the Millham Dam, they need to create a dam face they can mow. The downstream face of the dam is now a rip rap slope. Over the years shrubs and brushes and small trees have grown on the dam which the Office of Dam safety has said is not safe for the dam structure. Therefore, the DPW plans to fill in the voids with rock and soil and then loam and seed the outside slope of the dam, so it can be mowed to keep the woody material out. She also mentioned that the toe drain/under drain was mostly closed by the MWRA, so is not likely to need repair. It is 25' deep and required a special tool that the MWRA had to close this drain which has apparently been open for years and letting out water. The plan is to bring in the fill material, spread it across the stone in sections and loam and seed each section as soon as possible to prevent any washout. The work will be done in controlled phases. The soil is coming from the DPW yard which has been tested and is clean. The Commission asked to have copies of the test result to examine, to confirm the soil is clean enough to place next to the city's water supply. The long term maintenance schedule will be to mow the slope twice a year to keep the woody materials off the slope face of the dam. After some discussion, the Commission voted unanimously 5-0 to issue a standard order of conditions. Ms. Ryder is to hold the permit until the soil test results are provided for review and approval.

Discussion/Correspondence/Other Business:

Beacon – North Final Environmental Impact Report EPA # 13755 - Ms. Ryder noted that the FEIR for the future development of the parcel between Rte. 20, Glen St. and Ames St. has been submitted. Comments are due on or before Dec. 23, 2015. She will draft comments for review at the next meeting.

Certificate of Compliance - Ms. Ryder indicated that she had done site visits at both projects requesting Certificates and there were still outstanding items still to be met. The Commission continued these items to the next meeting.

- DEP 212-997 Residence @ Assabet Ridge – Tolls Brothers
- DEP 212-998 714 Farm Rd. – Full

Extension Permits

- DEP 212-1104 Sudbury Street Area Sewer Project – The DPW has requested an extension since all the work associate with this permit has not yet been completed. The Commission voted 5-0 to issue a 3 year extension for this project. (Note: after the meeting it was discovered that this permit was issued initially as a 5 year permit (not the usual 3 years), so does not expire until 2018, therefore the extension permit is not necessary at this time and was not issued.)

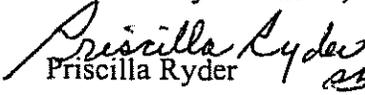
Project Updates: None

Meetings – Next Conservation meetings – December 17, 2015 and January 7, 2016 (Thursdays)

Adjournment

There being no further business the meeting was adjourned at 7:54 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer

**Zoning Board of Appeals
Minutes
October 27, 2015**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 DEC 24 A 11: 29

Members present: Paul Giunta-Chairman, Theodore Scott, Ralph Loftin and Robert Levine. (Thomas Golden arrived too late, resulting in not hearing a good portion of the testimony, so Mr. Golden did not participate in the vote)

Location: 35 Houde St.

Petition: The applicant desires to construct an attached two car garage with a mud room, being 14 ft. 4 in. vs. the required minimum 20 ft. from the side lot line. Chapter 650 §41-Table of Lot Area, Yards, and Height of Structures. The property is located in Zoning District A-1, being Map 66, Parcel 142 of the Assessor's Maps. Also known as 35 Houde St.

Present this evening were the applicants Anthony and Margaret Arena, 35 Houde St. and Andre Blais, 8 Houde St., Marlborough, MA. There was no one present to speak in favor or in opposition to the petition.

The lot in question is 22,949 sq. ft. in area. The existing house is positioned more toward the left side lot line; there is a 15 ft. city easement on the property before the right side lot line. The house was built in 1983. The topography of the lot slopes down from the rear of the property to the front. The lot in question is surrounded by house lots to the left and right of the lot in question. To the rear of the lot is city owned land "Korean Veterans Field".

Plans:

- The applicant submitted a Plot Plan entitled: Required Variance, 35 House St., Marlborough, MA Prepared for Andre Blais, 8 Houde St. Marlborough, MA Prepared by: Bruce Saluk & Assoc., Inc. Dated: Rev. Sept. 10, 2015.
- At the hearing, the applicant showed a Mortgage Plot Plan (not in Board's file)

Hardship: The applicant stated hardship is that the existing house was built close to the left side lot line, thus creating their hardship in trying to construct an attach 2 car garage with a mud room. The existing driveway is located at the left of the house. It is not feasible to construct on the right side of the house, because of a chimney and the living room is located on that side. At the rear is the pool. A one car garage is not feasible, because they have 2 cars.

The applicant thought their Mortgage Plot Plan was an accurate plan showing that they had more footage between the proposed garage to the side lot line. The Board explained that this type of plan is a visual survey (not an instrument survey) and may not accurately indicate distances from the structure to the lot lines.

The applicant indicated that previously a section of the southeast (left rear) stonewall had fallen over and that he reset the stones, not knowing that one of the stones had a drill hole

that was the property corner marker. The applicant further indicated that his surveyor may have erroneously used the new location of the drill hole. The Board suggested that the applicant secure the subdivision plan indicated in his deed to see if there are property line bearings and if these bearings match the bearings on their surveyors certified plot plan.

Andre Blais, a friend helping them out, was present. He stated the mud room is necessary because of the difference in elevation between the first floor of the house and the proposed garage floor.

The Board informed the applicant that the stated hardship does not meet the criteria for a variance. The Board explained to the applicants that inconvenience, personal or financial, is not a “hardship”. The Board mentioned a few options that they may have, so they do not need a variance, i.e. construct a one car garage, eliminate the mud room or place the garage on the other side of the house.

There was much discussion about the survey boundary lines, the Mortgage Plot Plan and the Plot Plan.

The Board informed the applicants that they felt there was no “hardship” according to Mass. General Law Chapter 40A, Section 10 as stated by the applicant. The Board also felt they have other options to acquire a 2 car garage for their house without a variance.

The Board suggested to the applicants to either “Withdraw Without Prejudice” or they can continue the public hearing if they want to come back to the Board with additional information.

The applicants agreed to “Withdraw Without Prejudice”. They stated they will try to find the original subdivision plan for the house lots on Houde St. This plan may reveal more information concerning the location of the property lines.

The Board voted 4-0 to grant the applicant to “Withdraw Without Prejudice”.

With no other testimony taken or given, the public hearing was closed.

Respectfully submitted,



Paul Giunta
Chairman

MetLife Auto & Home[®]
Subrogation - Warwick
Mail Processing Center
PO Box 2204
Charlotte, NC 28241-2204
800-634-9740

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 DEC 28 A 11: 27

MetLife[®]

12/22/2015

City Of Marlborough
Attn: Office Of The City Clerk
140 Main Street 1st Floor
Marlborough, MA 01752

Your Insured: City Of Marlborough
Your Policy Number: Office Victor Linnell
Your Claim Number: License Plate #: MP9741, MA

Our Customer: John Dearden
Our Claim Number: ALI21747
Date of Accident: 10/08/2015

Dear Office Of The City Clerk:

We understand you are financially responsible for the above referenced loss. Our investigation of the accident has determined your driver was negligent and is therefore responsible for the damages we have paid to our insured. If you have insurance coverage, please provide us with your insurance information. Enclosed is our supporting documentation.

Property Damage

| | |
|------------------------------------|----------|
| Collision or ACV: | \$682.24 |
| Deductible: | \$0.00 |
| Rental: | \$0.00 |
| Other: | \$0.00 |
| TOTAL: | \$682.24 |
| Does Massachusetts Bailment Apply? | Pending |

Kindly remit payment to: **MetLife Auto & Home; P.O. Box 2204, Charlotte, NC 28241-2204**
If you have any questions, please call us. **Please include claim number ALI21747 on all payments.**

Thank you.

Skyler Paris
SUBROGATION ADJUSTER, Ext: 6041, Fax: 866-260-1662
METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY

MetLife Auto & Home is a brand of Metropolitan Property and Casualty Insurance Company and its Affiliates, Warwick, RI

CC: LEGAL 12/28/15
