

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 MAY -3 P 2: 25

1. Minutes, City Council Meeting, April 23, 2018.
2. PUBLIC HEARING On the Proposed Zoning Ordinance Amendment, Article VI, §650-22 Retirement Community Overlay District, 90 Crowley Drive, Order No. 18-1007198.
3. Communication from the Mayor re: FY19 Budget Recommendation in the amount of \$162,833,467.00 which represents a 3.99 % increase over last year's total operating appropriation. (The Proposed FY19 Budget book is available for viewing in the City Clerk's office).
4. Communication from the Mayor re: Capital Projects request with detailed narratives att'd.
5. Communication from the Mayor re: WMCT transfer request in the amount of \$355,519.00 which moves funds from PEG Fees to Marlborough Cable Trust to fund the remainder of WMCT'S FY19 Budget.
6. Communication from the Mayor re: Fire Department Grant in the amount of \$1,000.00 from Cummings Properties to purchase patch decals and challenge coins.
7. Communication from the Mayor re: Conservation Department grant in the amount of \$1,000.00 from Dow Chemical Company to support annual Project Clean Sweep and beautification of Marlborough.
8. Communication from the Mayor re: Grant Acceptance & Resolution, which in part, accepts a Land & Water Conservation Fund grant from the MA Executive Office of Energy & Environmental Affairs for Ghiloni Park Improvements.
9. Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: License to Encroach on Public Sidewalk Indemnification – M & O Kitchens Corp., d/b/a O'Hearns Tavern, Order No. 18-1007248.
10. Communication from various residents and companies re: Opposition to the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136C.
  - a. P.J. Banacos, 104 Farm Rd.
  - b. Richard Bolt, no address given.
  - c. Marconi Santos, The DaCosta Co., Inc, 655 Farm Rd.
11. Communication from Attorney Falk on behalf of Route 20 Marlboro Properties, LLC (RK Centers), re: request to reschedule Public Hearing on Proposed Zoning Amendment concerning ancillary auto sales, 735 Boston Post Rd., East from June 4, 2018 to July 23, 2018, Order No. 18-1007224.
12. Communication from Code Enforcement Officer, Pamela Wilderman re: Apex Sign requests as follows:
  - a. Flat Wall sign for Okami Sushi, 43.75 s.f.
  - b. Flat Wall sign for Okami Sushi, 58.51 s.f.
  - c. Flat Wall sign for Muse Paint Bar, 48 s.f.
  - d. Awning for Muse Paint Bar, 15.75 linear feet.
13. Communication from the MA State Lottery Commission re: Eligibility to sell Keno To Go, Thomas Energy, 175 Lakeside Ave.
14. Communication Department of Public Utilities, Condensed Financial Return for year-end December 31, 2017, NStar Gas Co.
15. Minutes, Conservation Commission, April 5, 2018.
16. Minutes, Traffic Commission, March 28, 2018.

**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.**

17. Minutes, Retirement Board, March 27, 2018.
18. Minutes, Library Board of Trustees, February 6, 2018 & March 6, 2018.
19. Minutes, License Board, March 28, 2018.
20. CLAIMS:
  - a. Tsu-Wei Kuang, 167 Kelleher St., residential mailbox claim 2(a).
  - b. Christopher Lowe, 25 West Hill Rd., residential mailbox claim 2(a).
  - c. Anthony Giorgi, 290 West Hill Rd., other property damage and/or personal injury.
  - d. James Porter, 116 Hudson St., pothole or other road defect.
  - e. Kathy & Steve Monti, 21 Masciarelli Dr., other property damage and/or personal injury.
  - f. Ron Allard, 10 Masciarelli Dr., residential mailbox claim 2(a).

#### REPORTS OF COMMITTEES:

#### UNFINISHED BUSINESS:

##### From Finance Committee

21. **Order No. 18-1007208 – Transfers \$17,807.50 from Reserve for Salaries to DPW Forestry & Parks Sick Leave Buy Back account** - The Finance Committee reviewed the Mayor's letter dated March 15, 2018 requesting a transfer of \$17,807.50 from the Reserve for Salaries Account to the DPW Forestry & Parks Sick Leave Buy Back account for an employee retirement. **The Finance Committee voted 4 - 0 to approve the transfer.**

##### From Personnel Committee

22. **Order No. 18-1007196 - Communication from the Mayor regarding the Reappointments of Robin Williams and Jim Griffin to the Board of Health for three year terms, expiring the first Monday in February 2021. Motion made by Councilor Landers, seconded by the Chair, to approve the reappointments of Robin Williams and Jim Griffin. The motion carried 2-0.**
23. **Order No. 18-1007220 - Communication from the Mayor re: Reappointment of Assistant City Solicitor, Cynthia Panagore Griffin for a term to expire three years from date of confirmation. Motion made by Councilor Landers, seconded by the Chair, to approve the reappointment of Cynthia Panagore Griffin. The motion carried 2-0.**

##### From Public Services Committee

24. **Order No. 18-1007220B - Petition of National Grid to install new pole 34-5 for service to Shell Gas Station, 342 Boston Post Road East. Motion made by Councilor Doucette, seconded by the Chair, to approve the petition. The motion carried 3-0.**
25. **Order No. 18-1007211 - Application for Renewal of Junk Dealer's/Second Hand License, ecoATM, LLC, 601 Donald Lynch Boulevard. Motion made by Councilor Doucette, seconded by the Chair, to approve the license renewal. The motion carried 3-0.**
26. **Order No. 18-1007212 - Application for Renewal of Junk Dealer's/Second Hand License, Roman Kimyagarov, Arthur & Sons Shoe Repair, 107 Main Street. Motion made by Councilor Irish, seconded by the Chair, to approve the license renewal. The motion carried 3-0.**
27. **Order No. 18-1007225 - Application for Renewal of Junk Dealers/Second Hand License, Tony Bitar, Hannoush Jewelers, 601 Donald Lynch Boulevard. Motion made by Councilor Irish, seconded by Councilor Doucette, to approve the license renewal. The motion carried 3-0.**

**28. Order No. 18-1007226 - Application for Renewal of Junk Dealers/Second Hand License, TVI, Inc. d/b/a Savers, 222A East Main Street.**

The following conditions and waivers are part of their license:

Conditions

1. The license shall not be transferred without prior review and approval of the City Council.
2. The license hereby granted is issued to TVI, Inc. d/b/a Savers only and is applicable only to the 222A East Main Street location.
3. There will be no exterior storage, display or sales of merchandise, other than a recycle trailer, a cloth delivery trailer with items waiting to be processed, and a local trailer from one of Savers' charitable partners delivering merchandise to the store. No more than three such trailers and trucks shall be parked at the loading dock area in the rear of the building at any one time, and no such trailers or trucks shall be parked on any other side of the building at any time.
4. Donations shall take place only during the hours of operation which shall be 9:00 A.M to 9:30 P.M. Monday through Saturday and 10:00 A.M. to 7:00 P.M. on Sundays, and during the month of October from 9:00 A.M. to 10:00 P.M. Monday through Saturday and 10:00 A.M. to 10:00 P.M. on Sundays.
5. No Savers' donation boxes shall be permitted outside of the building.
6. No scrolling or rotating message signs shall be permitted as part of Savers' signage plans.
7. Glue boards shall be installed at locations within the business premises satisfactory to the Marlborough Board of Health and Savers, and a monthly monitoring program shall be implemented consisting of a log book for said glue boards satisfactory to the Board of Health.
8. This license shall be subject to revocation or suspension for noncompliance of the above conditions or other applicable local ordinances or state laws.
9. The waivers granted as part of this license shall no longer be applicable should Savers commence paying the general public for merchandise delivered without first obtaining the review and approval of the City Council.

Waivers

1. The waiver of Section 377-4 of the Ordinance as requested by Savers is not granted because Section 377-4 is not applicable to Savers' operations.
2. The waiver of Section 377-5 of the Ordinance is granted with respect to the last sentence thereof requiring the City Clerk to keep a list of persons employed by Savers. All other provisions of Section 377-5, other than the duty of the City Clerk to keep a record of the name and residence of each dealer, are not applicable to Savers.
3. The provisions of Sections 377-6, 377-7 and 377-9 of the Ordinance are waived in their entirety.

**Motion made by Councilor Irish, seconded by Councilor Doucette to approve the license renewal. The motion carried 3-0.**

**29. Order No. 18-1007227 - Application for Renewal of Junk Dealers/Second Hand License, Jean Rabelo, Post Road Used Auto Parts of Marlboro, Inc., 785 Boston Post Road. Motion made by Councilor Doucette, seconded by Councilor Irish to approve the license renewal. The motion carried 3-0.**

**30. Order No. 18-1007228 - Application for Renewal of Junk Dealers/Second Hand License, Gerald Dumais, Dumais & Sons Second Hand Store, 65 Mechanic Street. Motion made by Councilor Irish, seconded by the Chair to approve the license renewal. The motion carried 3-0.**

From Urban Affairs Committee

31. **Order No. 17/18-1007054B - Application for Special Permit to construct an Ancillary Residential Community in a single 28-unit building to be built at 615 Williams Street in conjunction with the Village at Crane Meadow Retirement Community. Motion made by Councilor Juairé, seconded by the Chair, to deny the special permit application. The motion carried 5-0.**
32. **Order No. 18-1007163-2B (X18-1007151): Review of Proposed Zoning Ordinance Amendment to Chapter 650, several subsections as it pertains to Adult (formerly “Recreational”) Use Marijuana.** The Urban Affairs Committee met with Assistant City Solicitor Panagore Griffin for a discussion of the draft document for “Adult Use Marijuana, Marijuana Accessories Retail, and Marijuana Cultivator, Testing Lab, Manufacturer or Transporter and Revisions to Medical Marijuana Treatment Centers which enable integration of these other uses into Section 650-32”, dated April 6, 2018. Assistant City Solicitor Panagore Griffin made changes to the draft regulations based upon the previous meeting of the Urban Affairs Committee held on March 6, 2018 as well as State regulations. During their review of the document the committee made several amendments:
- 4. (47) (a) Remove reference to “Massachusetts State Highway”;
  - 4. (47) (e) No outside displays or storage of marijuana, related supplies, equipment, or educational materials is permitted;
  - 9. B. It was requested this paragraph be made more concise;
  - 11. Definitions: Marijuana Accessories – Councilor Doucette made a motion, seconded by the Chair to include the word “exclusively” to the definition “, devices or materials of any kind that are exclusively intended or designed for use in planting,” The motion did not carry, 1-3.

**Councilor Ossing encouraged the Urban Affairs Committee to report its recommendation of the amended ordinance out of committee and request the Legal Department place it in final form while awaiting the Planning Board’s recommendation.**

Councilor Juairé recused.

**Motion made by Councilor Doucette, seconded by the Chair, to approve as amended. The motion carried 4-0.**

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CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK  
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APRIL 23, 2018

Regular meeting of the City Council held on Monday, April 23, 2018 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Delano, Juare, Oram, Ossing; Robey; Doucette, Dumais, Tunnera; Irish and Landers. Absent: Clancy. Meeting adjourned at 8:55 PM.

ORDERED: That the Minutes of the City Council meeting APRIL 2, 2018, **FILE**; adopted.

ORDERED: That the MCDA transfer request in the amount of \$400,000.00 which moves funds from Open Space Stabilization to the Marlborough Community Development Authority to convey 19 properties to the City of Marlborough, including a large parcel on Winter Street abutting Stevens Park, refer to **LEGISLATIVE & LEGAL AFFAIRS COMMITTEE & FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

	DEPT:	Mayor				FISCAL YEAR:	2018		
		FROM ACCOUNT:				TO ACCOUNT:			
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
<u>\$1,035,628.06</u>	<u>\$400,000.00</u>	<u>83600</u>	<u>32918</u>	<u>Open Space Stabilization</u>	<u>\$400,000.00</u>	<u>24518102</u>	<u>50114</u>	<u>MCDA</u>	<u>\$0.00</u>
	Reason:	<u>Real estate transfer with Community Development Authority</u>							
<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
	\$400,000.00	Total			\$400,000.00	Total			

ORDERED: That the City Clerk transfer request in the amount of \$8,000.00 which moves funds from Reserve for Salaries to the City Clerk's Advertising to fund legal advertisements, **APPROVED**; adopted.

## CITY OF MARLBOROUGH

## BUDGET TRANSFERS -

DEPT:		City Clerk			FISCAL YEAR:		2018		
		FROM ACCOUNT:					TO ACCOUNT:		
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$407,140.00</u>	<u>\$8,000.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for salaries</u>	<u>\$8,000.00</u>	<u>11610004</u>	<u>53150</u>	<u>Advertising</u>	<u>\$3,357.55</u>
Reason:					To fund high volume of advertising through year-end				
		\$8,000.00	Total		\$8,000.00	Total			

ORDERED: That the Communication from the Mayor re: City of Marlborough Management Letter for FY2017, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the City of Marlborough hereby accepts section 3 of c. 64N of the Massachusetts General Laws, as amended, to impose an excise on the retail sales of marijuana for adult use at the rate of 3 percent, said excise to be deposited into the General Fund, refer to **FINANCE COMMITTEE**; adopted.

**Councilor Juairé recused.**

ORDERED: That the Communication from City Solicitor, Donald Rider re: Application for Special Permit, NEH Inc., d/b/a New England Hydroponics, 19 Brigham Street, Unit 6 in proper legal form, **MOVE TO REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Communication from City Engineer, Thomas DiPersio, re: Recommendations on the Petition from NGrid to install a new pole for service to the Shell Station at 342 Boston Post Road East, **MOVE TO REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Communication from Retirement Board, Chairman Brewster, re: Adoption of Section 34 of Chapter 176 of the Acts of 2011 which provides for an increase in the stipend paid to members of the Retirement Board not to exceed more than \$4,500.00, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JUNE 18, 2018** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Sandra Colligan, to demo existing house and build a new two story home at 21 Patten Drive, refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JUNE 18, 2018** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Attorney Falk, on behalf of Jefferson Street Residences, 27 Jefferson LLC, to build an 11 unit 2 story, multifamily condominium building at 27 Jefferson Street, refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

ORDERED: That the Application for Renewal of Junk Dealer's/Second Hand License, Best Buy Stores, LP 1966, 601 Donald Lynch Boulevard, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Application for Renewal of Junk Dealer's/Second Hand License, Best Buy Stores, LP 820, 769 Donald Lynch Boulevard, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Communication from Tiffany O'Hearn, of O'Hearns Tavern, 11b Florence Street, to add outdoor seating to their establishment, refer to **LEGISLATIVE & LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Communication from various residents and companies re: Opposition to the Proposed Farm Road Retirement Community Overlay District, refer to **URBAN AFFAIRS COMMITTEE AND LEGAL DEPARTMENT**; adopted.

ORDERED: That the Minutes, Parks & Recreation Commission, January 17, 2018 & February 14, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Zoning Board of Appeals, March 27, 2018, **FILE**; adopted.

ORDERED: That the Minutes, License Board, January 31, 2018, February 28, 2018 & March 15, 2018; adopted.

ORDERED: That the Minutes, Conservation Commission, March 15, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, February 5, 2018 & March 5, 2018, **FILE**; adopted.

ORDERED: That the Minutes, School Committee, March 27, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, March 6, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Commission on Disabilities, June 6, 2017, July 11, 2017, October 3, 2017, November 14, 2017 & March 6, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessors, March 28, 2018, **FILE**; adopted.

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

- a. Jonathan Pezzoni, 125 Arrowhead Circle, Ashland, pothole or other road defect.
- b. Ray Giglio, 615 Concord Road, residential mailbox claim 2(b) & other property damage and/or personal injury.
- c. Richard Wiggin, 455 Farm Road, residential mailbox claim 2(b).

## Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee  
Monday April 9, 2018  
In Council Chambers**

Finance Committee Members Present: Chairman Ossing; Councilors Robey, Oram, and Irish.

Finance Committee Members Absent: Councilor Dumais.

Other Councilors in Attendance: Councilor Clancy and Landers.

The meeting convened at 7:00 PM.

1. **Order No. 18-1007208 – Transfers \$17,807.50 from Reserve for Salaries to DPW Forestry & Parks Sick Leave Buy Back account** - The Finance Committee reviewed the Mayor's letter dated March 15, 2018 requesting a transfer of \$17,807.50 from the Reserve for Salaries Account to the DPW Forestry & Parks Sick Leave Buy Back account for an employee retirement. **The Finance Committee voted 4 - 0 to approve the transfer.**
2. **Order No. 18-1007236 – Review FY18 Abbreviated Budget and Recommend FY19 Budget Format** – The Finance Committee reviewed an order submitted by Councilor Ossing that appeared on the April 2, 2018 City Council agenda (Agenda item 25) to review the results of the FY18 abbreviated budget process and approve the abbreviated budget authorization format for all departments for the FY19 City budget.

By way of background information, the City Council approved the abbreviated budget process for FY18 on April 24, 2017 (Order Number 17-1006856A). In its 2006 Financial Management Review of the City of Marlboro, the Massachusetts Department of Revenue recommended that the City adopt several best financial practices including approving the City budget with the salary and expenditure accounts for each department as opposed to the past practice of approving each individual line item. This recommendation was also made in the City's Fiscal Year 2016 audit performed by Roselli, Clark & Associates. Department heads would be able to add funds to their approved salary or expenditure accounts without City Council approval. The Auditor will provide a summary of all transfers within a department's budget each month to the City Council.

The Finance Committee reviewed the FY18 abbreviated budget process (summarized in Attachment 1) and voted 4 – 0 that the process was working properly.

**The Finance Committee voted 4 - 0 to approve the order for the abbreviated budget format for the FY19 budget process that includes the sunset clause to have the City Council assess the results in April 2019 to determine if the practice will continue.**

## Reports of Committee Cont'd:

**The Finance Committee agreed to support suspending the rules at the April 23, 2018 City Council meeting to approve the Order to review the results of the FY18 abbreviated budget process and approve the abbreviated budget authorization format for all departments for the FY19 City budget.**

The Finance Committee adjourned at 7:23 PM.

Councilor Irish reported the following out of the Personnel Committee:

Meeting Name: City Council Personnel Committee

Date: April 9, 2018

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 6:45 PM – Adjourned: 6:57 PM

Present: Chairman (Acting) Irish; Personnel Committee Member Councilor Landers; Councilors Clancy, Oram, and Ossing

Absent: Councilor Tunnera

**Order No. 18-1007196 - Communication from the Mayor regarding the Reappointments of Robin Williams and Jim Griffin to the Board of Health for three year terms, expiring the first Monday in February 2021.** Recommendation of the Personnel Committee is to approve the reappointments of Robin Williams and Jim Griffin to the Board of Health. Ms. Williams stated the Board of Health was busy and their most recent activity was the adoption of the FDA 2013 Food Code. Massachusetts still operates under the 1999 Food Code, but the Board of Health felt it was important to adopt the most recent regulations (the 2017 Food Code was not yet released). Mr. Griffin was originally appointed to the Board of Health in April 2013 and Ms. Williams was first appointed in 2014. **Motion made by Councilor Landers, seconded by the Chair, to approve the reappointments of Robin Williams and Jim Griffin. The motion carried 2-0.**

**Order No. 18-1007220 - Communication from the Mayor re: Reappointment of Assistant City Solicitor, Cynthia Panagore Griffin for a term to expire three years from date of confirmation.** Recommendation of the Personnel Committee is to approve the reappointment of Cynthia Panagore Griffin as Assistant City Solicitor. Ms. Panagore Griffin has been Assistant City Solicitor for the past eleven years and her diverse background makes her an asset to the City. **Motion made by Councilor Landers, seconded by the Chair, to approve the reappointment of Cynthia Panagore Griffin. The motion carried 2-0.**

**Motion made and seconded to adjourn. The motion carried 2-0. The meeting adjourned at 6:57 PM.**

*Reported by: Chairman (Acting) Irish  
April 23, 2018*

## Reports of Committee Cont'd:

Councilor Landers reported the following out the Public Services Committee:

Meeting Name: City Council Public Services Committee

Date: April 9, 2017

Time: 7:30 PM

Location: City Council Chambers, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 7:30 PM – Adjourned: 8:17 PM

Present: Chairman Landers; Public Services Committee Members Councilors Doucette and Irish; and Councilor Clancy

**Order No. 18-1007200 - Petition of National Grid to install new pole 34-5 for service to Shell Gas Station, 342 Boston Post Road East.** Josh Sztabor of National Grid appeared before the Public Services Committee to discuss National Grid's petition to install new pole 34-5 for service to the Shell Gas Station at 342 Boston Post Road East. Mr. Sztabor did not have a schedule for the installation and he explained the existing poles would remain to continue service to the back. The new pole installation was strictly for the Shell gas station as they are updating to a new footprint for their Seasons Corner Market. The new pole would be thirty-five feet from an existing pole and it would be up to the other utilities to move their service to the new pole. **Motion made by Councilor Doucette, seconded by the Chair, to approve the petition. The motion carried 3-0.**

**Order No. 18-1007211 - Application for Renewal of Junk Dealer's/Second Hand License, ecoATM, LLC, 601 Donald Lynch Boulevard.** Police Chief Giorgi approved the CORI report for ecoATM and had no objection to their application for a Junk Dealer's/Second Hand License. ecoATM is an automated system to collect old cell phones and other small electronic devices and either provide payment or recycling services for the device if it has no monetary value. They are based in California and a representative's attendance has not been required at their renewal hearing. There have been no complaints to the mall where the machine is located or the Marlborough Police Department regarding its operation. **Motion made by Councilor Doucette, seconded by the Chair, to approve the license renewal. The motion carried 3-0.**

**Order No. 18-1007212 - Application for Renewal of Junk Dealer's/Second Hand License, Roman Kimyagarov, Arthur & Sons Shoe Repair, 107 Main Street.** Police Chief Giorgi approved the CORI report for Roman Kimyagarov and had no objection to his application for a Junk Dealer's/Second Hand License. Mr. Kimyagarov appeared before the Public Services Committee to request renewal of his license to provide a service to his customers to buy their used and broken jewelry. He does not repair jewelry, only shoes in addition to leather items such as jackets, belts, and purses. **Motion made by Councilor Irish, seconded by the Chair, to approve the license renewal. The motion carried 3-0.**

## Reports of Committee Cont'd:

**Order No. 18-1007225 - Application for Renewal of Junk Dealers/Second Hand License, Tony Bitar, Hannoush Jewelers, 601 Donald Lynch Boulevard.** Police Chief Giorgi approved the CORI report for Tony Bitar and had no objection to his application for a Junk Dealer's/Second Hand License. Mr. Bitar explained there is not much business for the purchase of gold, in the last year it was not more than \$3,000.00 compared to the recession level highs during the years of 2008, 2009, and 2010. Jewelry sales are currently flat, not what they used to be, but the store has a loyal customer base dating back to when he started with this location's opening in 1996. **Motion made by Councilor Irish, seconded by Councilor Doucette, to approve the license renewal. The motion carried 3-0.**

**Order No. 18-1007226 - Application for Renewal of Junk Dealers/Second Hand License, TVI, Inc. d/b/a Savers, 222A East Main Street.** Police Chief Giorgi approved the CORI report for Roger Gauthier and had no objection to their application for a Junk Dealer's/Second Hand License. David Manoogian, an attorney representing Savers, and Roger Gauthier, Store Manager for Savers, appeared before the committee to request renewal of their license. Mr. Gauthier reported their store has seen a significant increase in sales as well as profit. They met their profit goal as well as a stretch profit goal to receive their company's President's Award which was received by fifty out of the company's three-hundred stores. Their stores fill a need within a community and recycle items if they cannot be resold or reused. Also, they offer donation drives to local non-profits who receive a payment from Savers for items collected during their drive.

The following conditions and waivers are part of their license:

Conditions

1. The license shall not be transferred without prior review and approval of the City Council.
2. The license hereby granted is issued to TVI, Inc. d/b/a Savers only and is applicable only to the 222A East Main Street location.
3. There will be no exterior storage, display or sales of merchandise, other than a recycle trailer, a cloth delivery trailer with items waiting to be processed, and a local trailer from one of Savers' charitable partners delivering merchandise to the store. No more than three such trailers and trucks shall be parked at the loading dock area in the rear of the building at any one time, and no such trailers or trucks shall be parked on any other side of the building at any time.
4. Donations shall take place only during the hours of operation which shall be 9:00 A.M to 9:30 P.M. Monday through Saturday and 10:00 A.M. to 7:00 P.M. on Sundays, and during the month of October from 9:00 A.M. to 10:00 P.M. Monday through Saturday and 10:00 A.M. to 10:00 P.M. on Sundays.
5. No Savers' donation boxes shall be permitted outside of the building.

## Reports of Committee Cont'd:

6. No scrolling or rotating message signs shall be permitted as part of Savers' signage plans.
7. Glue boards shall be installed at locations within the business premises satisfactory to the Marlborough Board of Health and Savers, and a monthly monitoring program shall be implemented consisting of a log book for said glue boards satisfactory to the Board of Health.
8. This license shall be subject to revocation or suspension for noncompliance of the above conditions or other applicable local ordinances or state laws.
9. The waivers granted as part of this license shall no longer be applicable should Savers commence paying the general public for merchandise delivered without first obtaining the review and approval of the City Council.

Waivers

1. The waiver of Section 377-4 of the Ordinance as requested by Savers is not granted because Section 377-4 is not applicable to Savers' operations.
2. The waiver of Section 377-5 of the Ordinance is granted with respect to the last sentence thereof requiring the City Clerk to keep a list of persons employed by Savers. All other provisions of Section 377-5, other than the duty of the City Clerk to keep a record of the name and residence of each dealer, are not applicable to Savers.
3. The provisions of Sections 377-6, 377-7 and 377-9 of the Ordinance are waived in their entirety.

**Motion made by Councilor Irish, seconded by Councilor Doucette to approve the license renewal. The motion carried 3-0.**

**Order No. 18-1007227 - Application for Renewal of Junk Dealers/Second Hand License, Jean Rabelo, Post Road Used Auto Parts of Marlboro, Inc., 785 Boston Post Road.** Police Chief Giorgi approved the CORI report for Jean Rabelo and had no objection to their application for a Junk Dealer's/Second Hand License. Jean Rabelo and Julio Rabelo appeared before the committee to request renewal of their license. Their business has been good over the past year and they supply cars to firefighters for training purposes such as jaws of life practice. Their business is affected by the economy and they feel every rise and fall of the market. **Motion made by Councilor Doucette, seconded by Councilor Irish to approve the license renewal. The motion carried 3-0.**

## Reports of Committee Cont'd:

**Order No. 18-1007228 - Application for Renewal of Junk Dealers/Second Hand License, Gerald Dumais, Dumais & Sons Second Hand Store, 65 Mechanic Street.** Police Chief Giorgi approved the CORI report for Gerald Dumais and had no objection to his application for a Junk Dealer's/Second Hand License. Mr. Dumais has no set hours, his procedure for opening is people call and leave a message with him and he arranges a time to meet them at his store. He has probably only opened between five and six times in the past year. He has several business endeavors one of which is cleaning out homes which is how he supplies his store and he has not done that in at least two to three months. He keeps his license up to date so he can continue this business. **Motion made by Councilor Irish, seconded by the Chair to approve the license renewal. The motion carried 3-0.**

**Motion made by Councilor Irish, seconded by Councilor Doucette, to adjourn. The motion carried 3-0. The meeting adjourned at 8:17 PM.**

*Reported by: Chairman Landers  
April 23, 2018*

Councilor Delano reported the following out of the Urban Affairs Committee:

Meeting Name: City Council Urban Affairs Committee

Date: April 3, 2018

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 5:30 PM – Adjourned: 6:43 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Juare, Landers, Doucette, and Tunnera; and Councilors Clancy, Ossing, and Robey; **Cynthia Panagore Griffin (Assistant City Solicitor, City of Marlborough); Arthur Bergeron and Brian Falk (Mirick O'Connell); Gerry Carroll (Williams Street Holdings, LLC)**

**Order No. 17/18-1007054B - Application for Special Permit to construct an Ancillary Residential Community in a single 28-unit building to be built at 615 Williams Street in conjunction with the Village at Crane Meadow Retirement Community.** Urban Affairs Committee Chairman Delano read two letters, one from Building Commissioner Cooke and the other from Assistant City Solicitor Panagore Griffin, explaining why an Ancillary Residential Community was not allowed per the City of Marlborough's Zoning Code. City Council Order No. 11-1002806-1A, dated April 25, 2011, removed Marlborough General Code section 650-22.C.14 containing reference to "ancillary residential community" and since that time an ancillary residential community has not been an allowable use in Retirement Community Overlay Districts.

However, the published versions of Section 650-22 of the Zoning Code erroneously included that section until the week of March 12, 2018 when the error was discovered. Attorney Arthur Bergeron spoke on behalf of his client requesting more time for them to determine if there is a suitable project for the site. Councilors were sympathetic to the applicant however as advised by the City's Legal Department, an ancillary residential community is not an allowable use and they may not issue a special permit to Williams Street Holdings, LLC.

## Reports of Committee Cont'd:

**Motion made by Councilor Juaire, seconded by the Chair, to deny the special permit application. The motion carried 5-0.**

**Motion made and seconded to adjourn. The motion carried 5-0. The meeting adjourned at 6:43 PM.**

***Reported by: Chairman Delano  
April 23, 2018***

Meeting Name: City Council Urban Affairs Committee

Date: April 10, 2018

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 5:31 PM – Adjourned: 6:40 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Juaire, Landers, and Doucette; and Councilors Clancy, Ossing, and Robey; **Donald Rider (City Solicitor, City of Marlborough); Ethan Holmes (New England Hydroponics)**

**Absent: Councilor Tunnera**

**Order No. 18-1007199 - Application for Special Permit from New England Hydroponics, to use an existing property for retail sales of gardening supplies, 19 Brigham Street, Unit 6.** The Urban Affairs Committee met with Ethan Holmes of New England Hydroponics for a discussion of his application for a special permit to use an existing property for retail sales of gardening supplies at 19 Brigham Street, Unit 6. Mr. Holmes explained the business would sell a whole range of gardening supplies including but not limited to soils, organic soils, different fertilizers, growing equipment (hydroponic systems, buckets, and nursing pots), and various lighting. The applicant agreed there would no outside storage displays and it would be included as a condition (“No outdoor storage or product displays shall be permitted”) in the special permit. Mr. Holmes stated the signage would be like their Framingham location, with store name and logo, and it would be a backlit sign box 144” by 30” that he would obtain a sign permit from the City. Most fertilizers/chemicals would be consumer sized and the Fire Chief would be aware of their presence on the site and MSDS Sheets would be available as well.

Mr. Holmes indicated his lease was contingent on the special permit approval and he hoped to have the new location open by June 1<sup>st</sup>. The Urban Affairs Committee agreed to request a suspension of the rules at the April 23, 2018 City Council meeting to act on the special permit application. Chairman Delano requested the Legal Department place the Special Permit Decision in final legal form for the next agenda.

**Motion made by Councilor Juaire, seconded by the Chair, to approve the special permit application as amended. The motion carried 4-0.**

**Motion made by Councilor Juaire, seconded by the Chair, to request a suspension of the rules at the April 23, 2018 City Council meeting to act on the special permit application. The motion carried 4-0.**

## Reports of Committee Cont'd:

Councilor Delano orally reported information pertinent to the following Orders which are still in Committee:

**Order No. 18-1007160 - That the Mayor Vigeant, DPW Commissioner Ghiloni, and Assistant DPW Commissioner Higgins address the Urban Affairs Committee regarding the closing of the Millham Water Treatment Plant last year, including the present status of the facility, associated financial impacts, and future plans for the site.**

**Order No. 18-1007209 - Communication from the Mayor re: City's Water Infrastructure.**

**Motion made and seconded to adjourn. The motion carried 4-0. The meeting adjourned at 6:40 PM.**

***Reported by: Chairman Delano  
April 23, 2018***

Meeting Name: City Council Urban Affairs Committee

Date: April 17, 2018

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Convened: 5:30 PM – Adjourned: 6:50 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Landers, Doucette, and Tunnera; and Councilors Clancy, Dumais, Ossing, and Robey; **Cynthia Panagore Griffin (Assistant City Solicitor, City of Marlborough)**

**Absent: Councilor Juairé (recused)**

**Order No. 18-1007163-2B (X18-1007151): Review of Proposed Zoning Ordinance Amendment to Chapter 650, several subsections as it pertains to Adult (formerly "Recreational") Use Marijuana.** The Urban Affairs Committee met with Assistant City Solicitor Panagore Griffin for a discussion of the draft document for "Adult Use Marijuana, Marijuana Accessories Retail, and Marijuana Cultivator, Testing Lab, Manufacturer or Transporter and Revisions to Medical Marijuana Treatment Centers which enable integration of these other uses into Section 650-32", dated April 6, 2018. Assistant City Solicitor Panagore Griffin made changes to the draft regulations based upon the previous meeting of the Urban Affairs Committee held on March 6, 2018 as well as State regulations. During their review of the document the committee made several amendments:

- 4. (47) (a) Remove reference to "Massachusetts State Highway";
- 4. (47) (e) No outside displays or storage of marijuana, related supplies, equipment, or educational materials is permitted;
- 9. B. It was requested this paragraph be made more concise;
- 11. Definitions: Marijuana Accessories – Councilor Doucette made a motion, seconded by the Chair to include the word "exclusively" to the definition "devices or materials of any kind that are exclusively intended or designed for use in planting." The motion did not carry, 1-3.

Councilor Ossing encouraged the Urban Affairs Committee to report its recommendation of the amended ordinance out of committee and request the Legal Department place it in final form while awaiting the Planning Board's recommendation.

Reports of Committee Cont'd:

Councilor Juaire recused.

**Motion made by Councilor Doucette, seconded by the Chair, to approve as amended. The motion carried 4-0.**

**Motion made and seconded to adjourn. The motion carried 4-0. The meeting adjourned at 6:50 PM.**

***Reported by: Chairman Delano  
April 23, 2018***

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

ORDERED: That the City Council adopted an abbreviated budget format for the FY19 Budget process which includes a sunset clause to have the City Council assess the results in April 2019 to determine if the practice will continue, **APPROVED**; adopted.

ORDERED: That the Communication from City Engineer, Thomas DiPersio, re: Recommendations on the Petition from NGrid to install a new pole for service to the Shell Station at 342 Boston Post Road East, **FILE**; adopted.

ORDERED: That the Communication from City Solicitor, Donald Rider re: Application for Special Permit, NEH Inc., d/b/a New England Hydroponics, 19 Brigham Street, Unit 6 in proper legal form, **FILE**; adopted.

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

ORDERED:

**DECISION ON A SPECIAL PERMIT  
CITY COUNCIL ORDER NO. 18-1007199B**

The City Council of the City of Marlborough hereby GRANTS the application for a Special Permit to NEH Inc., d/b/a New England Hydroponics (hereinafter "Applicant Tenant"), as provided in this Decision and subject to the following Findings of Facts and Conditions:

**FINDINGS OF FACTS**

1. The landlord is Ivy Brigham Property, LLC, a limited liability company organized under the laws of Delaware with its principal place of business located c/o Ivy Realty, 102 Chestnut Ridge Road, Suite 204, Montvale, New Jersey 07645. Applicant Tenant is a duly organized and existing Massachusetts corporation with its principal place of business at 855 Worcester Road, Suite 2, Framingham, Massachusetts 01701 and has duly filed its Articles of Incorporation with the City Clerk of the City of Marlborough to operate its business at the subject location.
2. The landlord is the title owner of the property located at 19 Brigham Street (the "Site"). The landlord and Applicant Tenant have executed a lease regarding Unit 6 at the Site, and its use pursuant to the terms of this special permit regarding Unit 6 at the Site. The Site is located within the Industrial zoning district, and Unit 6 consists of 6,000 square feet of gross floor area.

3. The Applicant Tenant seeks permission to utilize Unit 6 at the Site as a commercial establishment for selling indoor and outdoor gardening supplies, equipment and merchandise, and products incidental thereto.
4. The Applicant Tenant, on February 28, 2018, filed with the City Clerk of the City of Marlborough, an Application for a Special Permit under the provisions of § 650-17 and pursuant to the procedures specified in § 650-59 of the Marlborough Zoning Ordinance (the "Application").
5. The Site contains an existing commercial building. Unit 6 is shown in that building on plans submitted with the Application, the first said plan entitled "Site Plan," and the second plan being a floor plan entitled "19 Brigham St. Unit # 6" (collectively, the "Plans"). No modifications are proposed to the exterior of the building, no structural modifications are proposed to the interior of the building, and no parking areas will be created or modified.
6. The Applicant Tenant seeks a special permit allowing for a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise, and products incidental thereto. The proposed establishment may be specially permitted within the Industrial zoning district as retail sales and service with less than 75,000 square feet of gross floor area.
7. The Plans have been certified by the Building Commissioner, acting on behalf of the City Planner, as having complied with Rule 7 of the Rules and Regulations promulgated by the City Council for the issuance of a special permit.
8. Pursuant to the Rules and Regulations of the City Council and the provisions of M.G.L. c. 40A, the City Council established a date for public hearing for the Application and the City Clerk caused to be advertised said date in the MetroWest Daily News and sent written notice of said hearing to those abutters entitled to notice under law.
9. The Marlborough City Council pursuant to M.G.L. c. 40A held a public hearing on April 2, 2018, concerning the Application. The hearing was opened and closed at that meeting.
10. The Applicant presented evidence at the public hearing detailing the proposed use and its limited impact upon City services, the neighborhood and traffic.
11. At the public hearing, Ethan Holmes, who will be managing the operation of the business and is the Applicant Tenant, described the proposed business as being a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise and products incidental thereto. In response to questions from city councilors, he indicated that the facility would be open to the general public as a retail operation.
12. No member of the public spoke, either in favor or in opposition to the proposal.
13. Following the public hearing, the Urban Affairs Committee held a meeting on April 10, 2018 during which this Application was discussed.

**REASONS FOR APPROVAL OF APPLICATION FOR SPECIAL PERMIT**

- A. The City Council finds that the Applicant Tenant has complied with all Rules and Regulations promulgated by the Marlborough City Council for an application as they pertain to the requested special permit (the “Special Permit”).
- B. The use of Unit 6 for a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise, and products incidental thereto is an appropriate use of the Unit 6-portion of the Site and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough, subject to appropriate terms and conditions provided for herein. The use sought and its impacts and characteristics are not in conflict with the public health, safety, convenience and welfare, provided the safeguards and limitations imposed herein are met.
- C. The City Council, pursuant to its authority under M.G.L. c. 40A, § 9 and Chapter 650 of the Marlborough City Code, **GRANTS** the Applicant Tenant, its successors and assigns, a Special Permit to operate for a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise, and products incidental thereto, as per plans filed with the City Council and the City Clerk, **SUBJECT TO THE FOLLOWING CONDITIONS**, which shall be applicable to Applicant Tenant’s successors and assigns, and a violation of which shall be a violation of this Special Permit:

**CONDITIONS**

1. Signage. Any signage installed or erected on the Site shall meet the requirements of the Sign Ordinance of the City of Marlborough, without variance.
2. Parking. No on-street parking shall be permitted on Brigham Street or any other abutting side street or public way.
3. Limits of Use. The proposed use of the premises is for use as a commercial establishment selling indoor and outdoor gardening supplies, equipment and merchandise, and products incidental thereto.
4. No Outdoor Storage or Outdoor Product Display. No outdoor storage or outdoor product display shall be permitted at the Site.
5. Certificate of Occupancy Required. No use of the premises will be made pursuant to this Special Permit unless and until a Certificate of Occupancy has been obtained from the Building Commissioner regarding the change of use of the premises.

6. No Expansion of Use Area or Change in Area Configuration. Only the area of Unit 6, containing approximately 6,000 sq. ft., which has been specified in the Plans attached hereto, will be used for the proposed use. To the extent that a substantial increase in, or a change in the configuration of, the area used for this use is desired, the Building Commissioner shall determine whether such increase or change constitutes a substantial change of the permitted use, and if so, no such area increase or configuration change shall be permitted unless and until this Special Permit has been modified by the City Council.
7. Recordation. In accordance with the provisions of M.G.L. c. 40A, § 11, the Applicant Tenant shall, at its expense, record this Special Permit with the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal hearing being filed. The Applicant Tenant shall provide a copy of the recorded Special Permit to the City Clerk, the City Solicitor, and the Building Commissioner.

**Yea: 10 – Nay: 0 – Absent: 1**

**Yea: Delano, Doucette, Dumais, Tunnera, Irish, Landers, Juaire, Oram, Ossing & Robey.**

**Absent: Clancy.**

ORDERED:

#### **K-5 ELEMENTARY SCHOOL BOND**

That the City of Marlborough, Massachusetts (the “City”) appropriate the amount of Fifty-Six Million, Four Hundred Eighteen Thousand, Three Hundred and Thirty-Eight Dollars (\$56,418,338) for the purpose of paying the cost of (i) the construction of a proposed new K-5 Elementary School, including parking lots for such facility, to be constructed in the City on the site of an existing athletic field located on a portion of land on Poirier Drive, which land is owned by the City and known and numbered on the Assessors Map of the City as Map 30, Parcel 12, (ii) the reconstruction of Poirier Drive, which is a public way that will provide access to the school, and (iii) the renovation of athletic fields located on Poirier Drive adjacent to the school, including the payment of all costs incidental or related thereto (collectively, the “Project”), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the City may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the School Building Committee. To meet this appropriation, the Comptroller/Treasurer is authorized to borrow said amount under M.G.L. Chapter 44, as amended and supplemented, or pursuant to any other enabling authority and to issue bonds or notes of the City therefor. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The City acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City;

provided further that any grant that the City may receive from the MSBA for the proposed Project shall not exceed the lesser of (1) sixty-seven and seventy-one hundredths percent (67.71%) of eligible approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, and that, if invited to collaborate with the MSBA on said Project, the amount of borrowing which is authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA.

**APPROVED;** adopted.

**Yea: 8 – Nay: 2 – Absent: 1**

**Yea: Delano, Doucette, Dumais, Irish, Juaire, Oram, Ossing & Robey.**

**Nay: Tunnera & Landers.**

**Absent: Clancy.**

**ORDERED:** There being no further business, the regular meeting of the City Council is herewith adjourned at 8:55 PM.



# IN CITY COUNCIL

Marlborough, Mass., \_\_\_\_\_ MARCH 5, 2018

ORDERED:

PAGE 1

At a regular meeting of the Marlborough City Council held on Monday, MARCH 5, 2018 at 8:00 PM in the City Council Chambers, City Hall, the following proposed amendment to the Code of the City of Marlborough, was **ORDERED ADVERTISED** as follows:

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

1. Section 650-22. A, entitled "Purpose" is hereby amended to read: Purpose. The purpose of the Retirement Community Overlay District shall be to advance the public health, safety and welfare by allowing for the development of retirement communities that provide housing choices for persons aged 55 or over and for the development of other multifamily residential housing on sites which are otherwise zoned for other purposes but which, because of the size of the parcel being developed and its proximity to other residential neighborhoods and/or residential amenities, will provide an appropriate environment for a retirement community and for other multifamily housing which may be developed in conjunction therewith.
2. Section 650-22. C, entitled "Permitted uses" is hereby amended to read: Permitted uses – Detached and Townhouse Style Dwellings. All permitted uses must comply with the appropriate provisions of Article V and Article VII, except as otherwise specified herein. In addition to those uses which are allowed, either as of right or by special permit, in the underlying district of any land which has been included in the Retirement Community Overlay District, the City Council may, by special permit in accordance with §650-59, permit a retirement community, as defined in §650-5, consisting of detached dwelling units or townhouse style units subject to the following provisions:



# IN CITY COUNCIL

Marlborough, Mass., MARCH 5, 2018

ORDERED:

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3. Section 650-22, entitled "Retirement Community Overlay Districts," is hereby amended by adding to said section a new subsection D as follows:

D. Permitted uses – Multifamily. All permitted uses must comply with the appropriate provisions of Article V and Article VII, except as otherwise specified herein. In addition to those uses which are allowed, either as of right or by special permit, in the underlying district of any land which has been included in the Retirement Community Overlay District, the City Council may, by special permit in accordance with §650-59, permit a multifamily retirement community, as defined in §650-5, consistent with the following provisions:

- (1) The total area of the tract or contiguous parcels to be developed as a multifamily retirement community shall not be less than ten (10) acres. The underlying zoning district for all said land shall be either Industrial or Limited Industrial.
- (2) A multifamily retirement community may contain one (1), two (2) and three (3) bedroom units and studio units for independent living persons, and may include services and amenities for its residents, including but not limited to, dining facilities, in-unit kitchens, common rooms, activity rooms, exercise rooms, theater, chapel, library, pharmacy/gift shop/convenience store, beauty salon, barber shop, personal banking services, offices and accessory uses or structures, concierge and valet services, third-party vendor services, and recreation facilities.
- (3) No building in a multifamily retirement community shall be more than 3 stories in height.
- (4) The total number of dwelling units in a multifamily retirement community shall be limited to 12 units per acre.
- (5) No part of any principal building in a multifamily retirement community shall be less than 25 feet from any exterior lot line or less than 50 feet from any public way.
- (6) Maximum combined lot coverage in a multifamily retirement community, including any permitted accessory structures shall not exceed 40% of the tract or contiguous parcels.



## IN CITY COUNCIL

Marlborough, Mass., MARCH 5, 2018

PAGE 3

ORDERED:

- (7) The tract or contiguous parcels upon which a multifamily retirement community is located shall have a minimum total frontage on an existing public or private way of at least 200 feet.
- (8) The City Council may, as a permit condition, require that all proposed condominium bylaws or similar binding multifamily retirement community regulations which may be relevant to the issuance of the permit, including but not limited to bylaw provisions prohibiting the presence of children residing in a retirement community and limiting or prohibiting the presence in a retirement community of boats, boat trailers, or recreational vehicles, be made a part of the special permit and that any change to or failure to enforce said provisions shall be a violation of said special permit.
- (9) The City Council may, as a permit condition, require that a proposed multifamily retirement community be constructed entirely on one tract and that, from and after the date of the issuance of the building permit for said community no subdivision of said tract shall be allowed without the express approval of the City Council; provided, however, that the recording of a condominium master deed and the conveyance of condominium units within the area covered by said deed shall be allowed.
- (10) A minimum of 1.0 parking space per dwelling unit shall be provided in a multifamily retirement community. Attached and detached garages shall count toward this parking requirement.
- (11) No dwelling unit in a multifamily retirement community shall contain less than 500 square feet of living area or more than 1300 square feet of living area.



## IN CITY COUNCIL

Marlborough, Mass., \_\_\_\_\_ MARCH 5, 2018

PAGE 4

ORDERED:

- (12) No building in a multifamily retirement community need be located or placed further from the exterior line of any street or public way than the average distance from such street or way line of the dwellings or other principal buildings located on the lots adjacent thereto on either side. In determining such average, a vacant side lot having a frontage of 50 feet or more shall be considered as though occupied by a building having the required setback, and a lot separated from the lot in question only by a vacant lot having a frontage of less than 50 feet shall be deemed an adjacent lot. The point of measurement of the average distance shall be from the closest point of the principal building to the street or public way regardless of parcel ownership.
- (13) In a multifamily retirement community, there shall be provided with each multifamily building a landscaped area equal to the greatest single floor area of the building, provided that such landscaped area may include undisturbed natural areas such as vegetated areas, woodlands, wetlands and floodplain areas.

Be and is herewith **SET A PUBLIC HEARING FOR MAY 7, 2018, ADVERTISE, REFER TO URBAN AFFAIRS COMMITTEE AND PLANNING BOARD.**

ADOPTED

ORDER NO. 18-1007198



# 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.marlbrough-ma.gov](http://www.marlbrough-ma.gov)

*Arthur G. Vigeant*  
 MAYOR

*Thomas J. Milano*  
 EXECUTIVE AIDE

*Patricia Bernard*  
 EXECUTIVE SECRETARY

RECEIVED  
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 CITY OF MARLBOROUGH  
 2018 MAY -3 A 11:52

May 3, 2018

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

### **Re: Fiscal Year 2019 Budget Recommendation**

Honorable President Clancy and Councilors:

I am pleased to submit for your consideration my budget recommendation for Fiscal Year 2019. Over the course of the past few months, City Department heads and I have worked together to develop a comprehensive budget that reflects our priorities as a community.

The FY19 budget totals \$162,833,467 and represents a 3.99 percent increase over last year's total operating appropriation and, as a result, we anticipate a real estate tax increase of less than 3 percent next year.

### **Health Insurance**

Health insurance continues to be a major driver in our costs annually. My administration took steps this year to limit this growth by meeting with our unions and agreeing to a three percent premium increase in exchange for new copays and other costs. The new plan design is effective for Fiscal Years 2019 and 2020. Without these concessions from our collective bargaining units, we were projecting another seven to eight percent increase.

We will continue to evaluate our health insurance costs and present plan design changes to our unions in future years if necessary.

### **Departmental Changes**

This year's budget includes changes to several offices. As you know, this past year, we updated the salary ordinance for the Principal Assessor position and I noted at the time that I would likely request funding for this position. I would prefer to keep the current departmental organization as it is with a company managing many of the duties of the office, but I believe we would be best suited by hiring a full-time Principal Assessor at this time. Bringing a Principal Assessor into the office on a daily basis will lead to more consistent valuation of both residential and commercial property.

In the Treasurer's office, we are proposing to move many of our payroll functions to a different system beginning on January 1, 2019. Since most of the payroll functions will be conducted

through a new system, we will no longer require three positions in the Treasurer's office. Due to a retirement in the Treasurer's office and the Auditor's office, this decision will likely not impact a current employee. The impact of the new payroll system is a mandatory subject of bargaining with the Marlborough Municipal Employees Association (MMEA) and my administration has met twice with the MMEA to discuss this proposal. In order to procure payroll services, we are expecting to issue a request for services in the coming months.

In the Auditor's office, I am proposing that the current Head Clerk position be reclassified to a Principal Clerk position. The complexity of the duties and responsibilities are more consistent with the duties of a Principal Clerk. The current incumbent in that position is retiring prior to the start of Fiscal Year 2019, so this change will not impact a current employee. We are also discussing this with the MMEA.

In the Water Department, you will notice that we have closed out various accounts related to the Water Treatment Plant to reflect that we will draw 100 percent of our water from the Massachusetts Water Resources Authority (MWRA). As DPW Commissioner John Ghiloni and I discussed with you in City Council, we are evaluating the future of the Water Treatment Plant. Once again, there will be no increase to water or sewer rates for Fiscal Year 2019.

Lastly, in the Building Department, at your request, I am adding a second part-time code enforcement officer. Both Commissioner Jeffrey Cooke and I believe that any code enforcement officer we hire should also be able to provide local inspector duties as necessary. Our current code enforcement officer does not have the required certifications.

### **Marlborough Public Schools**

Marlborough Public Schools continue to make great strides and I am confident that Michael Bergeron will keep MPS moving forward when he takes over as Superintendent on July 1, 2018. We are thankful for Superintendent Maureen Greulich's many years of service to MPS and wish her the best in her retirement. Under Superintendent Greulich's leadership, we have developed a strong partnership between the City and our school system; this relationship will remain strong with Mr. Bergeron.

Like last year, Superintendent Greulich and Assistant Superintendent Bergeron presented the School Committee with a conservative budget for FY2019. Please note that they both anticipate increased costs in coming years. First, the market for student transportation is seeing regular, dramatic cost increases and we fully expect a major increase during our next procurement for student transportation. Our existing bus contract expires in 2020. At the same time, we will be opening a fourth elementary school in September 2020 which will add to our operational costs.

My colleagues on the school committee and I approved a budget increase for MPS of 2.9 percent for the coming fiscal year. I thank them for approving an effective budget that does not constrain City resources. We should be very proud of the investments we have made in Marlborough Public Schools. Our students and teachers are accomplishing great things every day.

**State Aid, Revenue & Expenses**

The current budget proposal uses the figures from the budget approved by the Massachusetts House of Representatives in April. These projections estimate an increase in state aid of \$1,484,138 from Fiscal Years 2018 to 2019. Although not yet final, these figures indicate that Governor Baker and the Legislature are supportive of additional aid to cities and towns this year.

In addition to the anticipated cost increases for Marlborough Public Schools, we are beginning to feel the effect of increased recycling costs. As you may be aware, China has stopped accepting much of our recyclable goods, drastically impacting the cost of recycling across the United States. We expect additional costs to impact our next municipal trash and recycling contract which is valid until 2021.

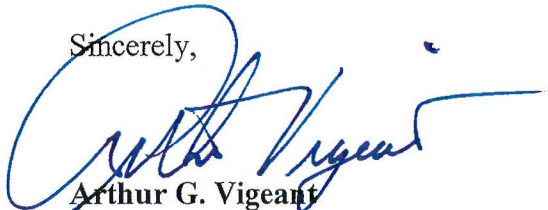
**Other Budget Highlights**

- I have budgeted \$990,000, an increase of \$490,000, in the Reserve for Salaries Account because each of our collective bargaining contracts expire on June 30, 2018. My staff and I have directly negotiated with several unions and while we do not have any contracts agreed to yet, we are hopeful of progress in the coming months.
- The Parking Clerk account has been added into my departmental budget because state law identifies this position as responsible to the Chief Executive Officer. During the police department accreditation process, the evaluators also recommended moving it out of the police budget to reflect the organizational setup.
- I am proposing to reclassify the Public Safety Assistant in the Fire Department to a Finance Assistant to reflect the complexity of the responsibilities that the current employee is responsible for.

I look forward to working with you and answering any questions you may have on this proposal. Every department is available to appear before you and discuss their offices in greater depth.

Thank you in advance for your consideration.

Sincerely,



**Arthur G. Vigeant**  
Mayor

Enclosures



*City of Marlborough*  
**Legal Department**

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

*DONALD V. RIDER, JR.*  
 CITY SOLICITOR

*CYNTHIA M. PANAGORE GRIFFIN*  
 ASSISTANT CITY SOLICITOR

*ELLEN M. STAVROPOULOS*  
 PARALEGAL

May 1, 2018

Mayor Arthur G. Vigeant  
 City Hall, 4<sup>th</sup> Floor  
 Marlborough, MA 01752

RE: City Council's Receipt of Mayor's Annual Budget

Dear Mayor Vigeant:

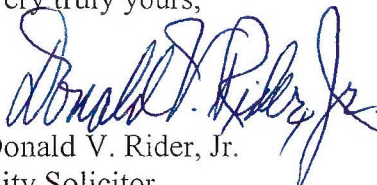
You have inquired as to how Massachusetts law determines the date of a city council's receipt of a mayor's annual budget.

In pertinent part, Mass. Gen. Laws c. 44, § 32 provides that a city council must take action, whether by approval, reduction or rejection, with respect to any amount recommended in a mayor's annual budget "within forty-five days after the receipt of the budget." Section 32 does not itself define how "the receipt of the budget" is determined, nor has there been occasion for a court to supply that definition. However, a proper reading of § 32 is that a city council receives the annual budget on the date when the mayor submits it to the city clerk on behalf of the city council.

Therefore, if you submit your annual budget to the Marlborough City Clerk, in her capacity as Clerk of the Marlborough City Council, on Thursday, May 3, 2018, that date would be the date of receipt by the Council. In turn, the Council would be required by § 32 to take action within 45 days of May 3, 2018, i.e., on or before June 17, 2018. However, since that date will be a Sunday, Mass. Gen. Laws c. 4, § 9 dictates that the Council's 45-day deadline would fall "on the next succeeding business day," i.e., Monday, June 18, 2018.

Thank you for your attention to this matter.

Very truly yours,

  
 Donald V. Rider, Jr.  
 City Solicitor



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 MAY -3 A 11:44

# 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](http://www.marlborough-ma.gov)

*Arthur G. Vigeant*  
MAYOR

*Nicholas J. Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

May 3, 2018

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

### Re: Capital Projects Request

Honorable President Clancy and Councilors:

Please find enclosed for your review capital project requests for the City of Marlborough. This package, comprised of bond requests as well as transfers from free cash, continues our investments into our infrastructure and assets. An updated capital plan will be provided to Councilors in the coming days.

We are investing in Marlborough's roads with a \$3.5 million bond to fund the milling and overlaying of 15 streets. This \$3.5 million bond will include \$125,000 for our annual crack sealing treatment, crucial maintenance work that helps extend the life of our roads.

In addition to our annual mills and overlays, we are funding projects with state and federal resources. We are utilizing Chapter 90 funds to reconstruct Glen Street for \$1.2 million as well as State Street, Fowler Street, and Akroyd Street for a combined \$1.5 million. As you are well aware, the \$4.6 million redesign and reconstruction of Maple Street will commence this June, funded by federal funds through the state transportation improvement program.

The proposed sewer bond for \$1,800,000 will fund the reconstruction of three sewer pump stations and ongoing work on the Sudbury Street sewer project.

The proposed water bond for \$150,000 will fund water gate valve replacements, an annual project to improve the reliability of our water gate valves.

I have also submitted for your review a transfer request in the amount of \$3,957,138 to fund various projects, vehicles replacements, and new equipment.

A large portion of this transfer from free cash will fund vehicle replacements and upgrades at the Department of Public Works, Marlborough Police, and Marlborough Fire, including the replacement of Marlborough Fire's Rescue 1, which is a 2004 vehicle with more than 110,000 miles.

As with last year's request, I have identified funds for the Fire Department's breathing apparatus. Chief Breen is still hopeful of a successful grant application, but I believe it necessary to fund the

purchase now to ensure the equipment is replaced before the units expire. I am requesting \$364,000 in funds, which are supplemented by \$223,750 currently available in the FY2018 City Hall Capital Outlay Account.

We are investing in our facilities with energy efficiency upgrades, HVAC controls upgrades (primarily at Marlborough High School), and fire alarm upgrades at schools and City Hall. I have also requested funds to improve air ventilation and replace the overhead doors at the Central Fire Station. The Council on Aging will utilize approximately \$40,000 in grant funds and \$15,000 from this proposed transfer to construct a greenhouse at the Senior Center.

I will be available along with City department heads to discuss these requests in further detail. In the meantime, please do not hesitate to contact me with any questions.

Thank you in advance for your consideration.

Sincerely,



**Arthur G. Vigeant**  
**Mayor**

Enclosures

**CITY OF MARLBOROUGH  
CAPITAL PROJECTS REQUEST - MAY 2018**

Location	Description	Project Amount
<b>STREETS</b>		
Various Streets	Crack Sealing	\$125,000
Street repair and maintenance, including mill and overlay, for the following:		\$3,375,000
East:	West:	
Clarke Drive	Beaudry Street	
Priscilla Drive	Bracken Drive	
Helen Drive	Chase Road	
Ruth Drive	Diana Drive	
Bolton Street (Hudson Street to Hudson line)	Flagg Road	
	Fuller Drive	
	Gunnar Drive	
	Leoleis Drive	
	Nashoba Drive	
	Thompson Drive	
	<b>Total Streets</b>	<b>\$3,500,000</b>
<b>SEWER</b>		
Sudbury Street	Sewer Line	\$1,000,000
Sewer Pumping Stations	Reconstruction of three sewer pump stations	\$800,000
	<b>Total Sewer</b>	<b>\$1,800,000</b>
<b>WATER</b>		
Water Gate Valve Replacements		\$150,000
	<b>Total Water</b>	<b>\$150,000</b>
<b>EQUIPMENT</b>		
Public Works and Public Facilities		
Various City Fleet Replacements and Upgrades		\$1,341,508
Upgrade HVAC Controls Upgrades		\$150,000
Energy Efficiency Upgrade		\$200,000
Security and Fire Alarm Upgrades at schools and City Hall		\$200,000
Generator Replacement at Central Fire Station		\$150,000
Air ventilation improvements and new overhead doors at Central Fire Station		\$200,000
DPW Wash Bay		\$250,000
	<b>Public Works and Facilities subtotal</b>	<b>\$2,491,508</b>
Marlborough Fire Department		
Protective Clothing		\$100,000
Purchase new Car 3		\$50,000
Replace Support 2, an 2000 Ford F350		\$50,000
SCBA		\$364,000
Replace Rescue 1, a 2004 vehicle with 125,000 miles		\$675,000
	<b>MFD subtotal</b>	<b>\$1,239,000</b>
Marlborough Police Department		
Replace 4 marked cruisers and 1 unmarked administrative vehicle		\$189,000
New evidence lockers		\$17,500
	<b>MPD subtotal</b>	<b>\$206,500</b>

	City Clerk		
Poll Pads for Early Voting			\$5,130
		City Clerk subtotal	\$5,130
	Council on Aging		
New Greenhouse for the Senior Center			\$15,000
		COA subtotal	\$15,000
		Total debt service	\$5,450,000
		Total Free Cash	\$3,957,138
		TOTAL PROJECTS	<u>\$9,407,138</u>

**CITY FLEET REPLACEMENTS AND UPGRADES**

DPW Truck #1		\$40,000
Pelican Street Sweeper		\$210,000
Roadside Cutter		\$124,004
6 Wheel Swap Loader		
Dump/Sander with plow and wing		\$250,000
6 Wheel Dump/Sander with plow and wing		\$220,000
410L Back Hoe/Loader with plow		\$150,000
F350 SRW 4x4 Utility with plow		\$50,000
F350 SRW 4x4 Utility with plow		\$50,000
F550 Dump/Sander with plow		\$84,894
Multi Purpose Tractor with sander, plow, and mower		\$162,610
	<b>Total</b>	<b>\$1,341,508</b>

## ORDERED:

That the sum of \$3,500,000 (three million five hundred 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 borrow the sum of \$3,500,000 under and pursuant to the provisions of Chapter 44, Section 7 (1) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough therefor. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ADOPTED  
In City Council  
Order No. 18 -  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

## ORDERED:

That the sum of \$1,800,000 (one million eight hundred 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 borrow the sum of \$1,800,000 under and pursuant to the provisions of Chapter 44, Section 8 (14) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough therefor. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ADOPTED  
In City Council  
Order No. 18 -  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

## ORDERED:

That the sum of \$150,000 (one hundred fifty thousand dollars) be and is hereby appropriated for water main construction.

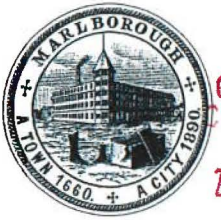
That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$150,000 under and pursuant to the provisions of Chapter 44, Section 8 (5) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough therefor. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ADOPTED  
In City Council  
Order No. 18 -  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:





RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 MAY -3 A 11:43

# City of Marlborough

## Office of the Mayor

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May 3, 2018

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

### Re: Transfer Request - WMCT

Honorable President Clancy and Councilors:

Please find enclosed for your review a transfer request in the amount of \$355,519.00 to fund the remainder of the FY2019 budget for WMCT in Marlborough. This is nearly the total amount available in the PEG fund, but we expect to receive approximately \$200,000.00 at the end of May.

As you may recall, we revised how PEG funds are collected by the City. Previously, funds were provided directly from cable companies to WMCT to fund their budget and capital expenses. Since July 1, 2017, all PEG fees collected by the cable companies are now distributed directly to the City.

Each year moving forward, WMCT will submit a transfer request to my office for the City Council's review to fund their annual budget. In future years, this request will function similar to the annual transfer for the Marlborough Economic Development Corporation.

This year, WMCT had funds remaining in their accounts and they were directed to draw those funds down first before requesting a transfer. I have enclosed a copy of their FY2019 budget; please note that the WMCT fiscal year runs from April 1 to March 31.

Since this is the first time the City Council is being asked to transfer funds to WMCT, I expect a number of questions and I will be available with Executive Director Dan Guindon to meet with you at your convenience. In the meantime, I have asked WMCT to provide additional back-up information to Councilors.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant  
Mayor

**WMCT Projected Operating Budget Fiscal Year 2019**

<b>Line Item</b>	<b>2019 Budget Request</b>
Payroll:	
Freelance Labor	\$1,500.00
Payroll Services	\$3,000.00
Payroll Tax	\$23,000.00
Salaries	\$299,073.74
Salary Increases	\$3,266.13
Trustee Stipends	\$8,100.00
Office:	
Accounting	\$4,000.00
Cable/Internet/Telephone	\$3,900.00
Dues & Subscriptions	\$500.00
Legal Expense	\$500.00
Office Supplies	\$2,200.00
Postage	\$100.00
Promotional Items	\$1,000.00
Rent	\$47,260.00
Security System	\$300.00
State Tax	125.00
Utilities	\$5,000.00
Insurance:	
Dental	\$5,179.96
Directors & Officers	\$1,200.00
General Liability	\$5,647.00
Medical	\$71,020.92
Worker's Comp	\$1,000.00
Auto Expenses:	
Gas	\$2,200.00
Production:	
Equipment: NON-CAPITAL	\$1,000.00
Hard Drives/SD Cards/Thumb Drives	\$1,000.00
Meals	\$1,000.00
Small Equipment & Supplies	\$3,000.00
Technical Support	\$3,000.00
Web Development	\$2,000.00
Operating Expenses	\$500,072.75
Capitol Expenses	\$0.00+

**+ = No Capital Budget This Year**



**PEG FEES**

8/29/2017 Verizon	\$111,192.81
8/29/2017 Comcast	\$105,212.77
11/7/2017 Comcast	\$104,451.39
11/29/2017 Verizon	\$108,894.94
2/27/2018 Verizon	\$105,934.98
2/27/2018 Comcast	\$102,247.17
2/27/2018 Comcast-franchise	\$3,332.00
4/2/2018 Verizon-franchise	\$3,295.50

Total Funding	<u>\$644,561.56</u>
---------------	---------------------

12/18/2017 co#17-1007095A	-\$282,100.00
---------------------------	---------------

Total Transfers	<u>-\$282,100.00</u>
-----------------	----------------------

Available for future transfers	\$362,461.56
--------------------------------	--------------

**To: The Marlborough Cable Trust**  
**From: Dan Guindon**  
**Re: FY19 Proposed Operating Budget**  
**Date: December 7<sup>th</sup>, 2017**

**Proposal**

For the FY19 Operating Budget that begins on April 1, 2018 and ends on March 31, 2019 I am proposing a budget of \$500,072.75. This is a 1.8% decrease from the FY18 Operating Budget.

**Changes/Additions**

- HDs, CARDS & DVDs- This is simply moving along with the times. Our system set up no longer has use for DVDs. Everything has become video files. Therefore, we are including SD cards for our cameras, thumb drives and hard drives.
- SECURITY SYSTEM- I have broken this off from the telephone and internet line item. I don't think it ever went with that grouping so I finally moved it.
- INSURANCE & VEHICLE UPKEEP- these items are coming off the budget since we will not be purchasing a vehicle, as originally planned, in the FY18 Capital Budget.

**Line Item Groups***(please refer to the attached materials for line-by-line breakdowns):*

- ☐ **Payroll:** \$337,939.87
- ☐ **Insurance:** \$84,047.88
- ☐ **The Office:** \$65,081.91
- ☐ **Productions:** \$11,000.00
- ☐ **Automobile Expenses:** \$2,200.00

**Projected OP Budget 2019**

<b>Line Item</b>	<b>2019 Budget Request</b>
Payroll:	
Freelance Labor	\$1,500.00
Payroll Services	\$3,000.00
Payroll Tax	\$23,000.00
Salaries	\$299,073.74
Salary Increases	\$3,266.13
Trustee Stipends	\$8,100.00
Office:	
Accounting	\$4,000.00
Cable/Internet/Telephone	\$3,900.00
Dues & Subscriptions	\$500.00
Legal Expense	\$500.00
Office Supplies	\$2,200.00
Postage	\$100.00
Promotional Items	\$1,000.00
Rent	\$47,260.00
Security System	\$300.00
State Tax	125.00
Utilities	\$5,000.00
Insurance:	
Dental	\$5,179.96
Directors & Officers	\$1,200.00
General Liability	\$5,647.00
Medical	\$71,020.92
Worker's Comp	\$1,000.00
Auto Expenses:	
Gas	\$2,200.00
Production:	
Equipment: NON-CAPITAL	\$1,000.00
Hard Drives/SD Cards/Thumb Drives	\$1,000.00
Meals	\$1,000.00
Small Equipment & Supplies	\$3,000.00
Technical Support	\$3,000.00
Web Development	\$2,000.00
Operating Expenses	\$500,072.75
Capitol Expenses	\$0.00+
Operating Income	\$0.00*

**+ = No Capital Budget This Year**

**\* = Projected**

To: The Marlborough Cable Trust  
 From: Dan Guindon  
 Re: FY19 Budget Breakdowns  
 Date: December 7<sup>th</sup>, 2017

### **Payroll**

The group of line items here are very important. We can have the finest equipment money can buy, but without the people to create the programming and run the equipment, it wouldn't matter. We are lucky enough to have the finest employees we could ask for.

♦ **Freelance Labor-** \$1,500.00

This line goes to pay for freelancers who we use to shoot specials and as talent on a couple of WMCT-TV productions. I have cut from this line item in past budgets. While we are likely to come in under budget here again, I would like to keep this line item funded as it is for FY19. Then I can look at it again next year.

♦ **Payroll Services-** \$3,000.00

ConnectPay is our payroll services provider. Their processing fees increased slightly this budget year, so I increased funding here by \$200.00 for FY19.

♦ **Payroll Tax-** \$23,000.00

The line name is self-explanatory. We are doing well here so I am confident that we can move forward with the same funding as previously approved.

♦ **Salaries-** \$299,073.74

Another self-explanatory line item. Due to salary increases based off of performance evaluations and cost-of-living increase, this line went up by \$14,832.90.

♦ **Salary Increases-** \$3,266.13

Again, a self-explanatory line item. With the talk of increase percentages at several Trustee meetings, I am cutting the highest salary increase number down from 5%, as it has been for years, to 3%. We are saving \$2,108.23.

♦ **Trustee Stipends-** \$8,100.00

This line is for the stipends paid to the Marlborough Cable Trustees for attending monthly meetings. The funding here remains the same as FY18.

**Total: \$337,939.87**

To: The Marlborough Cable Trust  
 From: Dan Guindon  
 Re: FY19 Budget Breakdowns  
 Date: December 7<sup>th</sup>, 2017

### **Insurance**

For FY18 I looked at alternative plans within the boundaries of Blue Cross and Blue Shield. As you all know, I found a cheaper plan, which has worked out for the station. I intend to stick with that plan again this year.

While there has been talk about paying 100% of this insurance for our staff being excessive please know that there are other access stations which do the same. There are others that pay 80%, but they also offer 401K plans and disability. We do not.

I would be willing to do more research on this as an alternative for FY20 if the Trust would like me to do so.

◆ **Dental-** \$5,179.96

This line covers two family plans and three individual plans. The funding went down \$1,477.16 due to an over-estimation in projected increase for FY18.

◆ **Directors & Officers -** \$1,200.00

Our liability insurance for the Trustees as indemnification for losses in defense of costs brought on by legal action. Due to a switch to another carrier we are saving \$822.00 for FY19.

◆ **General Liability-** \$5,647.00

This line of insurance covers our belongings (equipment, furniture, etc.) in case of loss. It is the same amount as FY18.

◆ **Medical-** \$71,020.92

As stated above, our medical plan was changed to a less expensive plan last year. The adjustment rates were much less than I expected. While the new renewal rates won't come in for a few months, I am still anticipating the highest federal increase allowed. Even then, we are still well under what was approved for FY18.

◆ **Workmans Comp-** \$1,000.00

This line is self-explanatory. It is also the same as it was for FY18.

◆ **Car Insurance-** \$0.00

We expected to purchase a vehicle for the station as part of the FY18 Capital Budget. Some unexpected purchases have come up at City Hall, which has required us to re-evaluate what is left for funding in the FY18 Capital Budget. With no longer having plans to purchase a vehicle in FY18 and no Capital Budget for FY19, we no longer need this line item.

**Total: \$84,047.88**

To: The Marlborough Cable Trust  
 From: Dan Guindon  
 Re: FY19 Budget Breakdowns  
 Date: December 7<sup>th</sup>, 2017

### Office

Rent and utilities continue to be the biggest numbers here. Accounting, phone and internet services are in there as well. The rest covers day-to-day operations of our office.

◆ **Accounting:** \$4,000.00

The firm of Turner & Costa handles our end-of-year financial reports and tax preparation. JMax Small Business Services handles our month to reconciling. We look to be on track with our funding for this year so I am going to leave this line item the same for FY19.

◆ **Cable/Internet/Telephone-** \$3,900.00

This line is broken up into two monthly bills. We have the usual with Comcast for phone, cable and internet. Added now is Verizon internet, which provides us with the speed that Comcast is not capable of. We need this for our On Demand and streaming on the WMCT-TV website. With the addition of Verizon this line increased by \$1,440.00.

◆ **Dues & Subscriptions-** \$500.00

This line is for our Marlborough Regional Chamber of Commerce membership. The staff dental insurance comes out of this membership, so in order to maintain the fair costs we incur for this, we need to keep this membership.

◆ **Legal Expense-** \$500.00

While we have not had to account for legal expenses, I have made it a point to have funding in this line item, just in case. It is the same amount as FY18.

◆ **Office Supplies-** \$2,200.00

Funds from this line item are used for the usual office purchases; printer ink and paper, kitchenette supplies, water cooler and more. While we are on pace to exceed this line in FY18, I am confident we will be back on track for FY19.

◆ **Postage-** \$100.00

Rolls of stamps and postage for sending out DVDs and equipment that needs fixing is all that has accounted for the funding here. I'm cutting it down by \$150.00 because for the last two budget years, we have only purchased stamps. I don't see that changing at least for this year.

◆ **Promotional Items-** \$1,000.00

We regularly sponsor the Historical Society calendar and are now doing the same with The Relay For Life. Staff business cards and occasional "swag" items are purchased using this line item. I am keeping the funding here the same as it was for FY18.

◆ **Rent-** \$47,260.00

The first year on our new 5 year lease is the same as the current year.

◆ **Security System-** \$300.00

As mentioned on the cover page of this budget packet, this is a newer line item. While it was pulled from an existing line item, the cost remains the same. Besides the alarm system at our location for the entire building, we have two motion sensors covering our studio and office space.

◆ **State Tax-** \$125.00

This line accounts for our state tax filing fee. It is the same as FY18.

◆ **Utilities-** \$5,000.00

This self-explanatory line item is staying the same as FY18.

**Total: \$65,081.91**

To: The Marlborough Cable Trust  
 From: Dan Guindon  
 Re: FY19 Budget Breakdowns  
 Date: December 7<sup>th</sup>, 2017

### **Productions**

All the lines in this group are related to in-studio and location productions. It also has to do with our web site and equipment maintenance.

♦ **Equipment: NON-CAPITAL-** \$1,000.00

This line has been added due to the occasional need for an equipment purchase too expensive for the Small Equipment & Supplies line item, yet not expensive enough for a Capital Budget.

♦ **Hard Drives/SD Cards/Thumb Drives-** \$1,000.00

This line covers our recording, transferring and storage needs for programming. It is the same as it was in FY18.

♦ **Meals-** \$1,000.00

Funding here is the same as it was in FY18. It is for the staff when we are out on location shoots, staff meetings and a holiday lunch.

♦ **Small Equipment & Supplies-** \$3,000.00

The funding on this line item will remain the same. This is used for production supplies that don't fall into the lines of Capital and are less than \$500.00 purchases.

♦ **Technical Support-** \$3,000.00

This line is for paying professionals to fix whatever breaks down. The funding here is the same as it was for FY18.

♦ **Web Development-** \$2,000.00

The funding here is for our subscriptions and additions to our two websites for Marlborough Access and WMCT-TV. The line is the same as FY18.

**Total: \$11,000.00**

To: The Marlborough Cable Trust  
From: Dan Guindon  
Re: FY19 Budget Breakdowns  
Date: December 7<sup>th</sup>, 2017

### **Automobile Expenses**

We expected to purchase a vehicle for the station as part of the FY18 Capital Budget. Some unexpected purchases have come up at City Hall, which has required us to re-evaluate what is left for funding in the FY18 Capital Budget. With no longer having plans to purchase a vehicle in FY18 and no Capital Budget for FY19, we no longer need two of the three line items.

♦ **Gas-** \$2,200.00

We do still need this one. We have already gone over the approved amount for FY18. With a full quarter to go, we expect to be well over for this year. Therefore, I am asking for the increase of \$1,000.00 here.

**Total: \$2,200.00**



*City of Marlborough*  
*Office of the Mayor*

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH  
 2018 MAY -3 4:41 PM

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*Arthur G. Vigeant*  
 MAYOR

*Nicholas J. Milano*  
 EXECUTIVE AIDE

*Patricia Bernard*  
 EXECUTIVE SECRETARY

May 3, 2017

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

**Re: Grant Acceptance – Marlborough Fire Department**

Honorable President Clancy and Councilors:

I am pleased to submit for your acceptance a grant for the Marlborough Fire Department in the amount of \$1,000.00 from Cummings Properties. This grant will be used by Marlborough Fire to purchase patch decals and challenge coins. Decals will be used on equipment for easy identification at fire scenes. The challenge coins will be distributed to members of the department as a token of appreciation.

Please find enclosed a letter from Chief Breen, a copy of the Notification of Grant Award form, and a copy of the documents from Cummings Properties. This grant is a result of Cummings Properties' Employee Directed Giving; Marlborough resident Dwayne Thompson selected Marlborough Fire as the local organization he wanted to support.

Thank you to Mr. Thompson and Cummings Properties for supporting our firefighters.

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

Sincerely,

**Arthur G. Vigeant**  
**Mayor**

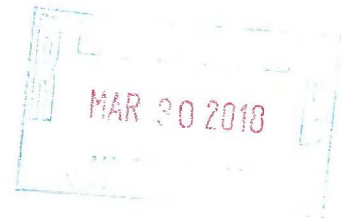
Enclosures



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

March 29, 2018

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



Dear Mayor Vigeant,

The Marlborough Fire Department has received a donation in the amount of \$1,000.00 from Cummings Properties. This donation will be used to purchase patch decals and challenge coins.

Attached is a completed Notification of Grant Award form, a copy of their correspondence and check. I respectfully request that this be forwarded to the City Council for approval.

Please let me know if you have any questions.

Sincerely,

Kevin J. Breen  
Fire Chief

**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: Fire DATE: 3/29/2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Kevin J. Breen, Fire Chief

NAME OF GRANT: Donation

GRANTOR: Cummings Properties

GRANT AMOUNT: \$1,000.00

GRANT PERIOD: \_\_\_\_\_

SCOPE OF GRANT/  
ITEMS FUNDED Marlborough Fire Department Patch Decals and Challenge Coins

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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: \_\_\_\_\_

\_\_\_\_\_

**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**



November 20, 2017

Marlborough Fire Department  
215 Maple Street  
Marlborough, MA 01752

Congratulations! We are delighted to present Marlborough Fire Department with a \$1,000 donation to be used for the area of greatest need.

This gift is in honor of, and is being made at the recommendation of:  
**Dwayne Thompson**, 447 Boston Post Rd. #22, Marlborough, MA 01752-3615

Through Employee Directed Giving, Cummings Properties is recognizing all full-time employees working in its real estate division and at the affiliated New Horizons retirement communities in Marlborough and Woburn. Annually, the Company invites each valued team member to select a local charitable organization to receive a \$1,000 donation.

With the completion of our 2017 Employee Directed Giving cycle, this program has donated more than \$1.74 million in five years to nonprofits like yours that are making a meaningful difference in the communities where our staff and their families live.

Along with this gift, please accept our heartfelt appreciation for your valuable work, as well as our very best wishes for your organization's continued success.

Please contact Communications Specialist Kerry Crisley at 781-932-7093 or [kac@cummings.com](mailto:kac@cummings.com) with questions. More information about Employee Directed Giving is available at [www.cummingsproperties.com/employee\\_directed\\_giving.htm](http://www.cummingsproperties.com/employee_directed_giving.htm).

Sincerely,

CUMMINGS PROPERTIES, LLC

A handwritten signature in black ink that reads "Dennis Clarke".

Dennis A. Clarke  
President and CEO



**Share the good news!** Snap a photo with the mini-poster on the back of this letter, and post it on social media, using **#CummingsEDG**.

PS To save your time and funding, please do not add our organization to any mailing lists. Although we are interested in the good work so many local nonprofits are doing, we are unable to read the vast amount of correspondence we receive. *Thank you.*

Ent	Name	Acct No	Invoice	Date	P.O. Num	Reference	Amount	Discount	Net
CPM	Cummings Properties	9800-000	111517	11/15/2017		Staff Giving	1,000.00	0.00	1,000.00
Payor: Cummings Properties, LLC Payee: CITY OF MARLBOROUGH									
				Date	Check No.		Check Amount		
				11/15/2017	1173979		1,000.00		

Retain this statement for your records

FOR SECURITY PURPOSES, THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING IN THE BORDER

Cummings Properties, LLC  
Woburn Cash Mgmt LLC., Escrow Agent  
200 West Cummings Park  
Woburn, MA 01801

People's United Bank  
One Conant Street  
Danvers, MA 01923

53-7116  
2113

Date  
11/15/2017

Check No.  
1173979

Check Amount  
1,000.00

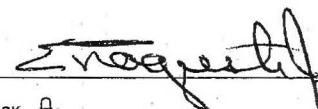
One Thousand AND 00/100 Dollars

Pay to the order of:

CITY OF MARLBOROUGH

215 MAPLE STREET  
MARLBOROUGH, MA 01752

VOID IF NOT CASHED WITHIN 120 DAYS WITHIN DATE OF ISSUE



SECURITY FEATURES INCLUDED. DETAILS ON BACK

1173979 12113711621 35 406804



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 MAY - 3 10:44 AM

# 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](http://www.marlborough-ma.gov)

*Arthur G. Vigeant*  
MAYOR

*Nicholas J. Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

May 3, 2017

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

### Re: Grant Acceptance – Conservation Maintenance Fund

Honorable President Clancy and Councilors:

I am pleased to submit for your acceptance a grant from Dow Chemical Company in support of our annual Project Clean Sweep and beautification of Marlborough.

Please find enclosed a letter from Priscilla Ryder, a copy of the Notification of Grant Award form, and a copy of the documents from Dow Chemical. Thank you to Dow Chemical for their continued support of our beautification efforts.

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

Sincerely,

Arthur G. Vigeant  
Mayor

Enclosures



*City of Marlborough*  
**Conservation Commission**

7-2

140 Main Street  
Marlborough, Massachusetts 01752  
Tel. (508) 460-3768 Facsimile (508) 460-3747

April 12, 2018

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

RE: Acceptance of Gift of \$1,000 to Conservation Maintenance Fund  
Dow Chemical Co.

Dear Mayor Vigeant,

Once again, the City of Marlborough has been given a gift of \$1,000 from Dow Chemical Company to help with the maintenance and beautification of the city. The Dow Chemical Company will be participating in the city-wide Project Clean Sweep and offered this gift to help offset the costs of any city-wide beautification project. The letter from the Dow Chemical Co. is attached. We are grateful for this support.

As required by MGL Ch. 44 Section 53A the acceptance and expenditure of this gift requires your approval as well as the approval of City Council. We request that these funds be accepted and placed in the Conservation Maintenance Fund account #845- 00005-54000 to be used for conservation land maintenance and city-wide beautification projects.

If you have any questions on the above, please let me know.

Sincerely,

Priscilla Ryder  
Conservation Officer

Cc: Con. Com.  
Diane Smith



**The Dow Chemical Company**  
Midland, Michigan 48674  
USA

April 5, 2018

Ms. Priscilla Ryder  
City of Marlborough  
140 Main Street, City Hall  
Marlborough, MA 01752

Dear Ms. Ryder:

On behalf of The Dow Chemical Company, I am pleased to enclose a check in the amount of \$1,000.00 for the Marlborough Clean Sweep.

As a condition of accepting this check, we require an IRS tax form to be completed and submitted within fifteen days of receiving payment. You will receive an email notification regarding this online tax form.

If you have any questions regarding this payment or the tax form, please feel free to contact me at [aboelter@dow.com](mailto:aboelter@dow.com) or 989-636-4090. We are delighted to have the opportunity to help you achieve goals in which we have a mutual interest and wish you much continued success.

Sincerely,

A handwritten signature in black ink, appearing to read "Amber Boelter".

Amber Boelter  
Global Contributions Associate

Enclosure:  
Check

# CITY OF MARLBOROUGH NOTICE OF GRANT AWARD

DEPARTMENT: Conservation DATE: 4-12-18

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Priscilla Ryder

NAME OF GRANT: Gift

GRANTOR: Dow Chemical Company

GRANT AMOUNT: \$1,000

GRANT PERIOD: N/A

SCOPE OF GRANT/  
ITEMS FUNDED Funds to be used for Project Clean Sweep (2018) and city beautification

IS A POSITION BEING  
CREATED: no

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

ARE MATCHING CITY  
FUNDS REQUIRED? No

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

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 None

**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**



PAGE 1 OF 1  
04/09/18

2100188 01 SD T 6069 CKMM -P00188



CITY OF MARLBOROUGH  
140 MAIN ST  
MARLBOROUGH MA 01752-381

YOUR INVOICE NO.	INVOICE AMOUNT	DISCOUNT / DEDUCTION	NET AMOUNT	INVOICE DATE	OUR DOCUMENT NO.	PAYMENT ON BEHALF OF
47529409APL18	\$1,000.00	\$0.00	\$1,000.00	04/05/2018	2200480968	THE DOW CHEMICAL COMPANY
			TOTAL:	\$1,000.00		

DETACH AND RETAIN THIS STUB FOR YOUR RECORDS

CHECK # 2200480968 ATTACHED



Dow International Finance S.a.r.l.  
Attn: Accounts Payable  
2511 E Patrick Road  
Midland, MI 48641-1286

62-20  
311

No. 2200480968

04/09/18

PAYMENT ON BEHALF OF: SEE ATTACHED REMITTANCE ADVICE

PAY TO THE  
ORDER OF CITY OF MARLBOROUGH  
140 MAIN ST  
MARLBOROUGH MA 01752-381

\$\$\$\$\$\$\$\$\$\$\$1,000.00

NOT VALID AFTER 1 YEAR

*Ronald C. Edmonds*  
AUTHORIZED SIGNATURE

One Thousand and 00/100 Dollars

CITIBANK, N.A.  
ONE PENN'S WAY, NEW CASTLE, DE 19720

⑈ 2200480968 ⑈ ⑈ 031100209⑈

38859814⑈



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

# City of Marlborough

## Office of the Mayor

2018 MAY - 3 4 11: 44  
340 Main Street, Marlborough, Massachusetts 01752  
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610  
www.marlbrough-ma.gov

*Arthur G. Vigeant*  
MAYOR

*Nicholas J. Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

May 3, 2018

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

### **Re: Grant Acceptance and Resolution - Ghiloni Park Improvements**

Honorable President Clancy and Councilors:

Please find enclosed for your review a resolution accepting a grant from the Land and Water Conservation Fund through the Massachusetts Executive Office of Energy and Environmental Affairs. The resolution also includes a confirmatory vote of the April 2015 bond funding \$3,095,000 for municipal outdoor recreational facilities and must be acted upon prior to June 1, 2018.

When the City applied for this federal grant, it was with the understanding that grant program provided 50 percent reimbursement up to \$300,000. Since then, the program was revised and now requires that the municipality pay 74 percent of the costs to access the full \$300,000.

The original grant proposal was filed in 2016 and included new parking at Ghiloni Park. Since then, we have revised the scope of the project to renovate the existing parking areas and improve the walking trails.

I am asking for City Council approval of the attached resolution although I do not intend to move forward with the project as currently designed. The grant provides us some flexibility in both the timeline that the funds must be expended – three years – and the way that the funds can be used.

Prior to any final designs, I will come back to the City Council with a request to endorse our plans for the project.

Rather than decline the grant and lose any chance of utilizing the funds, I am requesting City Council approval prior to the June 1, 2018 deadline to further evaluate the project and work with the state to develop a plan that retains grant eligibility, while also providing us a chance to complete a more comprehensive project at Ghiloni Park.

I will be available to discuss this in greater detail with the City Council, but I ask for action no later than the May 21, 2018 City Council meeting.

Thank you for your consideration.

Sincerely,



**Arthur G. Vigeant**  
Mayor

Enclosures

ORDERED:

**A RESOLUTION  
TO APPLY FOR AND ACCEPT GRANT FROM THE COMMONWEALTH OF  
MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL  
AFFAIRS FOR THE GHILONI PARK RENOVATION PROJECT**

WHEREAS, Ghiloni Park is a much-used recreational facility in the city and is in need of upgrades to continue to better serve the residence of Marlborough and

WHEREAS, 66 acres of the Ghiloni Park is dedicated to recreation purposes under M.G.L. c. 45, § 14 and is under the care, custody, management and control of the Recreation Commission of the city of Marlborough; and

WHEREAS, Ghiloni park includes a softball field, several soccer fields, basketball courts, a beach volleyball court, playgrounds, a skate park, a jogging track, a fitness station, walking paths, and a nature trail; and

WHEREAS, the main focus of the Master Plan is to renovate the park and in the first phase of renovation add and improve parking and improve the walking trail to make it more accessible; and

WHEREAS, the Commonwealth of Massachusetts' Executive Office of Energy and Environmental Affairs ("EOEEA") is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Land and Water Conservation Fund grant program; and

WHEREAS, the project cost as outlined in the Master Plan totals \$1,146,915 (One million one hundred forty-six thousand, nine hundred fifteen dollars), and the City Council has voted on April 6, 2015 to authorize the bond funding in the amount of up to \$ 3,095,000 (three million ninety-five thousand) for municipal outdoor recreational facilities.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. That the Mayor be, and hereby is, authorized to accept a LWCF grant from EOEEA; and
2. That the Mayor be, and hereby is, authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of the LWCF grant to be administered by the Recreation Commission; and
3. That this Resolution shall take effect upon its passage.

ADOPTED

In City Council  
Order No. 18-  
Adopted

Approved by Mayor

Arthur Vigeant

Date:

A TRUE COPY

ATTEST:



*City of Marlborough*  
**Legal Department**  
 140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508)  
 460-3610

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH

2018 MAY -3 A 9:44  
 DONALD V. RIDER, JR.  
 CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN  
 ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS  
 PARALEGAL

May 3, 2018

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

Re: License to Encroach on Public Sidewalk and Indemnification – M&O Kitchens Corp.  
 d/b/a O'Hearn's Tavern

Dear President Clancy and Members,

For consideration by the City Council, please find the enclosed License to Encroach on Public Sidewalk and Indemnification concerning use by O'Hearn's Tavern of the sidewalk in front of 11B Florence Street for table service. Said License incorporates the terms and restrictions of City Code Section 336-1, Service on Sidewalks, and those discussed at the April 30, 2018 meeting of the Legal & Legislative Committee, and is in proper legal form.

Very truly yours,

/s/ Cynthia Panagore Griffin

Cynthia Panagore Griffin  
 Assistant City Solicitor

Enclosure

cc: Jeffrey Cooke, Building Commissioner  
 Walter Bonin, Chair, License Board

### License to Encroach on Public Sidewalk and Indemnification

WHEREAS, M&O Kitchens, Corp., duly incorporated in the Commonwealth of Massachusetts with a principle place of business at 11B Florence Street, Marlborough, MA, operating a restaurant known as O'Hearn's Tavern located at 11B Florence Street, Marlborough, MA (being a portion of Assessors Map 70 Parcel 149) desires to use a portion of the sidewalk fronting said 11B Florence Street, Marlborough, MA for table service of food and beverages (hereinafter, "License Area"); and

WHEREAS the City of Marlborough (hereinafter, the "City") wishes to allow the O'Hearn's Tavern to use the License Area for table service of food and beverages;

WHEREAS the License Area is owned, as of May 1, 2018, by the Marlborough Community Development Authority (hereinafter, the "CDA"), but is the subject of a proposed purchase by the City together with other CDA-owned properties;

NOW, THEREFORE, the City of Marlborough, by and through its City Council (hereinafter, "the City"), grants to M&O Kitchens, Corp. (hereinafter, "Licensee") permission to use the License Area for the limited purpose of outdoor dining on food and beverages associated with M&O Kitchens, Corp. and to place tables and chairs thereon for said purpose, and for no other purpose, under the terms and conditions stated below (hereinafter, "the license" or "this license"):

1. The License Area is identified in its approximate location on the GIS aerial plan attached hereto as Exhibit "A," which exhibit is made a part hereof.
2. The license shall be effective from the date of approval by the CDA of this license or from the date of the City's purchase from the CDA of said sidewalk fronting 11B Florence Street, Marlborough MA, whichever occurs earlier in time, until September 30, 2018. Thereafter, subject to the terms and conditions of this license, this license shall run from year to year starting on May 1<sup>st</sup> and ending on September 30<sup>th</sup>. Licensee may not place tables and chairs on the License Area until the start of business on May 1st, and Licensee must remove all tables and chairs at the close of business on September 30<sup>th</sup>.
3. Licensee shall not allow any use of the tables and chairs in the License Area after 10 PM.
4. Licensee acknowledges that the License Area is, as of May 1, 2018, owned exclusively by the CDA in fee and that it may be owned exclusively by the City in fee, and that regardless of which entity owns the land in fee, this license is not a grant of interest in the License Area or in any other portion of CDA or City property.
5. Licensee acknowledge that this license is exclusive to Licensee and that no other person(s) or entity(ies) has the permission of the City to utilize the License Area for any purpose other than for dining on products purchased at the O'Hearn's Tavern.
6. Licensee agrees that it shall not allow loitering or other use of the License Area which is not related to dining on products purchased at the O'Hearn's Tavern.

7. Licensee agrees to indemnify and hold harmless the CDA and the City, their officers, employees and agents from and against all suits, actions or claims, civil or criminal, of any character brought because of any injury or damage received or sustained by any person, persons or property arising out of, or resulting from the existence of any obstruction or defect in the public way abutting the License Area or in the License Area, or arising out of, or resulting from any asserted negligent or intentional act, error or omission of Licensee or its agents, servants or employees, occurring in the performance of the Licensee to place tables and chairs upon License Area and to allow the utilization by third parties of said License Area. The indemnification required hereunder shall not be limited by reason of the specifications of any particular insurance coverage of the Licensee.
8. The City's Building Commissioner or his agents may revoke the license for violation of the terms and conditions of this license.
9. Service of alcoholic beverages out-of-doors in the License Area shall require a separate license from the Licensing Board and any appropriate State approvals.
10. Said tables and chairs shall not interfere with accessible path of travel for handicapped individuals, per the Americans with Disabilities Act and all other applicable laws and regulations.
11. Signs shall not be permitted except in accordance with City's Sign Ordinance.
12. All applicable federal, state, and City policies, regulations and ordinances, as amended, shall remain in full force and effect.
13. Licensee agrees to abide by its terms and conditions, and acknowledges that said license may be revoked by the City of Marlborough for breach of any condition contained therein.

*This is a legally binding document. By signing, Licensee acknowledges that it has had an opportunity to review with its Attorney.*

IN WITNESS WHEREOF, Licensee has set its hand and seal this \_\_\_\_ day of \_\_\_\_\_, 2018.

LICENSEE  
M&O Kitchens, Corp.  
By its President, duly authorized

\_\_\_\_\_  
Tiffany O'Hearn  
23 Autumn Lane  
Northborough, MA 01532

## COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_ 2018, before me, the undersigned notary public, personally appeared Tiffany O'Hearn to be the person whose name is signed on the preceding or attached document as President of M&O Kitchens, Corp., and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public:

My Commission Expires:

# EXHIBIT "A"



## Approximate Location License Area

Marlborough, MA



May 2, 2018

1 inch = 16 Feet

[www.cai-tech.com](http://www.cai-tech.com)



### Legend

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

4/12/2018

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 APR 23 P 1:20

P.J. Banacos  
104 Farm Road  
Marlborough, MA 01752

City of Marlborough  
Office of the City Clerk, City Council, Urban Affairs Committee, Planning Board, Office of the Mayor  
140 Main Street  
Marlborough, MA 01752

Re: On the Proposed Zoning Amendment, Section 650-8, Retirement Community Overlay District,  
ORDER NO. 18-1007136(Marlborough Airport Property)

Dear Councilor David Doucette, honorable members of the City Council and Planning Board.

I am writing as a long-time resident and property owner (50+ Years) on Farm Road. As it is now, I can barely get out of my driveway safely, sometimes have to wait minutes. Additional, high dense developments will only make the traffic problem worse. I am asking you to Vote "NO" on this proposed change.

Thank you for service to the City of Marlborough and attention to this matter.

Regards,

P.J. Banacos



CC: Mayor Arthur Vigeant, City Clerk Lisa M. Thomas

To Whom It May Concern :

4/15/18

I, Richard Francis Bolt, am writing in concern for the development of the former Marlboro Airport. I have been a resident of Marlboro for 50+ years and a tenant of Trombetta's Gardens for the last 15 years.

We moved here when Marlboro was a (Country kind of City). There has been way too much development in Marlboro and would like to see more green space in the city. Farm Road has been such a scenic ride into our fair city with many pleasant memories as I had resided on Helen Drive previously.

The city should consider purchasing the land and preserving it for family use as there is not much recreation area, other than the Kane School at that end of town.

Sincerely a concerned citizen & registered voter.

Richard F. Bolt

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 APR 27 A 11:28



- 10-3
- LANDSCAPE DESIGN
  - MASONRY
  - YARD MAINTENANCE

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 APR 23 P 1:37

April 18, 2018

Office of the City Council  
City Hall  
140 Main Street  
Marlborough, MA 01752

Dear Honorable Member,

I have been recently informed of the condo project proposed at the Marlboro Airport. I rent space at 655 Farm Road to operate my business and am concerned that the development will affect the future of my space. Because of my concern I am asking you to vote "No" on the rezoning and special permit.

Thank you for your consideration.

Sincerely,

Marconi Santos  
The DaCosta Co., Inc.

  
Signature

4/18/18  
Date

---

# MIRICK O'CONNELL

---

ATTORNEYS AT LAW

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 MAY -2 P 4:44

**Brian R. Falk**  
Mirick O'Connell  
100 Front Street  
Worcester, MA 01608-1477  
bfalk@mirickoconnell.com  
t 508.929.1678  
f 508.983.6256

May 2, 2018

**HAND DELIVERED**

Councilor Edward Clancy, President  
Marlborough City Council  
City Hall  
Marlborough, MA 01752

Re: Rescheduled Hearing for Proposed  
Zoning Amendment – Ancillary Auto Sales

Dear Councilor Clancy:

I represent Route 20 Marlboro Properties LLC (RK Centers), the petitioner of the proposed zoning amendment concerning ancillary auto sales. The public hearing for this amendment was scheduled and advertised for June 4, 2018. RK Centers respectfully requests that the Council reschedule this hearing for Monday, July 23, 2018.

Property owned by RK Centers to be affected by this amendment, 735 Boston Post Road East, is the subject of a due diligence period for a private land transaction. We seek a new hearing date to allow time to complete this due diligence period.

RK Centers is happy to pay for any new advertising associated with this rescheduled hearing date. We are also submitting the same request to the Planning Board concerning a rescheduled hearing.

Thank you for your time and attention to this matter.

Sincerely,



Brian R. Falk

BRF/ljk

cc: Client  
Arthur P. Bergeron

---

**MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP**

WORCESTER | WESTBOROUGH | BOSTON

www.mirickoconnell.com

*City of Marlborough*  
*Commonwealth of Massachusetts*



Pamela A. Wilderman  
Code Enforcement  
140 Main Street  
Marlborough, MA 01752  
Phone: (508) 460-3765  
Fax: (508) 460-3736  
Email: pwilderman@marlborough-ma.gov

May 1, 2018

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

RE: Apex Signs

Dear President Clancy and Members:

Attached please find applications received for the Apex Center as follows:

- Flat wall sign for Okami Sushi 43.75 s.f
- Flat wall sign for Okami Sushi 58.51 s.f.
- Flat wall sign for Muse Paint Bar 48 s.f.
- Awning 15.75 Linear Feet.

All the signs are within the allowed area under the sign ordinance. I would note that the awning has no lettering on it and therefore does not constitute a sign under the definitions of Chapter 526. Awnings only constitute signs if there is lettering or design. However, I am forwarding it to you to determine if this meets the design understanding of the Apex Center.

As always, please feel free to contact this office if you have questions or if I can be of any further assistance.

Sincerely,

Pamela A. Wilderman  
Code Enforcement Officer

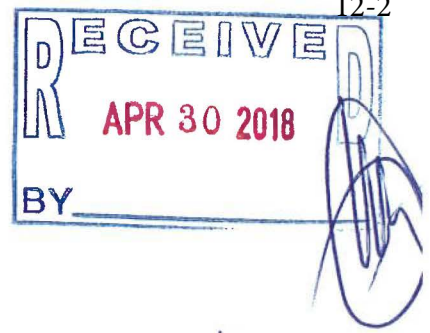
cc: File

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 MAY -2 P 4:34



*City of Marlborough*  
**BUILDING DEPARTMENT**

140 Main Street  
Marlborough, Massachusetts 01752



Date: 4/19/18 58 Permit No. BP-2018-000432  
Address/Location of Sign: 160 Apex Drive  
Name of Business: Okami Sushi Hibachi Seafood & Bar  
Name of Owner of Business: Steve O Telephone: 917392-3243

Type of Sign: (check off which applies)

☒ Flat Wall ☐ Free Standing ☐ Awning ☐ Banner ☐ Projecting

Does this site have a Special Permit ☐ YES ☒ NO

Is this a replacement of a same size existing sign(s) ☐ YES ☐ NO

**Dimensions Sign:**

Length 30' Width 150 Height (Free Standing) \_\_\_\_\_ Area \_\_\_\_\_

Location of Sign on Bld. North ☐ South ☐ East ☐ West ☐

**Dimensions Façade:**

Length 30 Width 25 Area \_\_\_\_\_

Signature of Responsible Party \_\_\_\_\_

Telephone \_\_\_\_\_

Installer Company Signarama Worcester Telephone 508 459 9731

Email info@SignaramaWorcester.com

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

[Signature]  
Signature

4/19/18  
Date

Cost of Sign(s) 5000.00

Permit Fee \$ 50.00

I am the owner at the location requesting signage and I authorize  
Signarama Worcester to act on my behalf for filings of required permit  
application process.

Signature:

A handwritten signature in black ink, consisting of a stylized, overlapping 'S' and 'A' followed by a horizontal line.

Date:

4/25/18



### SIGNAGE DETAILS

- 34" INDIVIDUAL CHANNEL LETTER
- 11" LIGHT BOX CHANNEL LETTER
- MOUNTED ON 7" RACEWAY WITH COLOR PAINTED TO MATCH THE SURFACE
- .036 WHITE ALUMINUM RETURN
- 1/8" WHITE PLASTIC TRIM-CAP
- WHITE NEON INSTALL INSIDE
- ALL LETTER W. U/L LABEL

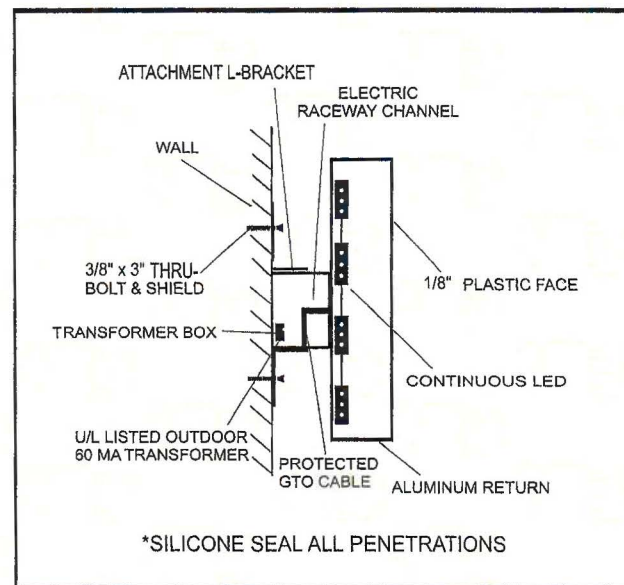
SPS- 40 -12  
CABLE NO. E306782  
NEON PRO INSTRUCTION

LED ELCTRODE RECEPTACLE  
U/L LESTED 1310 CLASS 2 COMPLANT  
P-K 12 VOLTS  
MFG. BY  
NEON PRO INSTRUCTION  
BERKELEY, CA 94710

LED TRANSFORMERS  
50/60 HZ  
100-132 VAC  
MA-1.0

\* THE BEST WAY TO INSTALL ILLUMINATED LETTERS

\* APPROVED BY U/L



### LETTER / RACEWAY INSTALLATION DETAIL

NO SCALE

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND / OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



25 Canal St. New York, NY 10002  
T: 212-388-9388 F: 212-389-9792  
E-Mail: [vidasigns@gmail.com](mailto:vidasigns@gmail.com)

Customer:	
Company:	
Address:	
City:	State/ZIP:
Phone:	
Email:	

Job No.:	Date:
Order Date:	Salesperson:
Sign Dimensions:	Estimate:
BY SIGNING BELOW, CUSTOMER IS GIVING VIDA GRAPHICS & SIGNS APPROVAL TO START PRODUCTION ON SIGN SHOWN ABOVE. PLEASE EXAMINE THE DRAWING & THE SIGNAGE DETAILS FOR CORRECT COLORS & SIZE BEFORE SIGNING. THANK YOU!	
SIGNATURE: _____	DATE: _____



### SIGNAGE DETAILS

- 30" INDIVIDUAL CHANNEL LETTER
- 9.5" LIGHT BOX CHANNEL LETTER
- MOUNTED ON 7" RACEWAY WITH COLOR PAINTED TO MATCH THE SURFACE
- .036 WHITE ALUMINUM RETURN
- 1/8" WHITE PLASTIC TRIM-CAP
- WHITE NEON INSTALL INSIDE
- ALL LETTER W. U/L LABEL

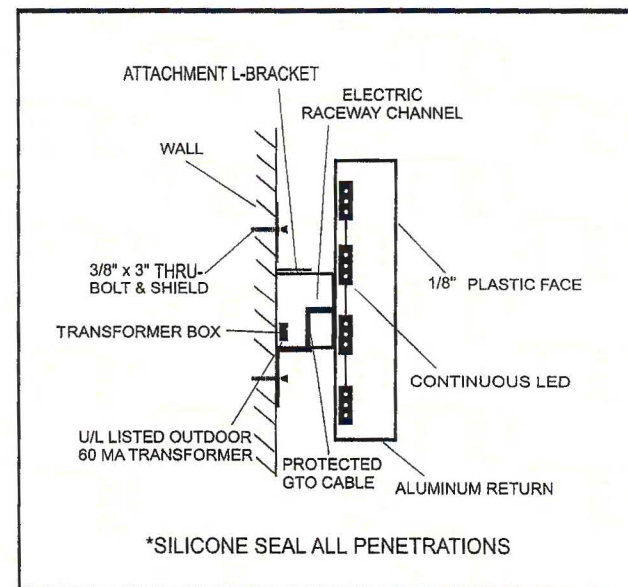
SPS- 40 -12  
CABLE NO. E306782  
NEON PRO INSTRUCTION

LED ELECTRODE RECEPTACLE  
U/L LESTED 1310 CLASS 2 COMPLANT  
P-K 12 VOLTS  
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LETTER / RACEWAY INSTALLATION DETAIL

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25 Canal St. New York, NY 10002  
T: 212-388-9388 F: 212-389-9792  
E-Mail: [vidasigns@gmail.com](mailto:vidasigns@gmail.com)

Customer:	
Company:	
Address:	
City:	State/ZIP:
Phone:	
Email:	

Job No.:	Date:
Order Date:	Salesperson:
Sign Dimensions:	Estimate:
<p>BY SIGNING BELOW, CUSTOMER IS GIVING VIDA GRAPHICS &amp; SIGNS APPROVAL TO START PRODUCTION ON SIGN SHOWN ABOVE. PLEASE EXAMINE THE DRAWING &amp; THE SIGNAGE DETAILS FOR CORRECT COLORS &amp; SIZE BEFORE SIGNING. THANK YOU!</p>	
SIGNATURE: _____	DATE: _____







# City of Marlborough

## BUILDING DEPARTMENT

140 Main Street  
Marlborough, Massachusetts 01752



Date: 4/19/18 58 Permit No. BP-2018-000431  
Address/Location of Sign 160 Apex Drive  
Name of Business Okami Sushi Hibachi Seafood & Bar  
Name of Owner of Business Steve O Telephone 917392-3243

Type of Sign: (check off which applies)

☒ Flat Wall ☐ Free Standing ☐ Awning ☐ Banner ☐ Projecting

Does this site have a Special Permit ☐ YES ☒ NO

Is this a replacement of a same size existing sign(s) ☐ YES ☐ NO

### Dimensions Sign:

Length 34 Width 17.2 Height (Free Standing) \_\_\_\_\_ Area \_\_\_\_\_

Location of Sign on Bld. North ☐ South ☐ East ☐ West ☐

### Dimensions Façade:

Length 30' Width 25' Area \_\_\_\_\_

Signature of Responsible Party \_\_\_\_\_

Telephone \_\_\_\_\_

Installer Company Signarama Worcester Telephone 508 459 9731  
info@signarama-worcester.com  
Email

I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

[Signature]  
Signature

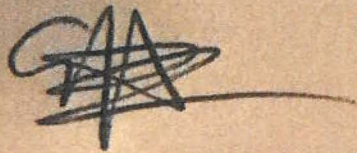
4/19/18  
Date

Cost of Sign(s) \_\_\_\_\_

Permit Fee \$ 50.00

I am the owner at the location requesting signage and I authorize  
Signarama Worcester to act on my behalf for filings of required permit  
application process.

Signature:

A handwritten signature in black ink, consisting of a stylized, overlapping 'S' and 'A' followed by a horizontal line.

Date:

4/25/18



### SIGNAGE DETAILS

- 34" INDIVIDUAL CHANNEL LETTER
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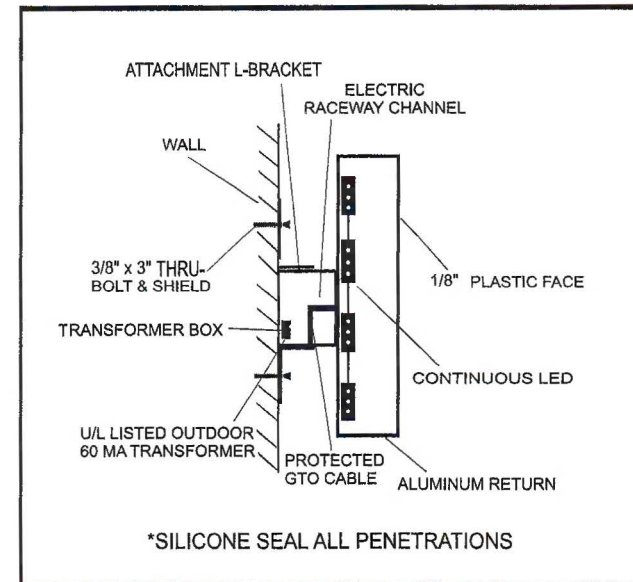
SPS- 40 -12  
CABLE NO. E306782  
NEON PRO INSTRUCTION

LED ELECTRODE RECEPTACLE  
U/L LESTED 1310 CLASS 2 COMPLANT  
P-K 12 VOLTS  
MFG. BY  
NEON PRO INSTRUCTION  
BERKELEY, CA 94710

LED TRANSFORMERS  
50/60 HZ  
100-132 VAC  
MA-1.0

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\* APPROVED BY U/L



**LETTER / RACEWAY INSTALLATION DETAIL**

NO SCALE

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND / OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

Customer:	
Company:	
Address:	
City:	State/ZIP:
Phone:	
Email:	



25 Canal St. New York, NY 10002  
T: 212-388-9388 F: 212-389-9792  
E-Mail: [vidasigns@gmail.com](mailto:vidasigns@gmail.com)

Job No.:	Date:
Order Date:	Salesperson:
Sign Dimensions:	Estimate:
BY SIGNING BELOW, CUSTOMER IS GIVING VIDA GRAPHICS & SIGNS APPROVAL TO START PRODUCTION ON SIGN SHOWN ABOVE. PLEASE EXAMINE THE DRAWING & THE SIGNAGE DETAILS FOR CORRECT COLORS & SIZE BEFORE SIGNING. THANK YOU!	
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### SIGNAGE DETAILS

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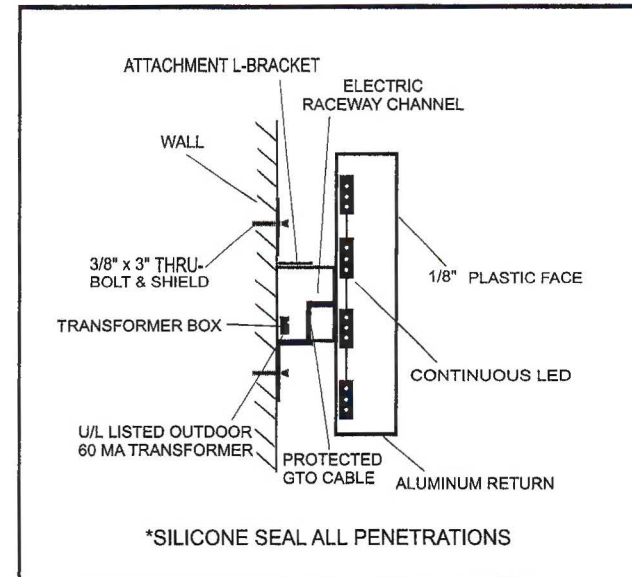
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### LETTER / RACEWAY INSTALLATION DETAIL

NO SCALE

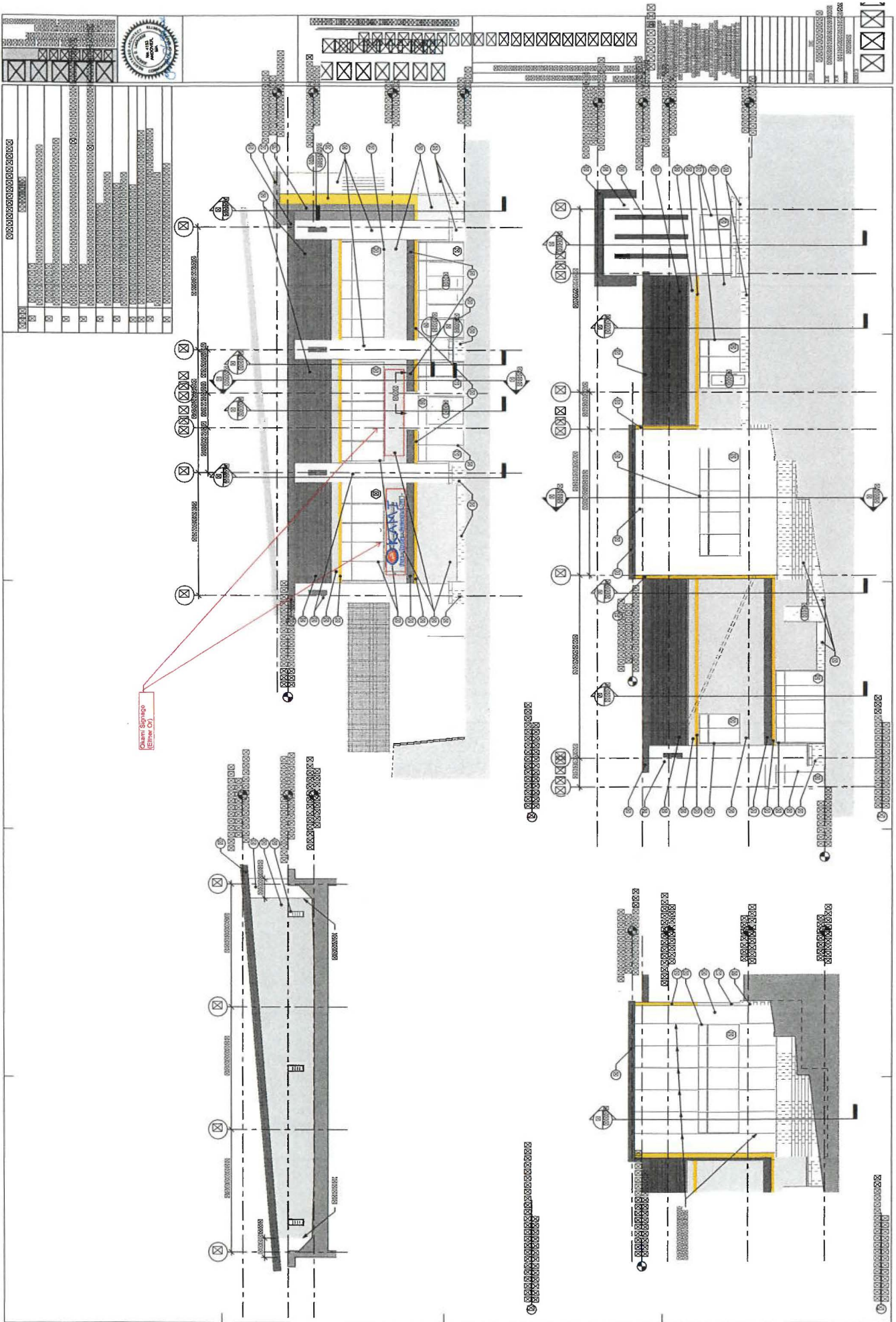
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND / OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

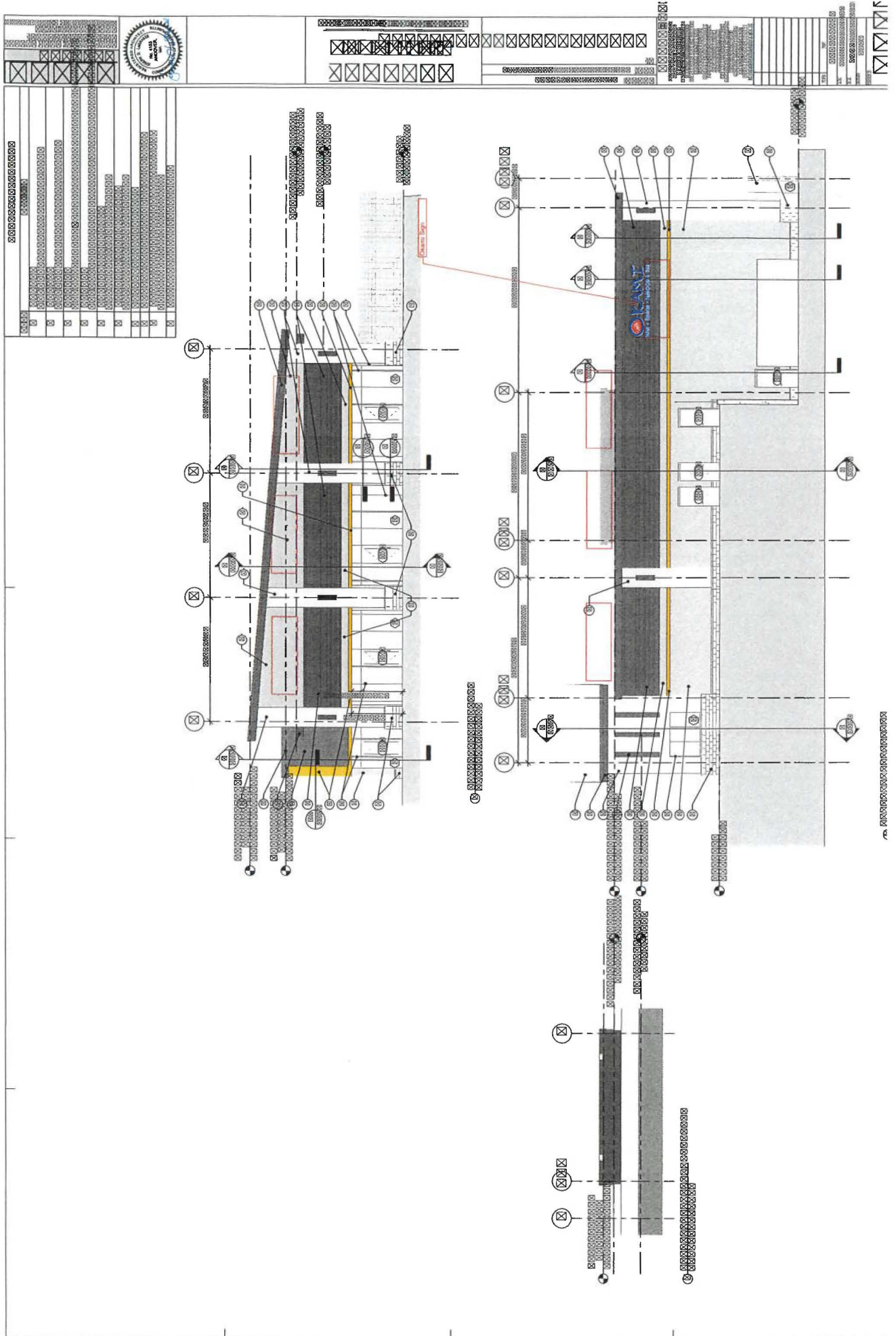


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T: 212-388-9388 F: 212-389-9792  
E-Mail: [vidasigns@gmail.com](mailto:vidasigns@gmail.com)

Customer:	
Company:	
Address:	
City:	State/ZIP:
Phone:	
Email:	

Job No.:	Date:	
Order Date:	Salesperson:	
Sign Dimensions:	Estimate:	
BY SIGNING BELOW, CUSTOMER IS GIVING VIDA GRAPHICS & SIGNS APPROVAL TO START PRODUCTION ON SIGN SHOWN ABOVE. PLEASE EXAMINE THE DRAWING & THE SIGNAGE DETAILS FOR CORRECT COLORS & SIZE BEFORE SIGNING. THANK YOU!		
SIGNATURE: _____		DATE: _____







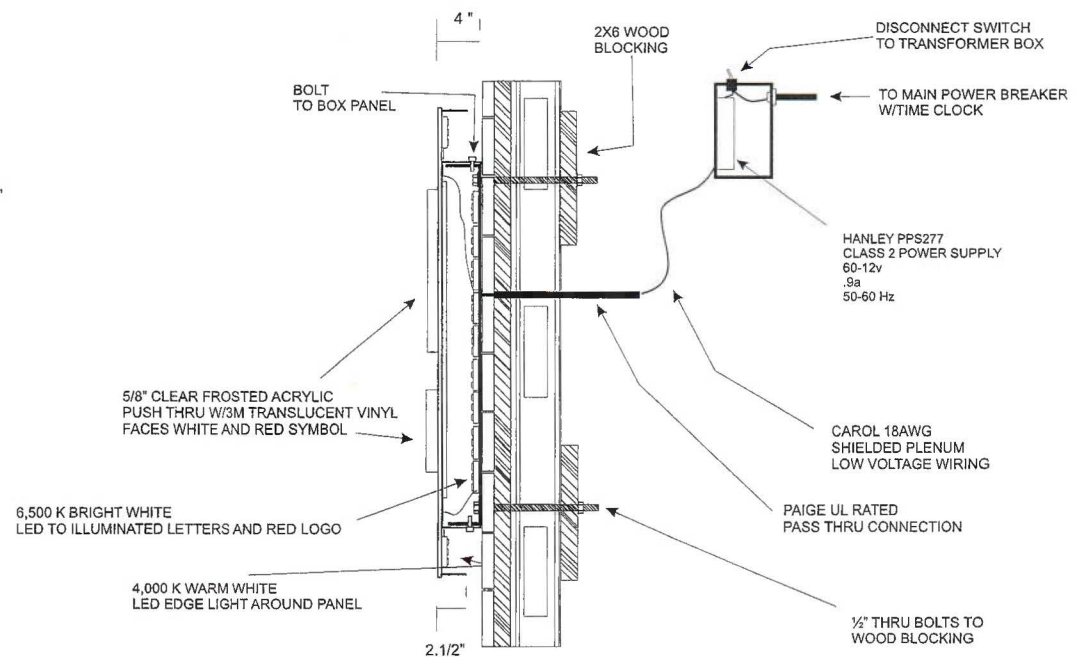
### ILLUMINATED STOREFRONT SIGN

#### 48 Sq Ft

STOREFRONT SIGN, .125 GAUGE ALUMINUM CUT AND 3" .063 GAUGE RETURNS, FINISHED TO MATCH STRESSED GUNMETAL. LOGO IS 5/8" FROSTED ACRYLIC PUSH THRU W/TRANSLUCENT VINYL APPLIQUE' VINYL WHITE AND RED, ILLUMINATION IS W/WHITE 6500K LED.



THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN





BROWN BARNWOOD  
BY OWNERS  
WOOD IS 68" HIGH  
X ENTIRE WIDTH APX 189" + -

AWNING 8FT MIN  
FROM GRADE  
W/WHITE COPY ON VALANCE

#### ILLUMINATED STOREFRONT SIGN

#### 48 Sq Ft

STOREFRONT SIGN, .125 GAUGE ALUMINUM CUT AND  
3" .063 GAUGE RETURNS, FINISHED TO MATCH STRESSED GUNMETAL,  
LOGO IS 5/8" FROSTED ACRYLIC  
PUSH THRU W/TRANSLUCENT VINYL APPLIQUE VINYL  
WHITE AND RED, ILLUMINATION IS W/WHITE 6500K LED.

**Granata SIGN**  
COMPANY LLC

TEL: 203 358-0780 FAX: 203 358 8049  
www.granatasigns.com

NAME	MUSE PAINTBAR
LOCATION	115 -F APEX DRIVE, MARLBOROUGH, MA 01752
DATE	1-29-2018
SCALE	
SUITE #	1 F

APPROVED BY \_\_\_\_\_ DATE / /



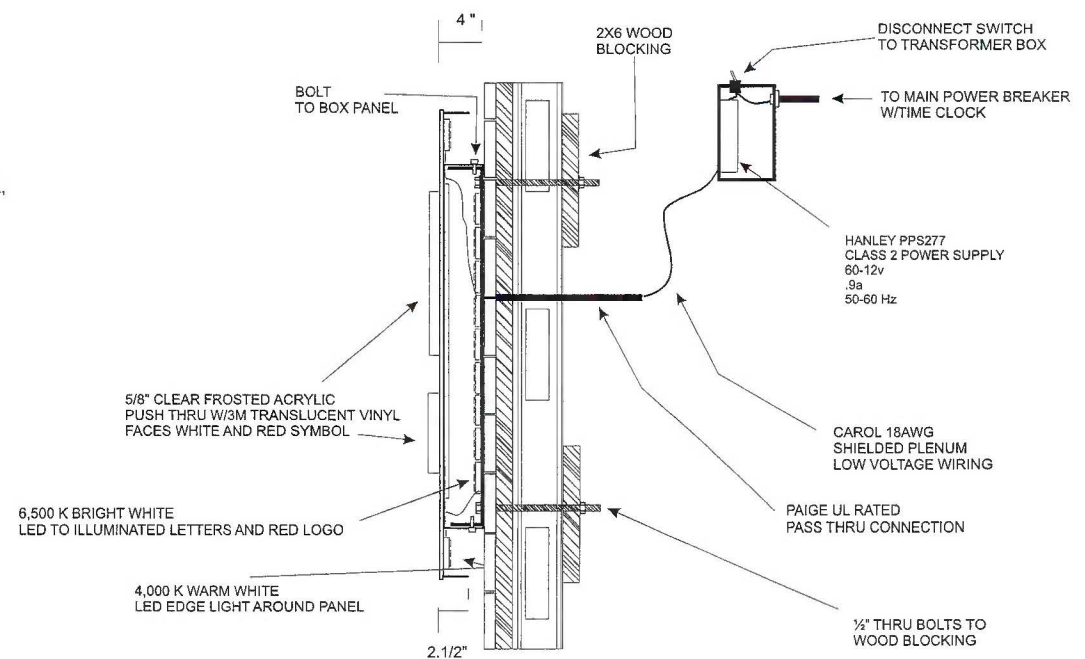
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#### 48 Sq Ft

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**Granata SIGN**  
COMPANY LLC

TEL: 203 358-0780 FAX: 203 358 8049

www.granatasigns.com

APPROVED BY

DATE / /

NAME MUSE PAINTBAR

LOCATION 115-F APEX DRIVE, MARLBOROUGH, MA 01752

DATE 1-29-2018

SCALE

SUITE # F



# City of Marlborough

## BUILDING DEPARTMENT

140 Main Street  
Marlborough, Massachusetts 01752



Date: 4/12/18 Permit No. BD-2018-000364

Address/Location of Sign 115-F Apex Drive, Marlboro

Name of Business Muse Paint Bar

Name of Owner of Business Stanley Finch Telephone 617-715-2958

Type of Sign: (check off which applies)

☐ Flat Wall ☐ Free Standing ☒ Awning ☐ Banner ☐ Projecting

Does this site have a Special Permit ☐ YES ☒ NO

Is this a replacement of a same size existing sign(s) ☐ YES ☒ NO

Dimensions Sign:

Length 32" Width 189" Height (Free Standing) \_\_\_\_\_ Area \_\_\_\_\_

Location of Sign on Bld. North ☒ South ☐ East ☐ West ☐

Dimensions Façade:

Length 130' +/- Width 189" Area 170 sf

x [Signature] 508-238-8500  
Signature of Responsible Party Telephone

Installer Company ID Sign Group Telephone 508-238-8500

carolann@idsig.us  
Email

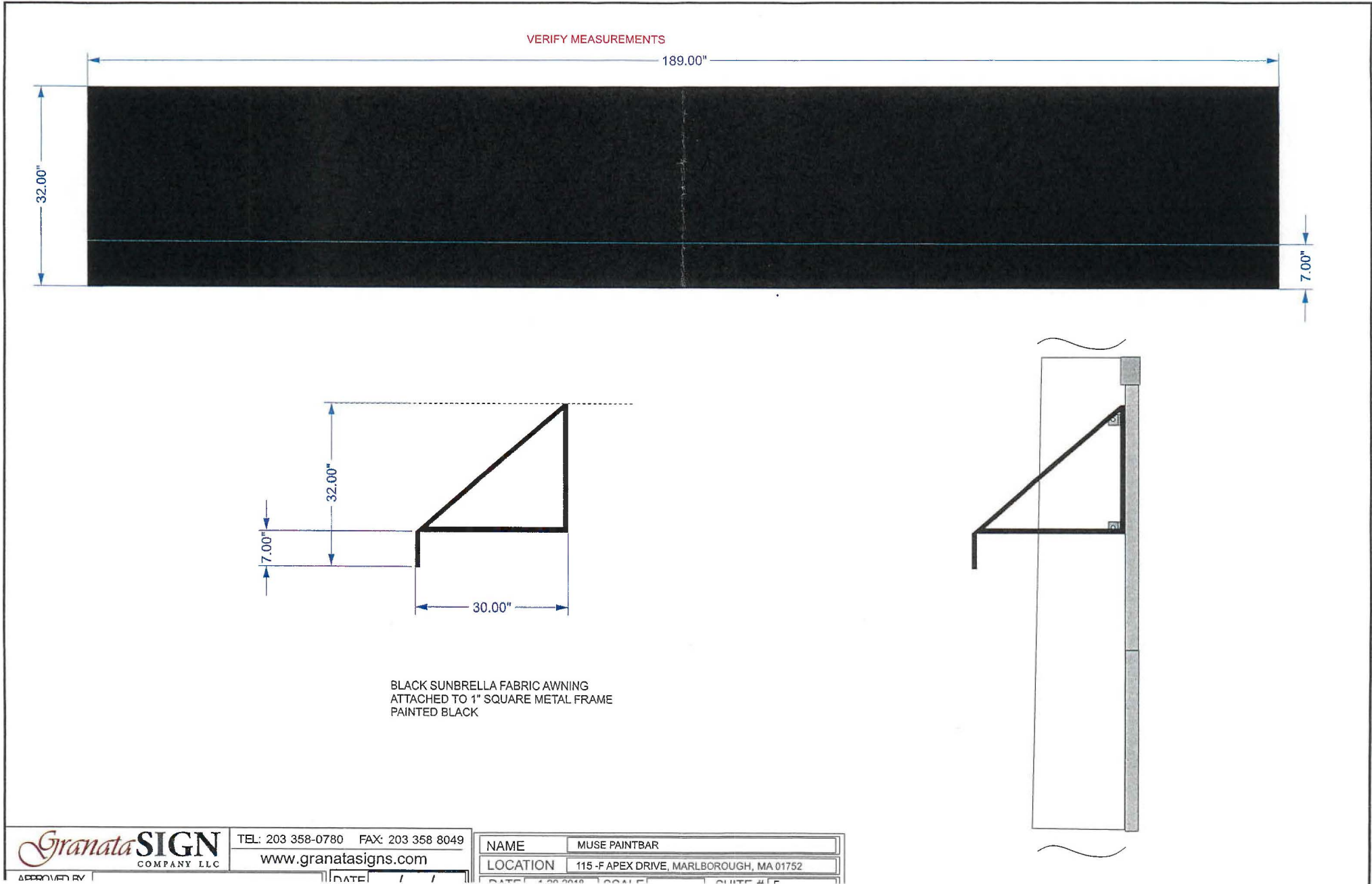
I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of perjury.

x [Signature]  
Signature

4/12/18  
Date

Cost of Sign(s) \$960.00

Permit Fee \$ 50.00





BROWN BARNWOOD  
BY OWNERS  
WOOD IS 68" HIGH  
X ENTIRE WIDTH APX 189" + -

AWNING 8FT MIN  
FROM GRADE  
W/WHITE COPY ON VALANCE

#### ILLUMINATED STOREFRONT SIGN

#### 48 Sq Ft

STOREFRONT SIGN, .125 GAUGE ALUMINUM CUT AND  
3" .063 GAUGE RETURNS, FINISHED TO MATCH STRESSED GUNMETAL,  
LOGO IS 5/8" FROSTED ACRYLIC  
PUSH THRU W/TRANSLUCENT VINYL APPLIQUE' VINYL  
WHITE AND RED, ILLUMINATION IS W/WHITE 6500K LED.

**GranataSIGN**  
COMPANY LLC

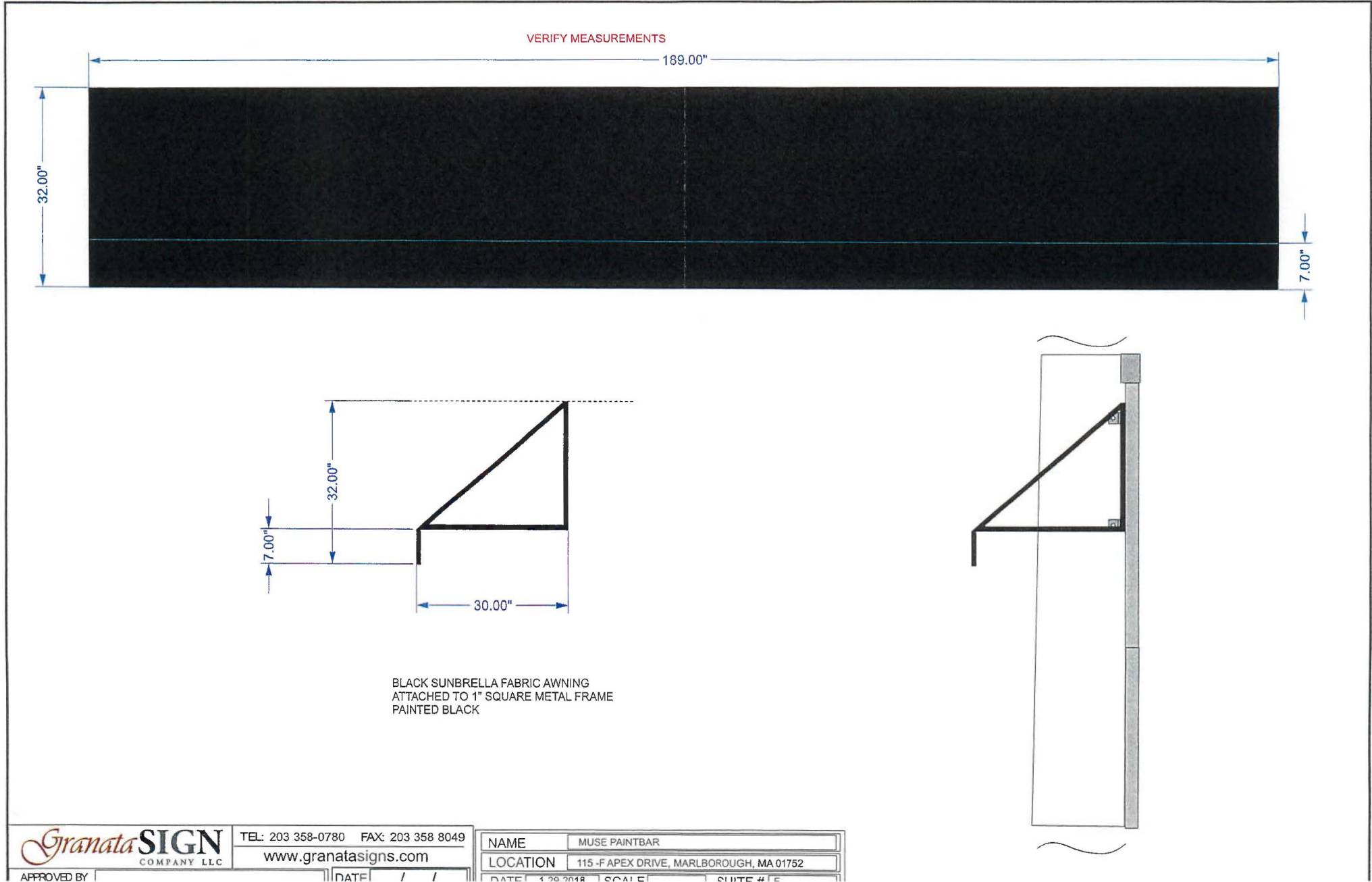
TEL: 203 358-0780 FAX: 203 358 8049  
www.granatasigns.com

APPROVED BY

DATE

NAME	MUSE PAINTBAR
LOCATION	115 -FAPEX DRIVE, MARLBOROUGH, MA 01752

DATE 1-28-2019 SCALE 1/4" = 1' SHEET #15





BROWN BARNWOOD  
BY OWNERS  
WOOD IS 68" HIGH  
X ENTIRE WIDTH APX 189" + -

AWNING 8FT MIN  
FROM GRADE  
W/WHITE COPY ON VALANCE

#### ILLUMINATED STOREFRONT SIGN

#### 48 Sq Ft

STOREFRONT SIGN, .125 GAUGE ALUMINUM CUT AND  
3" .063 GAUGE RETURNS, FINISHED TO MATCH STRESSED GUNMETAL,  
LOGO IS 5/8" FROSTED ACRYLIC  
PUSH THRU W/TRANSLUCENT VINYL APPLIQUE VINYL  
WHITE AND RED, ILLUMINATION IS W/WHITE 6500K LED.

*Granata* **SIGN**  
COMPANY LLC

TEL: 203 358-0780 FAX: 203 358 8049  
www.gratatasigns.com

NAME	MUSE PAINTBAR
LOCATION	115 -F APEX DRIVE, MARLBOROUGH, MA 01752

DATE: 1/20/2018 SCALE: SUITE #15

APPROVED BY:

DATE: / /



# Massachusetts State Lottery Commission

DEBORAH B. GOLDBERG  
*Treasurer and Receiver General*

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

MICHAEL R. SWEENEY  
*Executive Director*

2018 APR 30 A 11: 58

April 26, 2018

Marlborough City Council  
140 Main Street  
Marlborough, MA 01752

Dear Sir/Madam:

The Massachusetts State Lottery is offering existing, non-pouring agents our KENO To Go game, a transaction which is identical to the already existing on-line games, such as Megabucks and Mass Cash. At this time, the Lottery is not providing agents with a KENO monitor as part of this program.

In accordance with M.G.L. c 10, section 27A, as amended, you are hereby notified that the following existing agent(s) in your community will be eligible to sell the KENO To Go product:

Thomas Energy  
175 Lakeside Ave.  
Marlboro

If you object to these agent(s) selling KENO To Go, you must do so, in writing, within twenty-one (21) days of receipt of this letter. Please address your written objection to Carol-Ann Fraser, General Counsel, Legal Department, Massachusetts State Lottery Commission, 60 Columbian Street, Braintree, MA 02184. Should you have any questions regarding this program or any other issue relative to the Lottery, please call me at 781-849-5555. I look forward to working with you as the Lottery continues its' efforts to support the 351 cities and towns of the Commonwealth.

Sincerely,

Michael R. Sweeney  
Executive Director  
7001 2510 0004 3227 9382



*Supporting the 351 Cities and Towns of Massachusetts*

## DEPARTMENT OF PUBLIC UTILITIES

This statement is filed in accordance with Chapter 164, Section 84A

## CONDENSED FINANCIAL RETURN

FOR YEAR ENDED DECEMBER 31, 2017

NSTAR GAS COMPANY  
Doing Business as Eversource EnergyRECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 APR 23 P 1:20

FULL NAME OF COMPANY

800 BOYLSTON STREET

LOCATION OF PRINCIPAL BUSINESS OFFICE

BOSTON, MA 02199

## STATEMENT OF INCOME FOR THE YEAR

Item	Current Year	Increase or (Decrease) from Preceding Year
<b>OPERATING INCOME</b>		
Operating Revenues		
Operating Expenses		
Operation Expense		
Maintenance Expense		
Depreciation Expense		
Amortization of Utility Plant		
Amortization of Regulatory Debits		
Amortization of Investment Tax Credit		
Taxes other than Income Taxes		
Income Taxes		
Provisions for Deferred Federal Income Taxes		
Federal Income Taxes Deferred In Prior Years..(Credit)		
Total Operating Expenses		
Net Operating Revenues		
Income from Utility Plant Leased to Others		
Other Utility Operating Income		
Total Utility Operating Income		
<b>OTHER INCOME</b>		
Income from Mdse. Jobbing & Contract Work		
Income from Nonutility Operations		
Nonoperating Rental Income		
Interest and Dividend Income		
Miscellaneous Nonoperating Income		
Total Other Income		
Total Income		
<b>MISCELLANEOUS INCOME DEDUCTIONS</b>		
Miscellaneous Amortization		
Other Income Deductions		
Total Income Deductions		
Income Before Interest Charges		
<b>INTEREST CHARGES</b>		
Interest on Long-Term Debt		
Amortization of Debt Discount and Expense		
Amortization of Premium on Debt-Credit		
Interest on Debt to Associated Companies		
Other Interest Expense		
Interest Charged to Construction-Credit		
Total Interest Charges		
Net Income		

SEE THE ATTACHED INCOME  
STATEMENT FOR 2017 AS FILED  
IN THE DPU ANNUAL RETURN

Annual report of.....NSTAR GAS COMPANY.....Year ended December 31, 2017

## STATEMENT OF INCOME FOR THE YEAR

Line No.	Account (a)	Current Year (b)	Increase or (Decrease) from Preceding Year (c)
1	OPERATING INCOME		
2	Operating Revenues (400) P.43.....	\$ 445,555,943	\$ 23,876,990
3	Operating Expenses:		
4	Operation Expense (401) P.42,47.....	305,595,371	6,265,105
5	Maintenance Expense (402) P.42,47.....	7,594,461	(307,881)
6	Depreciation Expense (403) P.34.....	32,080,195	2,933,727
7	Amortization of Utility Plant (404 and 405).....	500,401	(119,636)
8	Amortization of Regulatory Credits, net (407.3, 407.4).....	6,136,921	10,177,494
9	Amortization of Investment Tax Credit (406).....	-	-
10	Taxes Other Than Income Taxes (408) P.49.....	22,981,269	430,879
11	Income Taxes (409) P.49.....	(982,181)	12,074,310
12	Provision for Deferred Fed. Inc. Taxes (410) P.36.....	40,173,891	(3,882,803)
13	Fed. Inc. Taxes Def. in Prior Yrs.-Cr. (411) P.36.....	(18,253,541)	(6,549,663)
14	Total Operating Expenses.....	395,826,787	21,021,532
15	Net Operating Revenues.....	49,729,156	2,855,459
16	Income from Utility Plant Leased to Others (412)-Net.....	-	-
17	Other Utility Operating Income (414) P.50.....	-	-
18	Total Utility Operating Income.....	49,729,156	2,855,459
19	OTHER INCOME		
20	Income from Mdse. Job & Contract Work (415) P.51.....	-	-
21	Income from Nonutility Operations (417).....	42,839	13,078
22	Nonoperating Rental Income (418).....	83,375	-
23	Interest and Dividend Income (419).....	44,171	(405,691)
24	Miscellaneous Nonoperating Income (421).....	1,271,839	(110,844)
25	Total Other Income.....	1,442,224	(503,456)
26	Total Income.....	51,171,380	2,352,002
27	MISCELLANEOUS INCOME DEDUCTIONS		
28	Miscellaneous Amortization (425).....	-	-
29	Other Income Deductions (426).....	578,385	320,649
30	Total Income Deductions.....	578,385	320,649
31	Income Before Interest Charges.....	50,592,995	2,031,353
32	INTEREST CHARGES		
33	Interest on Long-Term Debt (427) P.31.....	16,220,999	(452,084)
34	Amortization of Debt Disc. & Expense (428).....	110,040	(4,916)
35	Amortization of Prem. on Debt-Credit (429) P.26.....	-	-
36	Int. on Debt to Associated Companies (430) P.32.....	1,041,266	858,440
37	Other Interest Expense (431).....	440,373	160,608
38	Interest Charged to Construction-Credit (432).....	(163,632)	76,430
39	Total Interest Charges.....	17,649,046	638,478
40	Net Income.....	32,943,949	1,392,875
41	EARNED SURPLUS		
42	Unappropriated Earned Surplus (at beginning of period) (216).....	(3,851,551)	(19,338,332)
43	Balance Transferred from Income (433).....	32,943,949	1,392,876
44	Miscellaneous Credits to Surplus (434).....	10,042	10,042
45	Miscellaneous Debits to Surplus (435).....	-	(89,405)
46	Appropriations of Surplus (436).....	-	-
47	Net Additions of Earned Surplus.....	32,953,991	1,492,323
48	Dividends Declared-Preferred Stock (437).....		
49	Dividends Declared-Common Stock (438).....	108,100,000	57,300,000
50	Unappropriated Earned Surplus (at end of period) (216).....	\$ (78,997,560)	\$ (75,146,009)

NOTES: SEE THE ATTACHED BALANCE SHEET FOR 2017 AS FILED IN THE DPU ANNUAL RETURN

## BALANCE SHEET

Title of Account	Balance End of Year	Title of Account	Balance End of Year
<b>UTILITY PLANT</b>		<b>PROPRIETARY CAPITAL</b>	
Utility Plant.....		<b>CAPITAL STOCK</b>	
		Common Stock Issued.....	
<b>OTHER PROPERTY AND INVESTMENTS</b>		Preferred Stock Issued.....	
Nonutility Property.....		Capital Stock Subscribed.....	
Investment in Associated Companies.....		Premium on Capital Stock.....	
Other Investments.....		Total.....	
Special Funds.....			
Total Other Property and Investments		<b>SURPLUS</b>	
		Other Paid-In Capital.....	
<b>CURRENT AND ACCRUED ASSETS</b>		Earned Surplus.....	
Cash.....		Surplus Invested in Plant.....	
Special Deposits.....		Total.....	
Working Funds.....		Total Propriety Capital.....	
Temporary Cash Investments.....			
Notes and Accounts Receivable.....		<b>LONG-TERM DEBT</b>	
Receivables from Associated Companies.....		Bonds.....	
Materials and Supplies.....		Advances from Associated Companies.....	
Prepayments.....		Other Long-Term Debt.....	
Interest and Dividends Receivable.....		Total Long-Term Debt.....	
Rents Receivable.....			
Accrued Utility Revenues.....		<b>CURRENT AND ACCRUED LIABILITIES</b>	
Misc. Current and Accrued Assets.....		Notes Payable.....	
Total Current and Accrued Assets.....		Accounts Payable.....	
		Payables to Associated Companies.....	
<b>DEFERRED DEBITS</b>		Customer Deposits.....	
Unamortized Debt Discount and Expense.....		Taxes Accrued.....	
Extraordinary Property Losses.....		Interest Accrued.....	
Preliminary Survey and Investigation Charges.....		Dividends Declared.....	
Clearing Accounts.....		Matured Long-Term Debt.....	
Temporary Facilities.....		Matured Interest.....	
Miscellaneous Deferred Debits.....		Tax Collections Payable.....	
Total Deferred Debits.....		Misc. Current and Accrued Liabilities.....	
		Total Current and Accrued Liabilities.....	
<b>CAPITAL STOCK DISCOUNT AND EXPENSE</b>		<b>DEFERRED CREDITS</b>	
Discount on Capital Stock.....		Unamortized Premium on Debt.....	
Capital Stock Expense.....		Customer Advances for Construction.....	
Total Capital Stock Discount and Expense.....		Other Deferred Credits.....	
		Total Deferred Credits.....	
<b>REACQUIRED SECURITIES</b>		<b>RESERVES</b>	
Reacquired Capital Stock.....		Reserves for Depreciation.....	
Reacquired Bonds.....		Reserves for Amortization.....	
Total Reacquired Securities.....		Reserves for Uncollectible Accounts.....	
		Operating Reserves.....	
<b>Total Assets and Other Debits.....</b>		Reserve for Depreciation and Amortization of Nonutility Property.....	
		Reserves for Deferred Income Taxes.....	
		Total Reserves.....	
		<b>CONTRIBUTIONS IN AID OF CONSTRUCTION</b>	
		Contributions in Aid of Construction.....	
		Total Liabilities and Other Credits.....	

## COMPARATIVE BALANCE SHEET Assets and Other Debits

Line No.	Title of Account (a)	Balance Beginning of Year (b)	Balance End of Year (c)	Increase or (Decrease) (d)
1	UTILITY PLANT			
2	Utility Plant (101-107) P.13.....	\$ 1,230,228,266	\$ 1,357,847,490	\$ 127,619,224
3	OTHER PROPERTY AND INVESTMENTS			
4	Nonutility Property (121) P.19.....	2,983,419	2,983,419	-
5	Investments in Associated Companies (123) P.20.....	-	-	-
6	Other Investments (124) P.20.....	6,000	6,000	-
7	Special Funds (125,126,127,128,129) P.21.....	16,191,576	21,484,742	5,293,166
8	Total Other Property and Investments.....	19,180,995	24,474,161	5,293,166
9	CURRENT AND ACCRUED ASSETS			
10	Cash (131).....	-	-	-
11	Special Deposits (132,133,134) P.21.....	-	-	-
12	Working Funds (135).....	-	-	-
13	Temporary Cash Investments (136) P.20.....	-	-	-
14	Notes and Accounts Receivable (141,142,143) P.22.....	57,106,473	62,020,229	4,913,756
15	Receivables from Assoc. Companies (145,146) P.23.....	5,736,306	15,196,368	9,460,062
16	Material and Supplies (151-159,163,164) P.24.....	19,211,013	15,920,871	(3,290,142)
17	Prepayments (165).....	-	1,732,370	1,732,370
18	Interest and Dividends Receivable (171).....	-	-	-
19	Rent Receivable (172).....	6,905	8,820	1,915
20	Accrued Utility Revenues (173,175).....	41,972,054	41,228,521	(743,533)
21	Misc. Current and Accrued Assets (174).....	-	-	-
22	Total Current and Accrued Assets.....	124,032,750	136,107,179	12,074,429
23	DEFERRED DEBITS			
24	Unamortized Debit Discount and Expense (181) P.26.....	700,681	590,641	(110,040)
25	Extraordinary Property Losses (182) P.27.....	-	-	-
26	Preliminary Survey and Investigation Charges (183).....	-	-	-
27	Clearing Accounts (184).....	-	-	-
28	Temporary Facilities (185).....	-	-	-
29	Miscellaneous Deferred Debits (186) P.27.....	259,136,279	304,057,774	44,921,495
30	Matured Interest (240).....	-	-	-
31	Total Deferred Debits.....	259,836,960	304,648,415	44,811,455
31	CAPITAL STOCK DISCOUNT AND EXPENSE			
32	Discount on Capital Stock (191) P.28.....	-	-	-
33	Capital Stock Expense (192) P.28.....	-	-	-
34	Total Capital Stock Discount and Expense.....	-	-	-
35	REACQUIRED SECURITIES			
36	Reacquired Capital Stock (196).....	-	-	-
37	Reacquired Bonds (197).....	-	-	-
38	Total Reacquired Securities.....	-	-	-
39	Total Assets and Other Debits.....	\$ 1,633,278,970	\$ 1,823,077,245	\$ 189,798,275

## COMPARATIVE BALANCE SHEET Liabilities and Other Credits

Line No.	Title of Account (a)	Balance Beginning of Year (b)	Balance End of Year (c)	Increase or (Decrease) (d)
1	PROPRIETARY CAPITAL			
2	CAPITAL STOCK			
3	Common Stock Issued (201) P.29.....	\$ 71,425,000	\$ 71,425,000	\$ -
4	Preferred Stock Issued (204) P.29.....	-	-	-
5	Capital Stock Subscribed (202,205).....	-	-	-
6	Premium on Capital Stock (207) P.29.....	-	-	-
7	Total.....	71,425,000	71,425,000	-
8	SURPLUS			
9	Other Paid-In Capital (208-211) P. 12.....	271,233,483	341,408,483	70,175,000
10	Earned Surplus (215,216) P. 12.....	(3,851,551)	(78,997,560)	(75,146,009)
11	Surplus Invested In Plant (217).....	-	-	-
12	Total.....	267,381,932	262,410,923	(4,971,009)
13	Total Proprietary Capital.....	338,806,932	333,835,923	(4,971,009)
14	LONG TERM DEBT			
15	Bonds (221) P.31.....	310,000,000	285,000,000	(25,000,000)
16	Advances from Assoc. Companies (223) P.31.....	-	-	-
17	Other Long-Term Debt (224) P.31.....	-	-	-
18	Total Long-Term Debt.....	310,000,000	285,000,000	(25,000,000)
19	CURRENT AND ACCRUED LIABILITIES			
20	Notes Payable (231) P.32.....	-	-	-
21	Accounts Payable (232).....	48,440,200	56,103,523	7,663,323
22	Payables to Associated Companies (233,234) P.32.....	101,083,975	226,113,465	125,029,490
23	Customer Deposits (235) P.80C.....	1,256,809	1,167,060	(89,749)
24	Taxes Accrued (236).....	33,709,534	3,980,679	(29,728,855)
25	Interest Accrued (237).....	3,720,295	4,524,226	803,931
26	Dividends Declared (238).....	-	-	-
27	Matured Long-Term Debt(239).....	-	-	-
28	Matured Interest (240).....	-	-	-
29	Tax Collections Payable (241).....	704,190	842,920	138,730
30	Misc. Current and Accrued Liabilities (242) P.33.....	9,967,232	7,304,037	(2,663,195)
31	Total Current and Accrued Liabilities.....	198,882,236	300,035,910	101,153,674
32	DEFERRED CREDITS			
33	Unamortized Premium on Debt (251) P.26.....	-	-	-
34	Customer Advances for Construction (252).....	-	-	-
35	Other Deferred Credits (253) P.33.....	147,038,892	249,979,196	102,940,304
36	Total Deferred Credits.....	147,038,892	249,979,196	102,940,304
37	RESERVES			
38	Reserves for Depreciation (254-256) P.13.....	393,657,343	417,382,003	23,724,660
39	Reserves for Amortization (257-259) P.13.....	2,667,570	3,028,953	361,383
40	Reserve for Uncollectible Accounts (260).....	16,373,871	16,397,754	23,883
41	Operating Reserves (261-265) P.35.....	26,773,956	98,993,252	72,219,296
42	Reserve for Depreciation & Amortization of Nonutility Property (266).....	-	-	-
43	Reserves for Deferred Federal Income Taxes (268) P.36.....	199,078,170	118,424,254	(80,653,916)
44	Total Reserves.....	638,550,909	654,226,216	15,675,307
45	CONTRIBUTIONS IN AID OF CONSTRUCTION			
46	Contributions in Aid of Construction (271) P. 36.....	-	-	-
47	Total Liabilities and Other Credits.....	\$ 1,633,278,970	\$ 1,823,077,245	\$ 189,798,275

## STATEMENT OF EARNED SURPLUS

Account	Amount for Year	Inc/(Dec) from Preceding Year
Unappropriated Earned Surplus (at beginning of period).....		
Balance Transferred from Income.....		
Accumulated Other Comprehensive Income.....		
Miscellaneous Debits to Surplus.....		
Appropriations of Surplus.....		
Net Additions to Earned Surplus.....		
Paid in Capital Adjustments.....		
Dividends Declared-Common Stock.....		
Unappropriated Earned Surplus (at end of period).....		

SEE THE ATTACHED STATEMENT OF  
EARNED SURPLUS FOR 2017 AS FILED  
IN THE DPU ANNUAL RETURN

## ELECTRIC OPERATING REVENUES

Account	Operating Revenues	
	Amount for Year	Inc/(Dec) from Preceding Year
<b>SALES OF ELECTRICITY</b>	\$	
Residential Sales.....		
Commercial and Industrial Sales.....		
Small (or Commercial).....		
Large (or Industrial).....		
Public Street and Highway Lighting.....		
Other Sales to Public Authorities.....		
Sales to Railroad and Railways.....		
Interdepartmental Sales.....		
Miscellaneous Electric Sales.....		
Total Sales to Ultimate Consumers.....		
Sales for Resale.....		
Less: Provision for Rate Refunds.....		
Total Sales of Electricity.....		
<b>OTHER OPERATING REVENUES</b>		
Forfeited Discounts.....		
Miscellaneous Service Revenues.....		
Sales of Water and Water Power.....		
Rent from Electric Property.....		
Interdepartmental Rents.....		
Other Electric Revenues.....		
Total Other Operating Revenues.....		
Total Electric Operating Revenues.....	None	None

## SUMMARY OF ELECTRIC OPERATION AND MAINTENANCE EXPENSES

Functional Classification	Operation	Maintenance	Total
Power Production Expenses.....		\$	\$
Electric Generation.....			
Steam Power.....			
Nuclear Power.....			
Hydraulic Power.....			
Other Power.....			
Other Power Supply Expenses.....			
Total Power Production Expenses.....			
Transmission Expenses.....			
Distribution Expenses.....			
Customer Accounts Expenses.....			
Sales Expenses.....			
Administrative and General Expenses.....			
Total Electric Operation and Maintenance Expenses.....	None	None	None

Annual report of.....NSTAR GAS COMPANY.....Year ended December 31, 2017

## STATEMENT OF EARNED SURPLUS (Accounts 215, 216 &amp; 219)

1. Report in this schedule an accounting for changes in appropriated and unappropriated earned surplus for the year.

2. Each credit and debit during the year should be identified as to the surplus account in which included (Accounts 433-438 inclusive) and the contra primary account affected shown. Minor items may be grouped by classes; however, the number of items in each group should be shown.

3. For each reservation or appropriation of earned surplus state the purpose, amount, and in the case of reservations, the reserve account credited.

Explain in a footnote the basis for determining the amount reserved or appropriated and if such reservation or appropriation is to be recurrent, state the number and annual payments to be reserved or appropriated as well as the totals eventually to be accumulated.

4. Dividends should be shown for each class and series of capital stock. Show amounts of dividends per share.

5. List credits first; then debits.

Line No.	Item (a)	Contra Primary Account Affected (b)	Amount (c)
1	UNAPPROPRIATED EARNED SURPLUS (Accounts 216 & 219)		
2	Balance-Beginning of Year		\$ (3,851,551)
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14	Credits:		
15	Net income (loss)	433	32,943,949
16	Accum Other Comprehensive Income	219	10,042
17			
18	Debits:		
19	Dividends on Common Stock:	131	108,100,000
20	Cash Dividend on Common Stock		
21			
22			
23	03/17 - 2,857,000 shares at \$1.82 per share		
24	06/17 - 2,857,000 shares at \$1.82 per share		
25	09/17 - 2,857,000 shares at \$1.82 per share		
26	12/17 - 2,857,000 shares at \$32.38 per share		
27	Balance - end of year		\$ (78,997,560)
28	APPROPRIATED EARNED SURPLUS (Account 215)		\$
29	State balance and purpose of each appropriated earned surplus amount at end		
30	of year and give accounting entries for any applications of appropriated earned		
31	surplus during the year.		
32			
33	NONE		
34			
35			
36			
37			
38			
39			
40			
41			
42			
43			
44			
45			
46			
47			
48			
49			

GAS OPERATING REVENUES			
Account	Operating Revenues		
	Amount for Year	Increase or (Decrease) from Preceding Year	
SALES OF GAS			
Residential Sales.....	\$ 258,026,021	\$ 25,756,624	
Commercial and Industrial Sales			
Small (or Commercial).....	78,234,797	8,046,053	
Large (or Industrial).....	9,135,537	524,518	
Other Sales to Public Authorities.....	8,372,635	774,827	
Interdepartmental Sales.....	-	-	
Miscellaneous Gas Sales - Deferrals.....	3,870,887	(13,249,662)	
Total Sales to Ultimate Consumers.....	357,639,877	21,852,360	
Sales for Resale.....	32,090,951	(1,661,940)	
Total Sales of Gas.....	389,730,828	20,190,420	
OTHER OPERATING REVENUES			
Forfeited Discounts-Late Payment Charges.....	298,188	73,464	
Miscellaneous Service Revenues.....	242,677	(6,450)	
Revenues from Transportation of Gas to Others.....	56,926,837	6,651,828	
Sales of Products Extracted from Natural Gas.....	-	-	
Revenues from Natural Gas Processed by Others.....	-	-	
Rent from Gas Property.....	1,313,309	482,805	
Interdepartmental Rents.....	-	-	
Other Gas Revenues.....	(2,955,896)	(3,515,077)	
Total Other Operating Revenues.....	55,825,115	3,686,570	
Total Gas Operating Revenues.....	\$ 445,555,943	\$ 23,876,990	
SUMMARY OF GAS OPERATION AND MAINTENANCE EXPENSES			
Functional Classification	Operation	Maintenance	Total
Steam Production.....			
Manufactured Gas Production.....			
Other Gas Supply Expenses.....	\$ 236,383,574	\$ -	\$ 236,383,574
Total Production Expenses.....	236,383,574	-	236,383,574
Local Storage Expenses.....	352	6,304	6,656
Transmission and Distribution Expense.....	19,753,325	7,588,157	27,341,482
Customer Accounts Expense.....	18,481,030	-	18,481,030
Sales Expense.....	803,012	-	803,012
Administrative and General Expenses.....	30,174,078	-	30,174,078
Total Gas Operation and Maintenance Expenses.....	\$ 305,595,371	\$ 7,594,461	\$ 313,189,832
April 13, 2018, I hereby certify that the foregoing statements are full, just and true to the best of my knowledge and belief. This statement is signed under the penalties of perjury.			
<div>Christine L. Vaughan Vice President, Rates and Regulatory Requirements and Treasurer</div> <div>Jay S. Butth Vice President, Controller and Chief Accounting Officer</div>			

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**Minutes**

**April 5, 2018 (Thursday)**

**Marlborough City Hall - 3<sup>rd</sup> Floor, Memorial Hall**

**7:00 PM**

**RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH**

**2018 APR 23 P 3:45**

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

**Acceptance of Minutes:** The minutes of March 15, 2018 were reviewed and unanimously approved as written.

**Boy Scouts** – Ms. Ryder introduced two scouts who have elected to do their Eagle Scout projects building parts of the Panther/Boroughs Trail, Andrew Desmarais and Brian Boxell. Each scout explained their trail segment and work they expect to do. Andrew Desmarais explained that he was in 8<sup>th</sup> grade and would like to do his project during April vacation which is a section of the Panther trail through Cider Knoll. He will be creating a trail, building some bog bridges and a helical pier boardwalk. The Commission was impressed with his 27 merit badges. Brian Boxell said he'd like to build the section of the panther trail from Concord Rd. near the gas line to connect with Andrews project. Brian is a junior in high school and has 24 merit badges. Chairman Clancy, thanked the boys for helping with this project and providing their leadership to getting the work done. Boy scouts do almost all the trail building, kiosk construction and bridges and boardwalks for the Commission and are a critical part of the trail network the City has. And Mr. Clancy thanked them again.

**Draft Order of Conditions**

- City of Marlborough Conservation Commission – Generic Trail construction maintenance and invasive plant removal procedures. Ms. Ryder noted that DEP has indicated this permit is too broad and asked Ms. Ryder to come in to discuss before issuing a permit number. The Commission continued this item until a DEP # is issued or the NOI withdrawn. Ms. Ryder will report back at the next meeting.

**Public Hearings:**

Request for Determination of Applicability

101 Lakeshore Dr. - Carl Blatchley

Mr. Blatchley proposes to remove asphalt sidewalk and concrete pad around his house and add a hardscape patio and grass next to Ft. Meadow Reservoir. Mr. Blatchley shared some photos of the backyard, concrete pad and walkway to be removed. He provided a plan showing the location of a new patio. Over all, there will be more pavement "impervious surfaces" removed from the site which will be replaced with grass; except for the area of the new patio. The Commission confirmed that all excess materials would be removed from the site and not placed close to Ft. Meadow Reservoir. After some discussion, the Commission closed the hearing and voted unanimously 7-0 to issue a negative Determination of Applicability with standard conditions.

## Request for Determination of Applicability (Continuation)

## 410 Brigham St. - Cleiton Nascimento

Mr. Nascimento, owner and Johnathan Keep, Landscape Architect were present. Mr. Keep explained that they had revised the plan based on comments at the last meeting. The short field stone/mortar wall which varies in height from 18" to 24" will be placed on the 20' buffer zone line and the shed will be moved outside of the 20' buffer zone. The Commission asked about wall construction and drainage and agreed that the new plan was appropriate. The wall will be built on a crushed stone footing and straw wattle erosion controls will be used. The Commission closed the hearing and voted unanimously 7-0 to issue a negative Determination of Applicability with standard conditions including the need to stake the 20' buffer zone for inspection prior to doing any work.

## Notice of Intent (Continuation)

## 149 Hayes Memorial Dr. - Marlborough/Northborough Land Realty Trust

Israel Lopez from Gutierrez Co. and Will Park, PE from SMMA were both present. Based on previous hearings, they have revised the plan for a proposed new 3 story building with associated access, parking, storm water treatment and utilities. After the last meeting on April 5<sup>th</sup>, they have worked with the abutter who had raised concerns about water impacts from this project onto their industrial building. This has since been resolved with them which is why they are back.

Mr. Park explained that the site is 24 acres with wetlands and steep slope. There are two wetlands shown as A & B on the plans. Based on comments from the Commission, they have provided a detailed construction sequencing/phasing plan which divides the site into 4 sections. The idea is that the entire site would have trees removed as a first step, but the grubbing would only occur when each phase is being addressed. They are working to make the project an even cut and fill project.

There was discussion about the retaining wall which will be between 10'-30' in height. Given that the test pits revealed glacial tills, they will be diverting water from above the site around the site to keep things drier.

The wetland disturbance from this current plan is less than the original Order which was filed for the three buildings from Forest St. to Hayes Memorial Dr. They will be filing for a Notice of Project change with MEPA, but assume that since the impacts are less than the previous plan, they don't anticipate any issues. There was some discussion about snow storage area designations, geogrid locations, deer barriers at top of slope and construction runoff pads which will be needed and should be at least 100' long given the soil type at this site. In addition, sweepers and, if needed, tire cleaning area will be provided to keep mud off Hayes Memorial Dr.

They discussed the detention basins temporary and permanent and how they will be used during construction to help filter out any sediments before reaching the wetland. The Commission asked Ms. Ryder to confirm with the City Engineer that the drainage on the plan conforms to the rules

and that he is OK with the plan as presented. Ms. Ryder will ask. The hearing was continued to the April 19<sup>th</sup> meeting. The Commission asked Ms. Ryder to draft a set of conditions for review at this meeting as well.

**Discussions:**

- Salt on city's roadways – Ted Scott, Assistant Commissioner of Operations was present. Chairman Clancy explained that the Commission had asked Mr. Scott to attend to discuss the issue of road salt and problems it could have with drinking water (given the closure of Millham Reservoir), and water quality for wildlife. He asked Mr. Scott to explain the current operation. Mr. Scott explained that this year they are trying the use of brine wet mix which uses considerably less salt than the solid form which bounces and rolls off the roadway. The brine can be sprayed up to two days before to "pre-treat" the pavement prior to a storm. They put down 30 gallons of brine/mile. He noted that this brine system is not useful in all situation, where there is a rain mix, or rain during the storm. When brine is used, it reduces the salt use on the roadways by 30%.

There was a discussion about the new salt shed's efficiency. Mr. Scott said they were still working out the kinks to limit loading spills, so they are still working on this. The system is getting more sophisticated with new sensors that can measure the temperature of the pavement in different parts of the city, so they can better calibrate and use only the salt needed.

Mr. Demers explained that he is concerned with the impact of salt in the concrete structures in the street and the impact salt has on vehicles. He is concerned that the current population expects "black pavement" even during a storm event and we should be setting different expectations since there are trade-offs between "black pavement" and too much salt in water ways and reservoirs. "Can we go back to when we used sand with a little salt to keep it from freezing?".

Mr. White agreed and noted that the public needs to balance the need to get places and the environmental impacts and during storms people just need to expect to slow down. Mr. Scott noted that the roadways are only part of the problem, Mass DOT highways – 495-290 and Rte. 20 all contribute salt to streams. In addition, there are plenty of commercial or industrial parking lots using salt all the time too. The Commission agreed it was a bigger problem than just road salting, but that the use of salt and it's impacts on the environment are issues they want to explore.

Chairman Clancy noted that he'd like more information about the health of the lakes, for instance Lake Williams, how healthy are the fish? In other lakes and pond in the city, how healthy are these systems. The discussion turned to the colored salt. Some is mixed with magnesium or magnesium chloride or beet juice to give it a color, so they can distinguish it from other salts. There was some discussion of enforcing the reduced salt areas around the city's water supply reservoir in the future and educating the public about the tradeoffs. The Commission thanked Mr. Scott for coming in and agreed there needs to be further discussions and follow throughs.

- Review Apex snow removal practice.

Joe Trolla was present representing Apex development. Chairman Clancy noted that some of the snow piles were very tall this winter and spilled over the retaining walls. Ms. Ryder put up a slide showing the snow storage approved areas, the areas where it was actually being piled, and the new proposed areas that Apex had provided. Mr. Trolla explained that the Apex team understands that no snow can be dumped in the wetland areas; they are amenable to putting up signage on the fencing to be sure contractors are made aware. They will cover sand and salt in the parking lots and will be fixing the fencing. The parking deck will be sanded as the salt will eat the concrete structure. Mr. Trolla explained that it was cheaper to replace landscaping than to remove snow from the site; so that is what they would like to do in a few areas over the walls in the landscaped areas. They can restore and replace any landscaping that is damaged in the spring; specifically, in the area near Glen St. Ms. Ryder noted that the Glen Street landscaping is intended to get big and tall to help create a vegetated buffer; so, protection of these plantings is important. After some discussion about water quality and the need for all snow melt and storm water to go through the filter system on site to “clean” the water before being discharged to the ground or stream. It was agreed that Mr. Trolla would work with Ms. Ryder to come up with an acceptable plan for review at the next meeting.

- Definitive Subdivision Plan – Marlborough Hub, LLC – comments to the Planning Board. The Commission reviewed the plans titled: Definitive Plan of Land in Marlborough, MA Dated 8/10/2016, Last Revised 1/31/2018, Prepared by Hancock Associates. The Commission noted that the project lies within the 100' buffer zone to the wetland on the adjacent property and expressed concern that the soil near the old railroad line would need to be tested to be sure it is not contaminated. Ms. Ryder will draft a letter for Ed Clancy's signature.

#### **Correspondence/Other Business:**

The following events were discussed and members encouraged to join.

- Hazardous Waste Day – April 14, 2018 (Saturday) - 860 Boston Post Rd. East – 9:00 am – 1:00 pm.
- City Wide Clean Sweep – April 28, 2018 (Saturday) – 9:00 am – noon – Dept. of Public Works
- Kelly, a recent graduate introduced herself and expressed interest in helping the Commission now that she has a related environmental degree. The Commission encouraged her to help volunteer and connect with the Conservation Officer as there are plenty of projects, large and small to participate in.

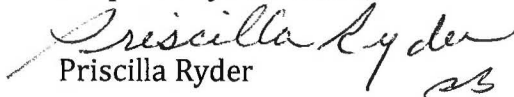
**Project updates:**

Eversource – Glen St. gas line work is underway, which is a minor project not requiring filing, just notification to the Commission.

**Adjournment**

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

Respectfully submitted,

  
Priscilla Ryder  
Conservation Officer

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2018 APR 25 P 12:32



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

**Traffic Commission Minutes**

The Regular Meeting of the Traffic Commission was held on Wednesday, March 28, 2018 at 10:00 am in Memorial Hall, 3<sup>rd</sup> Floor, City Hall. Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen, DPW Commissioner John Ghiloni and City Clerk Lisa Thomas. Also present: Assistant City Engineer Tim Collins, City Councilor Christian Dumais, Sgt. Dan Campbell – MPD Traffic Services Unit, Helen Donis-Keller - Board of Trustee Member from 406 Lincoln Street Condominiums and several residents of the Brigham Street area and Sandini Road area. Minutes taken by Karen Lambert, MPD Records Clerk.

**1- Minutes**

The minutes of the Traffic Commission meeting of Wednesday, January 31, 2018.

MOTION was made, seconded, duly VOTED:  
TO APPROVE – Accept and Place on File.

The minutes of the Traffic Commission meeting of Wednesday, February 28, 2018.

MOTION was made, seconded, duly VOTED:  
TO APPROVE – Accept and Place on File.

**2 – New Business**

**2a) Brigham Street Safety Concerns.**

Chief Giorgi received several emails from residents of the Brigham Street area (copies are attached) regarding their concerns.

**Main Concerns:**

- Excessive Speed
- Very Narrow – no room for two cars and a pedestrian at the same time.
- Increased volume
- Used as a cut through
- Road condition is poor
- No Sidewalks

**Suggestions:**

- Speed Bumps
- Rumble Strips
- Stop Signs
- Solar Powered Speed Signs
- Increased police presence
- Making Brigham Street one-way
- Repairs to roadway
- Clearing adjacent brush

All expressed concern that the issue has gotten worse over time. The ice and snow in the winter months makes it impossible to walk on Brigham Street. When an officer is in the area it helps, however, it does not last. Resident Janet Vigeant put together a flyer entitled “Brigham Street Neighbors - Traffic & Safety Concerns” that she distributed to neighborhood residents outlining the concerns and road change suggestions and asking that they contact city officials to express their concerns as well. She also said that the situation has gotten significantly worse since the opening of the Apex Center and Marlborough Hills Business Area on Forest Street especially during the Monday to Friday commute hours.

Councilor Dumais and several area residents were in attendance. Councilor Dumais said that he went out there this past Monday between 5:00 and 6:00pm. He also found it very difficult with vehicles flying past him and said that the pot holes are terrible. Year after year there does not seem to be any course of action or plan to address the problem. Every avenue suggested, such as speed bumps and line painting has been “shot down”. He said that it is a beautiful county road, however, this is also a real safety issue.

Chief Giorgi advised that the Police Department now has the portable speed sign which can be mounted to a pole and generates a summary of all traffic. The sign was not used over the winter months because it could have been hit or damaged by plows. He included a summary sheet from last year in the agenda packet to demonstrate the information that can be obtained. The summary definitely shows a peak in volume from 7:00 to 8:00am and again from 5:00 to 6:00pm.

Sgt. Campbell said that he has been out in this area doing radar and that the trailer speed sign has been there over the last few days. The portable sign will also be put out soon. The last review was done before the Apex Center opened. Now we will be able to get detailed results and compare them to last year. He has also had officers out there recently in the peak am and pm hours. He noted that sometimes the actual speed of vehicles can be deceiving, but he does agree that are violators. Residents can expect to see him out there with his officers during the heavy commute times.

Commissioner Ghiloni said that the City has done many studies on Brigham Street and has considered such things as line painting and stop signs, however, the City can't just paint lines or put up stop signs when residents request them. There are many rules and regulations and warrants established by the MUTCD (Manual of Uniform Traffic Controls and Devices) that need to be met, such as the number of cars per hour over an 8-hour period. The City also researched a truck exclusion but this too did not meet the required truck volume and would also require a detour through another town or a longer route through Clover Hill. A double yellow line requires 28 feet of pavement (which the street does not have) and takes up an additional foot of roadway. The best thing would be to widen the roadway; however, all the City can do at this point is patch it because it is not paved to the width the state requires. To widen the roadway, many trees would have to be cut down and many land takings would need to occur, similar to what was done on West Hill Road. This type of project is not on the plan for any near future.

Several residents have suggested speed bumps to slow traffic. Tim Collins advised that the City has found that "speed bumps have their own set of problems". Historically, the City has not used speed bumps. They cause an obstruction for fire trucks and plows, create issues with drainage and can cause damage to vehicles. There are speed bumps in areas like the Apex Center, however, that is private property and if the speed bumps cause any vehicle damage that is the property owner's responsibility.

Commissioner Ghiloni said that he has been in his job for four years and the City has never used them, however, that doesn't mean we can't try something and see how it goes. Mr. Collins said that if the road were wider, there would be a lot more options. The length and width makes it more difficult.

With regard to making the road one-way, this would be good for some residents and not for others. It was noted that if the road was one-way there would be more of a shoulder to walk on, however, speed also tends to increase when a road is one-way because you know that no one is coming from the opposite direction. Maybe a survey would show that one-way was OK for the neighbors.

Commissioner Ghiloni wanted residents to know that when emails and letters are received, the City really does investigate the situation. There are many state regulations that also need to be considered. Chief Giorgi agreed and said that there are many back and forth issues that can take years of research. Commissioner Ghiloni used West Hill Road as an example. He said that it took 8 – 9 years from conception until the project was complete. Even with sidewalk requests, the split is usually an even 50/50 split. Residents want sidewalks, but not on their side of the street. Chief Giorgi said that in the interim, it is really more of an enforcement issue for the Police Department. The new Traffic Unit will be very helpful here. The unit was just up and running about a month ago and now there is always an officer on this shift from 6:00am to 10:00pm.

Fire Chief Breen said that this issue has come on the agenda several times since he has been here. He has also gone out and personally driven this street. Everyone realizes it is an issue in terms of speed and the width of the roadway. We know it is a real situation for pedestrians. We are looking at it, however, there is no quick fix or easy answer. The Traffic Commission is sensitive to the issue and listening and trying to help.

Lisa Thomas directed residents to the Traffic Commission website to review past agendas and meeting minutes to see a history of what has been done. She encouraged residents to contact the Traffic Commission with any questions. Tim Collins previously put together a memo for area condos regarding traffic calming measures. He will forward a copy to Councilor Dumais.

MOTION was made, seconded, duly VOTED to forward to the POLICE DEPARTMENT for enforcement.

**2b) Request to open Sandini Road as two-way street for residents.**

Councilor Dumais asked to add this item to the agenda as it came up for discussion in a neighborhood meeting. Residents asked about the possibility of having a sticker, similar to a dump sticker, that would allow two-way access. It would be helpful to residents to be able to enter the neighborhood via Forest Street rather than having to circle around on Route 20 and wait at the light at Glenn Street. The Apex Center traffic has made this much more time consuming. Councilor Dumas said that it really wasn't an issue until the opening of the Apex Center. He has canvassed the area and found that 99% of residents are in favor of opening up the roadway to residents. Residents were also willing to pay a fee for the sticker. The main issue is that it is happening already so why not let the residents of Sandini benefit from this. He does also understand that enforcement would be an issue.

Tim Collins said that the City has never issued a "resident only" type of sticker. He said that other drivers would then tend to follow residents into the neighborhood and use it as a cut through. It was further discussed that the "Do Not Enter" sign was initially put up when Digital was there and Sandini was used as a cut through to Rte. 495. The situation has now changed but the "Do Not Enter" was created at the request of residents. It was also noted that the road needs to be paved. Commissioner Ghiloni advised that repaving would be done this year and is currently going out to bid.

Chief Giorgi said that when his officers have done enforcement here, the majority of those being stopped for turning into the neighborhood are residents. Commissioner Ghiloni said that if the City were to open the road to everyone it would increase traffic in the neighborhood. People will start to cut through here to get to the Apex Center.

One resident asked about Glenn Street and why it was closed. Tim Collins advised that this street was also closed at the request of residents because it was being used as a cut through street. A resident of Glenn Street said that when the road was open, the traffic up and down was crazy. He could never get in or out of his driveway due to heavy traffic. When the road was closed and narrowed, it was the best thing the City could have done.

Another resident asked if a new fire station was coming to this side of town. Commissioner Ghiloni said that there has been no determination made as to where it will go. Fire Chief Breen said that there is discussion going on as to the need for a fire department on the western side of the city and there is money dedicated for this purpose as part of the development of the Apex Center. They are discussing the location and doing a space and needs analysis. He is meeting with architects and reviewing plans and hopefully this will happen.

A resident of Foley Road also commented on the tremendous traffic in front of his house. He is the last house on Foley Road before the school. He asked what the plan was for Richer School. It was discussed that the plan is to keep this school open with a plan for a new school also.

Another resident commented that the Traffic Commission needs to think “outside the box” to help the residents of Sandini. He said it is ridiculous that they have to take the long circle around. Another resident asked if a timeframe for research on resident stickers could be set. Chief Giorgi advised the he would have an update at the next meeting.

Another resident present was not in favor of opening up Sandini. He said it has been this way for 30 years and that most people coming in and out are residents. There are no more traffic lights on Route 20 then there were 20 to 30 years ago. Yes, it is an inconvenience but it is also a benefit to residents. The school is also a nightmare to get in and out of at certain times. There is no good solution.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT to research options.

**2d) Why no right turn from 99 Restaurant onto Glen Street? Request for discussion.**

Tim Collins advised that this was also done at the request of the neighborhood. The intent was to keep traffic out of the neighborhood. One resident commented that nobody pays attention to this sign anyways. If they want to turn right, they turn right. Mr. Collins said that this is not a Traffic Commission issue. It has nothing to do with the public way. It was a part of the site plan agreement. He also noted that the geometry of the cubing doesn't lend itself to a right turn.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to look at the signage.

*Chief Giorgi made a motion to suspend the rules and take the agenda items out of order as Helen Donis-Keller was in attendance for Old Business Item 3c and New Business Item 2c. All in Favor.*

**3 - Old Business**

**3c) Request for Parking Changes on Lincoln St. and Winthrop St.**

Ms. Donis-Keller said that there is a sign up on Winthrop but it does not have an arrow to clearly show the no parking area. She called the City to ask about repainting the curb yellow to have it stand out. It was painted before but has worn off. The response she received was that the Lofts should paint the curbing themselves. Commission Ghiloni was not happy with the response from the City and advised that he would check into it for her.

Tim Collins confirmed that you can't park within twenty feet of an intersection. The sign is there and a yellow stripe would help to clarify this. Chief Giorgi said to call the station if people are parked there and they would send an officer down.

Commissioner Ghiloni confirmed that the two-hour parking sign will be installed on Lincoln Street. The only reason it hasn't been done yet is due to the weather. There is no existing pole so a new pole needs to be installed.

## **2 – New Business**

### **2c) Proposed Crosswalk Improvements at 406 Lincoln Street.**

Chief Giorgi received an email from a local resident on this issue. She said she discussed this previously with Chief Leonard in 2011 and presented it to the Traffic Commission in 2015. She wanted to revive the issue again because it is "extremely dangerous and challenging to navigate when trying to cross the street". She said that many drivers refuse to stop for pedestrians in the crosswalk and they are often speeding or distracted and fail to recognize that a pedestrian is even there. She said that she has almost been hit about a dozen times. She noted a specific incident on 2/22 when one of our officers, Officer Castriotta, actually witnessed her almost get hit. She said the driver had to come to a "screeching halt".

She noted the following issues:

- It is not well lit
- The crosswalk lines are not bright or reflective
- No posted signs near the crosswalk
- Speed of vehicles
- Bus stop location

She included a copy of the document she presented to the Traffic Commission in 2015 entitled "406 Lincoln Street Proposed Crosswalk Improvements" (copy attached) in which she also included recommendations.

- Post speed limit signs along Lincoln Street
- Temporarily implement radar speed display sign warning motorists of their speed
- Improve the crosswalk to highlight that there is a crosswalk to motorists
- Re-paint crosswalk in bright colors
- Install solar-powered flashing pedestrian crosswalk signs which can be activated by programmable timer or push button to avoid "always" flashing

Ms. Donis-Keller said that 90% of the time, when the sign is in the center of the crosswalk, it is good and works, however, it obviously doesn't work at night or when snow is an issue. There is a fair amount of foot traffic here and it is a documented issue of how dangerous it is to cross here.

Tim Collins advised that the City has installed pedestrian crossing signs and advance warning signage in both directions. He said that they are asking for a solar flashing light on both sides of the crosswalk, however, the crosswalk was installed by the Lofts and it is

their responsibility to maintain it. Commissioner Ghiloni said that there was conversation in the past about the Lofts putting a light on the side of the building that would shine on the crosswalk. Tim Collins also said that the crosswalk is not where the Traffic Commission would have suggested. It would have been better off moved further down near the light pole, however, it was placed at the entrance to the Lofts, in a driveway opening, not at a sidewalk.

Commissioner Ghiloni advised that the City has applied to MassWorks for a grant for the reconstruction of Lincoln Street, which would allow for a curb cut where it belongs.

MOTION was made, seconded, duly VOTED to REFER to the DPW to paint the crosswalk.

**2e) Request for No Parking signs on Broadmeadow Street near Callahan State Park.**

Chief Giorgi received an email from a resident of the dead-end section of Broadmeadow Street. He said that the gravel section of road here is narrow and there are a couple of "turn-outs" allowing vehicles that are coming from opposite directions to pass each other. One of these turn-outs is at a trailhead and people are parking here to use the trail rather than going further down to the state parking lot. He is requesting that this area be marked with a "No Parking Sign".

Tim Collins passed out a diagram with the area he is referring to marked with a red arrow. Fire Chief Breen had the impression that people are driving all the way down and turning around at the resident's property. Mr. Collins advised that he went out and measured the roadway and it is 14 to 15 feet wide and said that two cars can pass each other without having to use the turnout. He wasn't sure if the turnout was supposed to be a parking area for the trailhead. The resident is really the only traffic coming down the road. Also, someone has put up homemade "no Parking" signs. Commissioner Ghiloni said that the homemade signs should be taken down. This is a public way all the way down. Maybe Priscilla Rider, the Conservation Officer, could give some input. Chief Giorgi advised that he would speak to her and invite her to the next meeting. Chief Giorgi will communicate back to the resident.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE.

**2f) Request for stop sign at intersection of Russell St. & Pleasant St.**

Tim Collins advised that there is no regulation for a stop sign here and there was never a stop sign at this location. He pulled up a photo on the screen which clearly shows that this is a T-intersection with a pole right at the end. A stop sign would only be used if it was a strange angle, more of a Y-intersection. A stop sign is not normally used at a T-intersection as it is "the rule of the road" to stop here. Mr. Collins said that unless there was an accident history here, drivers need to follow the normal rules of the road. Sgt. Campbell said that he would check on the accident history. Chief Giorgi advised that he would communicate back to the resident.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE.

**2g) Discussion of Ch. 586, Section 33: "Municipal Off-street Parking Areas" relative to parking decks on Weed Street.**

Chief Giorgi advised that he would like to discuss this issue with the City Solicitor first and he has not yet had the opportunity to do this.

MOTION was made, seconded, duly VOTED to TABLE.

**3-Old Business**

**3a) Request for stop signs on Weed St. at Florence St.**

**UPDATE:** Commissioner Ghiloni advised that he is meeting with the CDA tomorrow to discuss this issue.

MOTION was made, seconded, duly VOTED to TABLE.

**3b) Traffic Regulations at the 1<sup>st</sup> LT Charles W. Whitman School.**

**UPDATE:** Tim Collins was ready to present on this agenda item; however, the meeting was running late and the group decided to wait for the next meeting.

MOTION was made, seconded, duly VOTED to TABLE.

**3c) Request for Parking Changes on Lincoln St. and Winthrop St.**

This issue was already addressed above.

**3d) Request to investigate traffic design at intersection of Cook Lane & Hildreth Street**

Wording will be added to the existing signs as discussed at the last meeting.

- 1) On Cook Lane (northbound approach) – ONCOMING TRAFFIC DOES NOT STOP)
- 2) On Hildreth Street – TRAFFIC FROM LEFT DOES NOT STOP

The signs may have already been changed. If not, it is on the schedule and will be done soon.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:24 am.

Respectfully submitted,

Karen L. Lambert  
Records Clerk  
Marlborough Police Department

**List of documents and other exhibits used at the meeting:**

-City of Marlborough Meeting Posting for Traffic Commission Meeting on March 28, 2018, including meeting agenda.

-Draft of Traffic Commission Minutes from Wednesday, January 31, 2018.

-Draft of Traffic Commission Minutes from Wednesday, February 28, 2018.

-Email from Janet Vigeant to all Traffic Commission Members, Karen Boule and Andrew Vigeant, dated 3/3/18, re: Safety on Brigham Street – continued concern.

-Copy of flyer entitled “Brigham Street Neighbors Traffic & Safety Concerns”.

-Email from Doug Kehlmen to all Traffic Commission Members, dated 3/14/18, re: Brigham Street Safety Concerns.

-Email from Councilor Dumais to Chief Giorgi, dated 3/11/18, re: Brigham St., Sandini Rd., and Glenn Street issues.

-Extended Speed Summary Report for Brigham Street @ Westborough, EB.

-Email from Jo Daly to Chief Giorgi, dated 2/26/18, re: Crosswalk Safety and Speeding, along with document entitled “406 Lincoln street Proposed Crosswalk Improvements”.

-Email from Colie ODonnell to Chief Giorgi, dated 3/22/18, re: Broadmeadow Street – No Parking request, including diagram.

-Email from Neeraj Bhatia to the City Clerk’s office, dated 2/27/17 (forwarded to Chief Giorgi on same date), re: Missing stop sign at intersection of Russell St. and Pleasant St.

- Copy of Chapter 586-33 “Municipal Off -Street Parking Areas, from the Rules and Regulations Manual.

**Additional Handouts:**

-Copy of email from Jairo Moura to Christian Dumais, dated 3/27/18, re: Brigham Street Safety Concerns.

-Diagram of Callahan State Park area off Broadmeadow Rd. with red arrow indicating area of concern.





**Minutes  
Retirement Board Meeting of  
March 27, 2018**

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2018 APR 25 P 2:47

The monthly meeting of the Marlborough Retirement Board was held on March 27, 2018. Gregory Brewster, David Keene, William Taylor, Diane Smith, Daniel Stanhope and Margaret Shea were present.

1. The meeting was called to order at 8:15 a.m.
2. The Board reviewed the minutes of the meeting of February 28, 2018. A motion was made and seconded to approve. Vote unanimous.
3. The Board reviewed the accidental disability application of Christopher Adams. After discussion, a motion was made and seconded to approve Mr. Adams' application. Vote unanimous.
4. The Board discussed Scott Taylor's application for accidental disability retirement. After discussion, a motion was made and seconded to request the PERAC schedule a regional medical panel to examine Mr. Taylor. Vote unanimous.
5. The Board reviewed a draft of a letter addressed to the City Council asking them to support the Board's vote to increase the stipend from \$3,000 to \$4,500. A motion was made and seconded to approve the letter and the accompanying spreadsheet. Vote unanimous.
6. The Worcester Regional Retirement Board had requested the transfer of Janelle Poirier's annuity savings account. A motion was made and seconded to approve. Vote unanimous.
7. Robert Insani and Marcia Winske have applied for superannuation retirement. After a review of pertinent information, a motion was made and seconded to approve. Vote unanimous.
8. The next item on the agenda was a review of Disclosure Statements from investment managers. The director told the members that PERAC has stated that Board minutes should reflect receipt and review of the disclosures. Investment service providers can now complete the Disclosure Forms on PROSPER, however, there is no mechanism in PROSPER to print the forms. A motion was made and seconded to table review of disclosure forms to a later meeting. Vote unanimous.
9. Review of PERAC's Memorandum #14 – Interest Payments in Certain Circumstances and Michael Sacco's analysis was the next item on the agenda. A motion was made and seconded to accept and place on file. Vote unanimous.
10. Review of the operating budget as of March 31, 2017 was the next item on the agenda. A motion was made and seconded to accept and place on file. Vote unanimous.

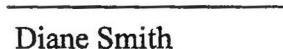
11. The Board reviewed the cash reconciliations for January and February of 2018. A motion was made and seconded to accept and place on file. Vote unanimous.
12. There was no old business to discuss. Under new business, the director discussed staffing issues.
13. A motion was made and seconded to approve the following warrants; retiree payroll for March 31, 2018, #072018 and #082018. Vote unanimous.
14. A motion was made and seconded to adjourn the meeting. Vote unanimous.



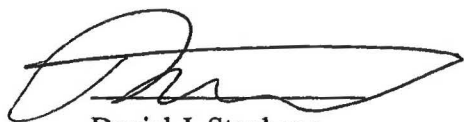
Gregory P. Brewster  
Chairman



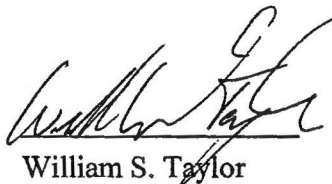
David Keene



Diane Smith



Daniel J. Stanhope



William S. Taylor

**Marlborough Public Library Board of Trustees**  
Meeting Minutes

February 6, 2018  
Bigelow Auditorium, Marlborough Public Library

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CITY OF MARLBOROUGH  
2018 APR 26 A 7 56

Meeting called to order by Ray Hale at 7:00pm

Board Members Present: Robyn Ripley, Rustin Kyle, Tom Abel, Ray Hale, Karen Bento and Janice Merk

Also Present: Margaret Cardello, Library Director

Absent: Nena Bloomquist, Willian Brewin

Proceedings:

1. **Minutes:** *A motion to approve the meeting minutes from the January 2018 meeting was passed (Kyle/Ripley).*
2. **Trust Fund Reports:** *A motion was passed to approve the Trust Fund Reports for January 2018 (Abel/Kyle).*
3. **Director's Report:** (see attached for more details)
  - Margaret noted that FY19 budgets are due on February 16 and the direction from the Mayor's office is to submit a level funded budget.
  - Contract negotiations with the Marlborough Municipal Employee Association (MMEA) are beginning and the Mayor has requested that departments bring relevant issues to his attention. Margaret plans to raise the issue of out-of-date job descriptions for certain library positions, as well as low pay rates for some positions which continue to result in very high staff turnover.
  - The Mayor has established a new snow closing policy which requires department heads to notify him when they are considering weather-related closings. The goal is to ensure closings are coordinated throughout the city.
  - The library's home delivery service has been operating successfully for five years and currently serves 26 homebound patrons. The Friends of the Marlborough Public Library will be producing 25 more delivery bags, enabling the library to increase the number of people being served. Volunteers to deliver the bags have already signed up.
  - There has been an increase in the number of hearing-impaired patrons using the library. At the February staff meeting, a volunteer gave the staff tips on

communicating with deaf patrons using American Sign Language.

- A new security camera has been installed in the Teen room.
- The staff has created new evaluation forms which are being distributed at all programs. The feedback received will provide very helpful direction as the staff develops new programs throughout 2018.
- Margaret confirmed to the Board of Trustees that the city now owns 28 and 29 Witherbee Street. She still anticipates that Marlborough will receive its library funding grant in FY19.
- Margaret has received updated contact information from US Trust regarding the library's status as beneficiary for the Mary P. O'Malley Trust Fund.

#### **Committee Reports:**

- Foundation:
  - No updates to report.
- Friends:
  - No updates to report.

#### **4. Old Business:**

- Ray Hale asked if there has been any progress in identifying a potential candidate to fill the current vacancy on the board. No candidates have been identified yet.

#### **5. New Business:**

- Margaret shared correspondence from Carolyn Johnson thanking the board for the memorial event held for Ray Johnson.
- Ray Hale noted that it was time for the Director's annual contract review and annual performance review. He distributed a timeline for the review process, and asked that Trustees provide him with feedback on Margaret's performance by February 27. He will compile that feedback into a first draft, which the board will review at its March 6<sup>th</sup> meeting.

#### **6. Adjournment:** *A motion to adjourn passed at 7:50pm (Abel/Ripley).*

Minutes submitted by Janice Merk.

**Marlborough Public Library Board of Trustees**  
Meeting Minutes

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

March 6, 2018  
Bigelow Auditorium, Marlborough Public Library

2018 APR 26 A 7:56

Meeting called to order by Ray Hale at 7:00pm

Board Members Present: Robyn Ripley, Nena Bloomquist, Tom Abel, Ray Hale, Karen Bento and Janice Merk

Also Present: Margaret Cardello, Library Director

Absent: Rustin Kyle

Proceedings:

1. **Minutes:** *A motion to approve the meeting minutes from the February 2018 meeting was passed (Abel/Bloomquist).*
2. **Trust Fund Reports:** *A motion to approve the Trust Fund Reports for February 2018 was passed (Ripley/Abel).*
3. **Director's Report:** (see attached for more details)
  - The open position for part-time clerk has been filled. The library is now fully staffed.
  - The Massachusetts Library Association's annual conference will be held in Framingham from May 20-22. Margaret would like to send several staff members to the conference for one day and will be submitting a request to the city's HR department
  - For the FY19 budget, Margaret has transferred \$4,545 from the Page line to Library Materials, bringing the request to \$110,000. The state's minimum spending requirement for materials in FY19 is \$127,000. The balance will be made up by state aid. Contracts are still being negotiated so the current budget proposal does not yet include salary adjustments.
  - Margaret noted that the City's low salaries for library employees continues to make it difficult to keep qualified staff. Even the smallest libraries in the state have a higher hourly pay rate than Marlborough offers.
  - The President of the Friends of the Shrewsbury Public Library will be attending the March 15 Friends meeting (rescheduled from March 7 due a snowstorm) to talk about their organization and the work they do in support of the library.

- To fill the need for more meeting space, Margaret and the staff are working to make the former teen space on the lower level into another meeting room for staff-led programs.
- Margaret is working with John Ghiloni to add panic buttons in the library. She has also contacted the Marlborough Police Department to schedule "ALICE" training for the staff, which will educate them on how to respond to active shooter threats.
- The MBLC recommends that libraries with building programs schedule field trips to tour some new library facilities in the state. Margaret is working to arrange this tour in the coming months for staff, the Library Building Committee and interested Trustees.
- The Central MA Library Advocates (CMLA) is a newly formed advocacy group which will focus on educating legislators and others about the importance of library funding. Margaret will be participating in this organization.

### **Committee Reports:**

- Foundation:  
Nena explained that while donations continue to come in, the MPL Foundation is not actively fundraising at this time as many donors would like to wait until the building grant is formally accepted by the city. However, the Foundation is continuing to share information about the new library by meeting with various community organization, school PTOs, interested individuals, etc.
- Friends:
  - No updates to report.

### **4. Old Business:**

- The Mayor has recommended Samantha Khosla for the open Trustee position. Samantha is on the library's building committee, the Marlborough Historical Commission and is an active library user.
- Margaret's existing 3-year contract is valid through June 30, 2018. The trustees are in the process of completing her annual performance and contract review. Ray distributed a timeline for the trustees to follow, with a goal of having everything finalized by May.
- Nena noted that the deadline for high school seniors to complete their essays for the library scholarship is March 27. Trustees will vote on the scholarship winners at the April meeting.

**5. New Business:**

- None

**6. Executive Session:**

- *At 7:30pm a motion to move into Executive Session to discuss the director's performance evaluation was passed (Brewin/Abel).*
- *At 7:50pm, a motion to move out of Executive Session was passed (Brewin/Ripley).*

**7. Adjournment:** *A motion to adjourn passed at 7:50pm (Brewin/Abel).*

Minutes submitted by Janice Merk.

**City of Marlborough  
License Board**

140 Main Street, Lower Level  
Marlborough, MA 01752  
(508) 460-3751 FAX (508) 460-3625

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**Minutes of the License Board Regular Meeting Held Wednesday, March 28, 2018  
at 7:30 pm, City Hall, 1<sup>st</sup> floor, Council Committee Room.**

Attending: Chairman Walter Bonin; Gregory Mitrakas, Member; David Bouvier Member;  
Tina Nolin, Clerk

Meeting called to order by Walter Bonin, Chairman at 7:30 PM

**New Business**

**1. ONE DAY PERMITS**

**Masonic Hall (1 Permit)** Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved

- 2. License Transfer Application – From DJONT/CMB FCOAM LLC (DBA Embassy Suites by Hilton Boston Marlborough) to RB Hotel Marlborough LLC (DBA Embassy Suites Hilton Marlborough) - 123 Boston Post Road W**  
Cory Wilk, Esq. and Richard Tomanek, who will be continuing as manager – presented

Public meeting opened at 7:32 pm, Attorney Wilks spoke briefly to summarize the point of the application, there were no other comments positive or negative expressed. Public meeting closed at 6:36 pm.

- Member Bouvier motioned for approval, Member Mitrakas seconded;  
Board vote: 3-0 approved the application/license

**3. Informational meeting regarding a new off-premise all alcohol license – Lanish Patel, Marlboro Country Convenience, 286 West Main Street**

Mr. Patel presented his request for full alcohol off-premise license when they became available. Explained he currently has 1600 sq. ft. of space and is looking to add more when space in his plaza becomes available. He also mentioned he knew of another store in Framingham of similar size with an all alcohol license and it was doing well.

Board agreed with Mr. Patel's presentation that geographically having such a license in his area makes sense. It will be awhile before the licenses become available so the Board suggested in the meantime Mr. Patel continue to explore opportunities for expanding at his current location as they would like to see an all alcohol license in a bigger location.

**4. Informational meeting regarding an on-premise liquor license – Jose Ramos, Pollo Feliz, 460 Lincoln Street**

Mr. Ramos, owner of Pollo Feliz discussed with the board the opportunity to apply for a liquor license for his establishment, citing customers had been asking him about it, as well as the previous establishment having one. The Board agreed that it would be appropriate for him to apply for a Wine and Malt Beverages license and/or cordials.

**5. Reports from the Chairman**

- MHQ – Chairman Bonin presented the letter sent by Ford Motor Company to the city that states the relationship with MHQ and where they get their cars from. It is the opinion of the chair that the letter resolves the matter and strengthens the city's longstanding position on the matter that MHQ satisfies the necessary requirements for obtaining a Class I license from the city. The other board members agreed. Member Mitrakas motioned to accept and place the communication on file, Member Bouvier 2<sup>nd</sup> the motion, Board Vote was 3-0 to accept and place the communication on file.
- Crazy Stone Application – Chairman Bonin reported that Crazy Stone Restaurant had handed in all of their remaining application documents and corrections and that the application had been sent to the ABCC on March 15<sup>th</sup>.
- Boarding Houses – The Chairman updated the Board that City Council voted to accept the amendments to the Boarding House regulations.

**6. Review minutes –**

January 31, 2018 meeting minutes, February 28, 2018 minutes and March 15, 2018 special meeting minutes: Member Mitrakas motioned to accept the all three meeting minutes and place on file, Member Bouvier seconded, Vote: 3 – 0 to accept the minutes of the three meetings and to place on file.

Member Bouvier motioned to adjourn the meeting at

The next meeting of the Licensing Board is Wednesday, April 25, 2018.

Respectfully submitted,



Walter Bonin, Chairman