

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 AUG 23 P 4:45

1. Minutes, City Council Meeting, July 23, 2018.
2. PUBLIC HEARING On the Petition from Mass Electric and Verizon New England, Inc. to install new Pole #37-5, Stevens Street, for new electrical feed to the High School, Order No. 18-1007323.
3. PUBLIC HEARING On the Petition of AT & T to grant a location for Telecommunication Wires and Wireless Attachments and Appurtenances, Francis Street and East Main Street, Utility Pole #11-50, Order No. 18-1007321.
4. PUBLIC HEARING On the Petition of AT & T to grant a location for Telecommunication Wires and Wireless Attachments and Appurtenances, 10 Neil Street Utility Pole 1, Order No. 18-1007322.
5. PUBLIC HEARING On the Application for Special Permit from Christopher White, re: Building a 24 X 26 garage on a non-conforming lot, 22 Brimsmead Street, Order No. 18-1007320.
6. PUBLIC HEARING On the Application for Special Permit for Avalon Marlborough II, a 123-unit Luxury Apartment Community located on a portion of 200 Forest Street in the Results Way Mixed-Use Overlay District, Order No. 18-1007314.
7. PUBLIC HEARING On the Application for Special Permit from Attorney Bergeron re: Garden Remedies, Inc., for a Medical Marijuana Treatment Center and Adult Use Marijuana Retail Establishment, 416 Boston Post Road East, Order No. 18-1007318.
  - Councilor At Large Juaire submitted a communication pertinent to his former recusal of medical and adult marijuana businesses including Special Permits.
  - Pat Ganley submitted a communication in opposition to the proposed Medical Marijuana Treatment Center & Adult Use Marijuana Retail Establishment by Garden Remedies, Inc. to be located at 416 Boston Post Rd. East.
  - James Spinelli submitted a communication in opposition to the proposed Medical Marijuana Treatment Center & Adult Use Marijuana Retail Establishment by Garden Remedies, Inc. to be located at 416 Boston Post Rd. East.
8. Communication from the Mayor re: Walker Building Elevator transfer request in the varying amount of \$700,000.00 or \$100,000.00 which moves funds from Economic Development to Capital Outlay to either replace or repair the existing elevator at the Walker Building.
9. Communication from the Mayor re: IT transfer request in the amount of \$254,000.00 which moves funds from Receipts Reserved-PEG funds to IT Equipment to fund upcoming projects and various equipment purchases.
10. Communication from the Mayor re: DPW transfer request in the amount of \$66,988.35 which moves funds from Reserve for Salaries account to various DPW payroll accounts for laborers in the Department of Public Works to fund the recently ratified Memorandum of Agreement between the City of Marlborough and the Marlborough Public Works Equipment Operators Association for FY19-21.
11. Communication from the Mayor re: Executive Office of Public Safety and Security grant awarded to the Police Department in the amount of \$99,805.00 to offset personnel costs in the Public Safety Dispatch Center.

**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.**

12. Communication from the Mayor re: Commonwealth of Massachusetts Department of Mental Health grant awarded to the Police Department in the amount of \$49,225.22 to offset costs to maintain training compliance in the Public Safety Dispatching Center.
13. Communication from the Mayor re: Commonwealth of Massachusetts Department of Mental Health grant awarded to the Police Department in the amount of \$45,000.00 which will fund the Police Department's Jail Diversion Program that is operated in conjunction with Advocates, Inc. for FY19.
14. Communication from the Mayor re: Executive Office of Energy and Environmental Affairs grant awarded to DPW in the amount of \$31,000.00 which will be used to hire a consultant to assist the City in identifying risks or vulnerabilities to changing weather patterns.
15. Communication from the Mayor re: Digital Federal Credit Union grant awarded to the Police Department in the amount of \$7,500.00 to support Department programs and fund additional traffic enforcement equipment.
16. Communication from the Mayor re: Digital Federal Credit Union grant awarded to the Fire Department in the amount of \$7,500.00 which will be used by the Fire Department to purchase additional information technology upgrades.
17. Communication from the Mayor re: Solar Wolf Energy grant awarded to the Police Department in the amount of \$2,000.00 to establish a Police Department honor guard.
18. Communication from the Mayor re: Solar Wolf Energy grant awarded to the Fire Department in the amount of \$2,000.00 to purchase decals and challenge coins to be used to build department morale.
19. Communication from the Mayor re: Target's Heroes and Helpers Program grant awarded to the Police Department in the amount of \$1,500.00 to fund Target's annual Heroes and Helpers program.
20. Communication from the Mayor re: Home Rule Petition-Liquor License.
21. Communication from the Mayor re: Marlborough Public Library Naming Rights.
22. Communication from the Mayor re: Salary Ordinance Amendment to the Human Resources Office and Facilities staff.
23. Communication from the Mayor re: Land Acquisition – 49 West Main St.
24. Communication from the Mayor re: Appointment of Monica Lucey to the Marlborough Cultural Council for a term to expire three years from date of confirmation.
25. Communication by City Clerk, Lisa Thomas, re: State Primary Election Call for Tuesday, September 4, 2018.
26. Communication from City Solicitor, Donald Rider, re: Benchmark's Deed of Ten Acres to the City of Marlborough.
27. Communication from Assistant City Solicitor, Cynthia Panagore Griffin re: Apex Center – Revised Open Space Plan & Revised Open Space Covenant and Restriction.
28. Communication from Planning Board chairperson, Barbara Fenby re: Favorable Recommendation to the City Council on Proposed Zoning Amendment, Article VI, Section 650-22, Retirement Community Overlay District, Order No. 18-1007198E.



29. Communication from Sandra Colligan, re: request to extend time limitations on Application for Special Permit to demolish existing house and build a two-story home at 21 Patten Dr. until 10:00 PM on October 30, 2018, Order No. 18-1007244B. (Motion in order to Accept & File, as the time has been extended by vote of the Urban Affairs Committee).
30. Communication from Attorney Falk on behalf of Jefferson Street Residences, re: request to extend time limitations on application for Special Permit to build a two story, 11 unit two story, multifamily condominium at 27 Jefferson St., until 10:00 PM on October 30, 2018, Order No. 18-1007245A. (Requires City Council vote to extend the time for action as the matter has not been reviewed by the Urban Affairs Committee).
31. Communication from various residents and business owners listed below re: in Opposition of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136N.
- |   |   |
|---|---|
| 1. Laura Barsamian, 655 Farm Rd.                        | 35. Mary Giroux, 48 Grogan Path                               |
| 2. John & Roberta Gray, 69 Clearview Ave.               | 36. Stephen Smith, 132 Woodland Dr.                           |
| 3. Ralph Mauro, 471 Farm Rd.                            | 37. Catherine Glennon, 57 Collins Dr.                         |
| 4. Jim Moriarty, 157 Farmington Cir.                    | 38. Michelle Langley, 76 Tavitian Blvd.                       |
| 5. Kathryn Murdock, 103 Wagon Hill Rd.                  | 39. MJ Lienard, 63 Tavitian Blvd.                             |
| 6. Patrick & Kristen White, 76 Violetwood Cir.          | 40. William Pearmain, 72 Tavitian Blvd.                       |
| 7. Kenneth & Elisabeth Mackenzie, 18 Stonehill Rd.      | 41. Collin Rankin, 68 Tavitian Blvd.                          |
| 8. Claire & Michael Fallon, 88 Roundtop Rd.             | 42. Michael J & L & Jacqueline Aschetlino, 58 Harvard St.     |
| 9. Richard & Catherine Kyper, 38 Bruce St.              | 43. Brittany, Samantha, Dianne & Alan DiMatteo, 169 South St. |
| 10. Carol Bloem, 341 Hemenway St.                       | 44. Brett Sawtelle, 450 Boston Post Rd.                       |
| 11. Josephine Reed, 11 Virginia Ave.                    | 45. Karen DiRico, 80 Lincoln St.                              |
| 12. Kerry Roy, 1 Virginia Ave.                          | 46. Anthony Cappella, 29 Beverly Rd.                          |
| 13. Elizabeth Montgomery, 70 Clarke Dr.                 | 47. Bernard Sinacole, 136 Sherwood Dr.                        |
| 14. Kevin Devlin, Virginia Ave.                         | 48. Michele Giglio, 40 Farmington Cir.                        |
| 15. James & Joan Abshine, 7 Virginia Ave.               | 49. Shirley Sinacole, 136 Sherwood Dr.                        |
| 16. Mike Grasso, 342 Mechanic St.                       | 50. Eileen Trombetta, 42 Whispering Brook Rd.                 |
| 17. Robert Shusta & Richard Chicoine, 5 Virginia Ave.   | 51. Andrew Keenan, 10 Hutchinson Dr.                          |
| 18. Richard Slamin, 35 Westboro Rd.                     | 52. Nicholas Coppola, 114 Naugler Ave.                        |
| 19. Rafael Chaves, 14 Virginia Ave.                     | 53. Megan Murphy, 233 Raymond Rd.                             |
| 20. Nicole & Sean Fallon, 88 Roundtop Rd.               | 54. Thomas & Coleen Baldelli, 250 Stevens St.                 |
| 21. Ellen Demers, 118G Broadmeadow Rd.                  | 55. Marge & Robert Scott, 35 Beach St.                        |
| 22. Judy MacKenzie, 33 Linda Cir.                       | 56. Donald Edwards, 139 Framingham Rd.                        |
| 23. Kelly Russell, 135 Greenwood St.                    | 57. Marie & Robert LeDuc, 101 Edinboro St.                    |
| 24. Francis, Michael & Brianna Geagan, 146 Kelleher St. | 58. James T & James, & Kristen Cappello, 29 Beverly St.       |
| 25. James DiRico, 82 Mt. Pleasant St.                   | 59. Andrea & Paul Fitzpatrick, 7 Walnut St.                   |
| 26. Robert Nims, 29 Old Charter Rd.                     | 60. Dorothy Hodgson, 463 Farm Rd.                             |
| 27. Lisa Trombetta, 114 Naugler Ave.                    | 61. Carole & Richard Wiggin, 455 Farm Rd.                     |
| 28. Ernest Beer, 42 Birchwood Dr.                       | 62. Rachael LaBrache, 458 Farm Rd.                            |
| 29. Traci Paletsky & Phyllis McEvoy, 270 Berlin Rd.     | 63. Ralph & Cindy Mauro, 471 Farm Rd.                         |
| 30. Michelle Giglio, 40 Farmington Cir.                 | 64. Ann Marie & Alfred Ebert, 130B Cook Lane                  |
| 31. Marie Carlson, 21 Sunshine Dr.                      | 65. Bill Tate, 143 Shawmut Ave.                               |
| 32. Ron Blood, 88 Wagon Hill Rd.                        | 66. Donna & Robert Landers, 35 Roundtop Rd.                   |
| 33. Sandra Dulaney, 85 Wagon Hill Rd.                   | 67. Toure Foster, 36 Bolton St.                               |
| 34. Patty McShera, 11 Berkley St.                       |   |

68. Anthony Monti, 38 Framingham Rd.
  69. Pamela Strauss, 50 Commonwealth Ave.
  70. Marianna Silva, 499 Farm Rd.
  71. William Gallant, 71 Farmington Cir.
  72. Mary Carney, 118 Helen Dr.
  73. Margaret Hooker, 16 Draper Circ.
  74. Elaine Thompson, 118H Broadmeadow Rd.
32. Communication from Brenda Bracken, 287 Stow Rd., in support of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136N.
  33. Communication from various residents and business owners listed below re: in Opposition of the Proposed Zoning Amendment as it pertains to the Ancillary Residential Community Requirements. Order No. 18-1007287A.
    1. Martha & William McCooke, 44 Whispering Brook Rd.
    2. Gerry & Evelyn Turcotte, 47 Whispering Brook Rd.
    3. Constance DeSimone, 49 Whispering Brook Rd.
    4. Christopher Cameron, 48 Whispering Brook Rd.
    5. Marilia DeJesus, 48 whispering Brook Rd.
    6. Shirley Koulopoulos, 10 Heatherwood Dr.
    7. Rose Apriarian, 27 Canterbury Way
    8. Elizabeth Bannon, 24 Whispering Brook Rd.
    9. Janice Williams, 46 Whispering Brook Rd.
    10. Agnes Corrigan, 43 Whispering Brook Rd.
    11. Loretta Prior, 22 Whispering Brook Rd.
    12. Maryann Bourke, 45 Whispering Brook Rd.
    13. Eileen Trombetta, 42 Whispering Brook Rd.
  34. Communication from Central Massachusetts Mosquito Control Project re: Residents' concerns about mosquitos in the area on following dates: August 1, 8, 15, 22 & 29.
  35. Minutes, Fort Meadow Commission, September 21, 2017, May 24, 2018 and June 21, 2018.
  36. Minutes, Traffic Commission, June 27, 2018.
  37. Minutes, License Board, June 27, 2018.
  38. Minutes, Retirement Board, June 26, 2018.
  39. Minutes, Conservation Commission, June 7 & June 21, 2018.
  40. Minutes, Planning Board, June 18, 2018.
  41. Minutes, Board of Health, July 16, 2018.
  42. CLAIMS:
    - a. Wolvey Dos Santos, 83A East Main St., pothole or other road defect claim.
    - b. Joseph Uglexich, 29 Old Mill Rd, pothole or other road defect claim.
    - c. Homar Cabrera, 51 Patricia Dr., other property damage and/or personal injury.
    - d. James Peltekis, 144 Woodridge Rd., other property damage and/or personal injury.
    - e. Jan Smits, 2111 Bay Dr., pothole or other road defect.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:



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CITY OF MARLBOROUGH

2018 AUG -3 P 2:39

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

**JULY 23, 2018**

Regular meeting of the City Council held on Monday, July 23, 2018 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Delano, Juairé, Oram, Ossing, Robey, Doucette, Dumais, Tunnera, Irish and Landers. Meeting adjourned at 9:12 PM.

ORDERED: That the Minutes of the City Council meeting June 18, 2018, ~~FILE~~; adopted.

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Amendment, to Chapter 650 §5 & §17 as it pertains to Coffee Roasteries, Order No. 18-1007311, all were heard who wish to be heard, hearing closed at 8:06 PM; adopted.

**Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juairé, Oram, Ossing & Robey.**

ORDERED: That the RESCHEDULED PUBLIC HEARING On the Proposed Zoning Amendment, to Chapter 650 §5.B as it pertains to Ancillary Auto Sales, Order No. 18-1007224A, all were heard who wish to be heard, hearing closed at 8:12 PM; adopted.

**Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juairé, Oram, Ossing & Robey.**

**Suspension of the Rules requested – granted to allow a Communication from the Mayor dated April 2, 2018 be entered into the record in opposition to this proposal.**

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Amendment, to Chapter 650 §5, §22.A, C as it pertains to a Retirement Community Overlay District, 90 Crowley Drive, Order No. 18-1007198D, **MOVE TO A LATER TIME IN THIS MEETING**; adopted.

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Amendment, to Chapter 650 §5.B, §17, & §22 as it pertains to Ancillary Residential Communities, Williams Street, Order No. 18-1007287, all were heard who wish to be heard, hearing closed at 8:22 PM; adopted.

**Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juairé, Oram, Ossing & Robey.**

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Amendment, to Chapter 650 §5, §22.A, C as it pertains to a Retirement Community Overlay District, 90 Crowley Drive, Order No. 18-1007198D, all were heard who wish to be heard, hearing closed at 9:00 PM.

**Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juair, Oram, Ossing & Robey.**

ORDERED: That the Assessor's transfer request in the amount of \$102,950.00 which moves funds from Principal Assessor to Professional & Technical Services to fund a new contract with Regional Resource Group (RRG) to continue providing services to the City, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

DEPT:		Assessor				FISCAL YEAR:		2019		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Amount	Available Balance	
\$102,950.00	11410001	50160	Principal Assessor	\$102,950.00	11410004	53180	Prof. & Tech. Services	\$97,650.00		
	Reason: <u>Reclassify for Outside Seves</u>				Reason: <u>Reallocate for new contract</u>					
\$102,950.00	Total			\$102,950.00	Total					

ORDERED: That the Non-Union Personnel transfer request in the amount of \$70,905.00 which moves funds from Reserve for Salaries to various Salary accounts as noted on the attached spreadsheets to fund a 2% cost of living increase, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH  
BUDGET TRANSFERS –

DEPT:		Comptroller				FISCAL YEAR:		2019		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Amount	Available Balance	
\$990,000.00	11990006	57820	Reserve for Salaries	\$1,410.00	11110002	50350	Council Secretary	\$70,050.00		
	Reason: <u>Recalculate amounts for contract obligations</u>				Reason: <u>Contractual Obligation</u>					
				\$2,200.00	11110003	50070	City Councilors	\$110,000.00		
	Reason: _____				Reason: <u>Contractual Obligation</u>					
				\$75.00	11110003	51430	Longevity	\$3,510.00		
	Reason: _____				Reason: <u>Contractual Obligation</u>					
				\$55.00	11110003	51920	Sick Leave Buyback	\$2,700.00		
	Reason: _____				Reason: <u>Contractual Obligation</u>					
				\$2,000.00	11210001	50010	Mayor	\$100,000.00		
	Reason: _____				Reason: <u>Contractual Obligation</u>					
				\$1,405.00	11210001	50321	Executive Aide	\$70,050.00		
	Reason: _____				Reason: <u>Contractual Obligation</u>					
				\$1,085.00	11210002	50590	Executive Secretary	\$54,080.00		
	Reason: _____				Reason: <u>Contractual Obligation</u>					
				\$385.00	1492003	50999	Program Coordinator	\$19,150.00		
	Reason: _____				Reason: <u>Contractual Obligation</u>					

				\$2,510.00	¶11330001 50015	Comptroller	\$125,230.00
Reason:						Contractual Obligation	
				\$180.00	¶11330002 50588	Temporary Clerical	\$8,460.00
Reason:						Contractual Obligation	
				\$2,060.00	¶11350001 50020	Auditor	\$102,950.00
Reason:						Contractual Obligation	
				\$1,770.00	¶11350001 50174	Chief Procurement	\$88,090.00
Reason:						Contractual Obligation	
				\$1,685.00	¶11440001 50042	Collector	\$84,100.00
Reason:						Contractual Obligation	
				\$2,400.00	¶11510001 50030	Solicitor	\$119,920.00
Reason:						Contractual Obligation	
				\$2,025.00	¶11510001 50172	Assistant Solicitor	\$100,990.00
Reason:						Contractual Obligation	
				\$930.00	¶11510001 50175	Paralegal	\$46,340.00
Reason:						Contractual Obligation	
				\$2,020.00	¶11520001 50530	HR Director	\$100,820.00
Reason:						Contractual Obligation	
				\$1,110.00	¶11520001 50532	HR Assistant	\$55,230.00
Reason:						Contractual Obligation	
				\$930.00	¶11520001 50775	Administrative Assistant	\$46,340.00
Reason:						Contractual Obligation	
				\$1,145.00	¶11550001 50014	IS Director	\$57,060.00
Reason:						Contractual Obligation	



			\$1,870.00	¶11610001 50050	City Clerk	\$93,400.00
Reason:					Contractual Obligation	
			\$1,255.00	¶11610002 50290	Assistant City Clerk	\$62,560.00
Reason:					Contractual Obligation	
			\$285.00	¶11920002 50520	Facilities Partime Clerk	\$13,990.00
Reason:					Contractual Obligation	
			\$3,295.00	¶12100001 50140	Police Chief	\$164,600.00
Reason:					Contractual Obligation	
			\$230.00	¶12100004 50566	Parking Officer	\$11,410.00
Reason:					Contractual Obligation	
			\$3,175.00	¶12200001 50130	Fire Chief	\$158,580.00
Reason:					Contractual Obligation	
			\$5,310.00	¶12200001 50330	Assistant Chief	\$265,200.00
Reason:					Contractual Obligation	
			\$1,910.00	¶12410001 50090	Building Commisioner	\$95,210.00
Reason:					Contractual Obligation	
			\$1,475.00	¶12410001 50095	Assistant Bldg. Comm.	\$73,550.00
Reason:					Contractual Obligation	
			\$1,550.00	¶12410001 50109	Environmental Officer	\$77,265.00
Reason:					Contractual Obligation	
			\$2,490.00	¶14001001 50600	DPW Commissioner	\$124,317.00
Reason:					Contractual Obligation	
			\$145.00*	¶14001003 51920	Sick Leave Buy Back	\$6,930.00
Reason:					Contractual Obligation	
			\$175.00	¶14001003 51430	Longevity	\$8,441.00
Reason:					Contractual Obligation	
			\$2,060.00	¶0080001 50630	Assistant Comm.	\$102,939.00
Reason:					Contractual Obligation	



ORDERED: That the Department of Public Works transfer request in the amount of \$26,290.00 which moves funds from Reserve for Salaries to various foreman payroll accounts as noted in the attached spreadsheets to fund the recently ratified agreement with DPW Foreman, Local 888 for FY19-FY21, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:		Comptroller				FISCAL YEAR:		2019		
Available Balance	FROM ACCOUNT:				TO ACCOUNT:				Available Balance	
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$990,000.00	\$26,290.00	11990006	57820	Reserve for Salaries	\$6,165.00	14001301	50690	Foreman	\$222,176.64	
	Reason:	Recalculate amounts for contract obligations			Reason:	Contractual Obligation				
					\$205.00	14001303	51430	Longevity	\$31,000.00	
	Reason:				Reason:	Contractual Obligation				
					\$120.00	14001303	51920	Sick Leave Buyback	\$18,970.00	
	Reason:				Reason:	Contractual Obligation				
					\$1,545.00	14001401	50690	Foreman	\$74,027.88	
	Reason:				Reason:	Contractual Obligation				
					\$35.00	14001403	51430	Longevity	\$6,115.00	
	Reason:				Reason:	Contractual Obligation				
					\$6,165.00	14001501	50690	Foreman	\$296,111.55	
	Reason:				Reason:	Contractual Obligation				
					\$235.00	14001503	51430	Longevity	\$30,789.00	
	Reason:				Reason:	Contractual Obligation				
					\$180.00	14001503	51920	Sick Leave Buyback	\$25,250.00	
	Reason:				Reason:	Contractual Obligation				

			\$1,545.00	61090001 50780 Chief Pump Station Oper.	\$74,027.88
Reason:				Contractual Obligation	
			\$3,085.00	61090001 50690 Foreman	\$299,076.65
Reason:				Contractual Obligation	
			\$145.00	61090003 51430 Longevity	\$10,283.00
Reason:				Contractual Obligation	
			\$65.00	61090003 51920 Sick Leave Buyback	\$7,260.00
Reason:				Contractual Obligation	
			\$600.00	14001303 51940 Clothing Allowance	\$18,720.00
Reason:				Contractual Obligation	
			\$900.00	14001303 51980 License Allowance	\$0.00
Reason:				Contractual Obligation	
			\$200.00	14001403 51940 Clothing Allowance	\$5,085.00
Reason:				Contractual Obligation	
			\$300.00	14001403 51980 License Allowance	\$0.00
Reason:				Contractual Obligation	
			\$300.00	14001403 51970 Tools Allowance	\$0.00
Reason:				Contractual Obligation	
			\$800.00	14001503 51940 Clothing Allowance	\$20,700.00
Reason:				Contractual Obligation	
			\$1,200.00	14001503 51980 License Allowance	\$0.00
Reason:				Contractual Obligation	
			\$1,000.00	61090003 51940 Clothing Allowance	\$17,280.00
Reason:				Contractual Obligation	
			\$1,500.00	61090003 51980 License Allowance	\$0.00
Reason:				Contractual Obligation	
\$26,290.00	Total		\$26,290.00	Total	

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** Healthy Summer Youth Jobs Grant in the amount of \$3,100.00 to fund youth jobs that benefit health care consumers and promote health and wellness by providing youth with opportunities in health-focused summer employment; adopted.

ORDERED: That the Appointments of Samantha Perlman, Kathy Oliver Jones, & Gabriele Luzzi to the Cultural Council for terms expiring three years from date of confirmation and recognition of members Chair David Elmore, Sandra Pirie St. Amour and Kim Beauchemin for their services as their appointments will expire this fall, refer to **PERSONNELCOMMITTEE**; adopted.

ORDERED: That the Communication from the Mayor re: Massachusetts Interlocal Insurance Association (MIIA) Reward Credits from FY18, **FILE**; adopted.

ORDERED: That the Applications for 43D Priority Development Sites, refer to **URBAN AFFAIRS COMMITTEE**; adopted.

ORDERED:

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

I. Section 7 of Chapter 650, entitled "Districts Enumerated," is hereby amended as follows:

- (1) By deleting from the first sentence the number "12" and by inserting in place thereof the number "13".
- (2) By inserting at the end of the list of District types, the following:

Neighborhood Business District                      NB

II. Section 17 of Chapter 650, entitled "Table of Uses," is hereby amended as provided in the highlighted portions of Exhibit "A" attached to this order, which Exhibit "A" includes amendments not limited to the following:

- (1) By inserting under the heading entitled "Zoning District Abbreviations" a new zoning district abbreviation as follows: "NB"; and
- (2) By inserting beneath said new district abbreviation NB the letters "Y", "N", or "SP" as shown on said Exhibit "A".

III. Section 41 of Chapter 650, entitled "Table of Lot Area, Yards, and Height of Structures", is hereby amended as provided in the highlighted portions of Exhibit "B" attached to this order.

IV. Chapter 650, is hereby amended by inserting a new § 39, entitled "Neighborhood Business District (NB)", as follows:



**§ 650-39 NEIGHBORHOOD BUSINESS DISTRICT (NB)**

- A. Purposes and Objectives. The purposes and objectives of the Neighborhood Business District are to encourage retail establishments and services that primarily serve the surrounding neighborhoods; enable multi-family residential and/or mixed use projects to be developed, particularly on underutilized parcels; encourage re-use/redevelopment of existing commercial, industrial or institutional properties located in the neighborhood; and assist the neighborhood to reach its full potential by encouraging restaurants, uses that take advantage of nearby open space, such as the Assabet River Rail Trail, and uses that take advantage of adjacent walkable, pedestrian-oriented neighborhoods.
- B. Parking Requirements. Except as otherwise provided in this section, parking and circulation requirements shall conform to the provisions of §§ 650-48 and 650-49 of the Zoning Ordinance.
- (1) The following provisions are applicable within the Neighborhood Business District:
- [a.] Retail sales: 1 space per 250 Square feet of Gross Floor Area;
- [b.] Multi-family dwelling units: 1 space per bedroom to a maximum of 2 spaces per unit; and
- [c.] Restaurants, brew pubs and other eating places: The Special Permit Granting Authority may reduce the total number of required spaces by 50% if there is a municipally-owned lot, shared parking arrangement, or significant amount of on-street spaces within 300 feet of said uses.
- C. Open Space Requirements for Conversion from a 2-Family Dwelling to a 3-Family Dwelling and for Multifamily dwellings.
- (1) Minimum Open Space. The minimum amount of Open Space per residential unit shall be 100 sq. ft. The open space shall be designed as usable for sitting, recreation, etc. Up to 50% of the required open space may be private open space placed in the building (recreation rooms, pools); as individual unit balconies large enough for a table and chairs; or on the roof of the structure as a garden or sitting area. Front yard planting/buffer strips which are designed for public seating or other amenities to improve the public realm, and which are made available to the public, may be included in the required open space; other required buffer and planting strips shall not count towards the required open spaces.

- (2) Ground Level Open Space. All or a portion of ground level open space may be reserved for residents of the development, or made available for public use. Special permits proposals for developments which include public benefits such as public seating areas are preferred.
- (3) Joint Open Space. Two or more developments may cooperate to share usable open space on one lot, as long as the minimum square footage per unit is maintained, and the joint open space is within 300 feet of participating developments.
- (4) Waiver as Part of Special Permit or Under Site Plan Review. In development or redevelopment proposals where, because of site-specific circumstances, it is not possible to meet the minimum standards for Open Space, or where there is not sufficient space for ground level open space on the parcel, or where it is not desirable or possible to establish the required amount of open space for other reasons, the City, as part of Special Permit or Site Plan Review, may negotiate with the developer and may set other conditions of approval to ensure or encourage other open space benefits, or may waive strict adherence to this provision. Improvements made to an existing nearby public open space parcel, or the Assabet River Rail Trail, may be included in these negotiations.

D. Project Review.

- (1) Site Plan Review. Projects within the Neighborhood Business District shall be subject to site plan approval in accordance with § 270-2 of the City Code.
  - (a) Site plan review applies to as of right uses and uses available by grant of a special permit within the Neighborhood Business District. Site plan review applicability includes, but is not limited to, new construction of any building or structure; addition to an existing building or structure; and increase in area of on-site parking or loading areas.
- (2) Multi-family Design Review Guidelines and Review Criteria. Multi-family projects within the Neighborhood Business District will be reviewed consistent with the non-mandatory Multi-family Design Review Guidelines and Review Criteria, which guidelines and criteria will be available at the Building Department and/or on the official website of the City of Marlborough.

- E. Authority of the Special Permit Granting Authority. The City Council shall be the permit granting authority for special permit approval in the Neighborhood Business District.

- V. The Zoning Map described in § 650-8 is amended as shown on the accompanying Map (Exhibit "C"). The newly established Neighborhood Business District shall include all or portions of the properties shown on the Map existing at the passage of this Ordinance, which properties include the following parcels of land (herein identified by the Assessors' Map and Parcel Number):

Map 68, Parcels 115, 116, 118, 119, 121, 130, 131, 132, 134, 135, 136, 154, 155, 156, 157, 158, 159, 162, 163, 164, 166, 167, 183, 184, 185, 186, 188, 189, 190, 200, 201, 202, 203; and

Map 69, Parcels 19B, 20, 21, 22, 23, 24, 25, 26, 27, 86, 87, 88, 89, 91, 94, 95, 96, 97, 99, 108, 109, 239, 240, 241, 242, 243, 243A, 243B, 257, 258, 259, 260, 261, 262, 263, 264, 265, 267, 269, 271, 274, 275, 276, 280, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 336, 337, 338, 338A, 339, 339A, 340, 341, 342, 343, 345, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 357A, 357B, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 392, 523, 523A, 528;

Those portions of Map 69, Parcels 79, 81, and 334 which are located within the B zoning district existing as of the day of this amendment; and

Map 56, Parcels 79, 80, 81, 85.

- VI. The effective date of these amendments shall be the date of their passage.

Refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR MONDAY SEPTEMBER 10, 2018.**

**ORDERED:**

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

1. That a new Section 40 be inserted into Chapter 650, as follows:

**ARTICLE VI**

§ 650-40 Large-scale Ground-mounted Solar Photovoltaic Overlay District

A. Purpose and Objectives:

- 1) The Large-scale Ground-mounted Solar Photovoltaic Overlay District (herein, also a “LGSPOD”) allows the application of supplemental land use controls within the boundaries of a certain overlay district as an alternative to land use controls that exist in the underlying district(s). The purpose of this section is to provide standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and which provide adequate financial assurance for the eventual decommissioning of such installations.
- 2) The provisions set forth in this section apply to the construction, operation and/or repair of large-scale ground-mounted solar photovoltaic installations.
- 3) This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

B. Designation of overlay location; as-of-right use. For the purposes of this Section, the LGSPOD shall be superimposed on the other district(s) existing at the time that any land in any said underlying district is also included in the LGSPOD, as designated by the Marlborough City Council in accordance with M.G.L. c.40A, §5, where ground-mounted large-scale solar photovoltaic installations may be sited as of right. Except as specifically provided herein, uses and provisions of Article V of Chapter 650 relating to the underlying zoning district not otherwise impacted by this Section shall continue to remain in full force and effect. In the event of any conflict between the provisions of this section and any other provisions of the Zoning Ordinance, the provisions of this Section shall govern and control. The LGSPOD overlay zoning district is located on the northerly side of Parameter Street, consisting of the parcels identified in Exhibit A annexed hereto and incorporated by reference herein, and as indicated on the Zoning Map of the City of Marlborough. Said map is hereby made a part of this chapter and is on file in the office of the City Clerk.

C. Definitions. As used in this section, following terms shall have the meanings indicated:

**As-of-Right Siting:** As-of-Right Siting shall mean that development under this § 650-40 may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval, however said as-of-right development is subject to site plan review as provided under Chapter 270 Code of the City of Marlborough and this § 650-40. Projects cannot be prohibited, but can be subject to reasonable regulation.

**Large-Scale Ground-mounted Solar Photovoltaic Installation:** A solar photovoltaic system that is structurally mounted on the ground, is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

**Solar Photovoltaic Installation:** A solar photovoltaic array that is constructed at a location where other allowable uses of the underlying property may occur.

**Rated Nameplate Capacity:** The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

**Site Plan Review:** Review by Site Plan Review procedures as governed by § 270-2 of the Code of the City of Marlborough and this § 650-40.

**Rated Nameplate Capacity:** The maximum rated output of electric power production of the photovoltaic system in watts of Direct Current (DC).

**Solar Photovoltaic Array:** An arrangement of solar photovoltaic panels.

D. General Requirements for all large-scale ground-mounted solar photovoltaic installations. The following requirements are common to all large-scale ground-mounted solar photovoltaic installations to be sited in designated overlay locations:

1. **Compliance with Laws, Ordinances and Regulations.** The construction and operation of all large-scale ground-mounted solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable security, safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a large-scale ground-mounted solar photovoltaic installation shall be constructed in accordance with the State Building Code.
2. **Building Permit and Building Inspection.** No large-scale ground-mounted solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.
3. **Fees.** The application for a building permit for a large-scale ground-mounted solar photovoltaic installation must be accompanied by the fee required for a building permit.



4. Site Plan Review. Large-scale ground-mounted solar photovoltaic installations shall undergo site plan review by Site Plan Review prior to construction, installation or modification as provided in § 270-2 of the Code of the City of Marlborough and in this section, as follows:
  - a. General. All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.
  - b. Required Documents. Pursuant to the site plan review process, the project proponent shall provide the following documents:
    - i. A site plan showing:
      1. Property lines and physical features, including roads, for the project site;
      2. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation, fences or other screening structures;
      3. Drawings of the large-scale ground-mounted solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;
      4. One or three-line electrical diagram detailing the large-scale ground-mounted solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
      5. Documentation of the major system components to be used, including the photovoltaic panels, mounting system, and inverter;
      6. Name, address, and contact information for proposed system installer;
      7. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
      8. The name, contact information and signature of any agents representing the project proponent;
      9. Emergency services access points and through points; and
    - ii. Documentation of actual or prospective access and control of the project site (see also Section E herein); and
    - iii. An operation and maintenance plan (see also Section F herein); and

- iv. Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
  - v. Proof of liability insurance; and
  - vi. Description of financial surety that satisfies Section L herein; and
  - vii. A public outreach plan, including a project development timeline, which indicates how the project proponent will meet the required site plan review notification procedures and otherwise informs abutters within 300' of the property line of the project site. Site Plan Review may waive documentary requirements as it deems appropriate.
- E. Site Control. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed large-scale ground-mounted solar photovoltaic installation.
- F. Operation & Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the large-scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- G. Utility Notification. No large-scale ground-mounted solar photovoltaic installation shall be constructed until evidence has been given to Site Plan Review that the utility company that operates the electrical grid where the installation is to be located has been informed of the large-scale ground-mounted solar photovoltaic installation's owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- H. Dimension and Density Requirements.
- a. Setbacks. For large-scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:
    - i. Front yard. The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the front yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.
    - ii. Side yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the side yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.

- iii. Rear yard. The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a conservation use, residential use, or public way, the rear yard depth shall be comprised of a no-clear vegetated buffer of not less than 50 feet and, as measured therefrom, a no-build buffer of not less than 50 feet. Site Plan Review may require plantings in the 50 foot no-clear vegetated buffer if none exist.
  - b. Appurtenant Structures. All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.
- I. Design Standards.
- a. Lighting. Lighting of large-scale ground-mounted solar installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the large-scale ground-mounted solar installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
  - b. Signage. Signs on large-scale ground-mounted solar photovoltaic installations shall comply with Chapter 526 of the Code of the City of Marlborough. A sign consistent with the City's sign ordinances shall be required to identify the owner and provide a 24-hour emergency contact phone number. Large-scale ground-mounted solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the large-scale ground-mounted solar.
  - c. Utility Connections. Reasonable efforts, as determined by Site Plan Review, shall be made to place all utility connections from the large-scale ground-mounted solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
  - d. Screening. Every abutting property, private way, private driveway, and public way shall be visually screened from the project through any one or combination of the following: location, distance, plantings, existing vegetation.
  - e. Top soil. No top soil shall be removed from the site. Said topsoil shall be stockpiled on site and used to stabilize the site with a minimum cover of 6 inches cover of loam. Any topsoil remaining after stabilization shall be stockpiled on site for use during decommissioning.

J. Safety and Environmental Standards.

- a. Emergency Services. The large-scale ground-mounted solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Chief of the Marlborough Fire Department. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. Everything means of shutting down the large-scale ground-mounted photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
- b. Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and ordinances.

K. Monitoring and Maintenance.

- a. Large-scale Ground-mounted Solar Photovoltaic Installation Conditions. The large-scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Fire Chief and emergency medical services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access or through road(s). Landscaping and fencing, including vegetation used for screening, shall be maintained in good condition.
- b. Modifications. After the required permits, have been issued, the Building Commissioner may approve minor non-material modifications to a large-scale ground-mounted solar photovoltaic installation. All major material modifications to a large-scale ground-mounted solar photovoltaic installation made after issuance of the required permits shall require approval by Site Plan Review.

L. Abandonment or Decommissioning.

- a. Removal Requirements. Any large-scale ground-mounted solar photovoltaic installation which has been discontinued by reaching the end of its useful life, reaching the end of a lease term without renewal or extension, or having been abandoned (as provided in paragraph L.b. herein) shall be removed as herein provided. The owner or operator shall physically remove the installation no more than 150 days after the date of said discontinued operations. The owner or operator shall notify Site Plan Review by certified mail of the proposed date of discontinued operations and plans for removal by decommissioning. Decommissioning shall consist of:

- i. Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
    - ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
    - iii. Stabilization or re-vegetation of the site as necessary to minimize erosion, including use of any remaining topsoil stockpiled on site. Site Plan Review may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
  - b. Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the large-scale ground-mounted solar photovoltaic installation shall be considered abandoned when it fails to operate for more than six months without the written consent of the Building Commissioner. If the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the City may enter the property and physically remove the installation.
  - c. Financial surety. Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through a cash escrow account with interest retained for escalating decommissioning costs, bond or otherwise, to cover the cost of removal in the event that the City must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by Site Plan Review, but in no event in excess more than 125% of the cost of removal and compliance with additional requirements set forth herein, as determined by Site Plan Review. Such surety will not be required for municipally owned or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation. Site Plan Review may request the proponent to provide an update of the fully inclusive estimate of costs associated with removal every five years following the issuance of a building permit. Site Plan Review may require the proponent to provide additional surety based on the updated cost estimate.
- M. The effective date of these amendments shall be the date of their passage.



**EXHIBIT A**

The newly established Large-scale Ground-mounted Solar Photovoltaic Overlay District shall include all or portions of the properties shown on the Zoning Map existing at the passage of this Ordinance, which properties include the following parcels of land (herein identified by the Assessors' Map and Parcel Number):

Assessors Map 98, Parcel 8	Assessors Map 98, Parcel 7A
Assessors Map 98, Parcel 9	Assessors Map 98, Parcel 10
Assessors Map 108, Parcel 1	Assessors Map 108, Parcel 2
Assessors Map 109, Parcel 1	Assessors Map 109, Parcel 5

Refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR MONDAY SEPTEMBER 10, 2018.**

ORDERED: That the Site Plan Application Fee on East Main Street, **FILE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, SEPTEMBER 10, 2018** as **DATE FOR PUBLIC HEARING** Application for Special Permit from Ninja Twins LLC, re: building a gym for children located at 19 Brigham Street, #8, refer to **URBAN AFFAIRS COMMITTEE, & ADVERTISE**; adopted.

ORDERED: That the Communication from Paul Goldman re: Opposition to Special Permit for 21 Patten Drive, Order No. 18-1007244A, **FILE**; adopted.

ORDERED: That the Communication from various residents and business owners listed below re: Support of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136L **FILE**; adopted.

- |  |  |
|--|--|
| 1. Craig Perry, 122E. Broadmeadow Street | 16. Dianne Doucette, 153 Dicenzo Boulevard                               |
| 2. Edward Baker, 247 Bigelow Street      | 17. Sharon Martin, 48 King's Grant Road                                  |
| 3. Kimberly Cohen, 22 Wright Drive       | 18. Jodi Eldridge, 150 Ash Street  |
| 4. Dave Kemp, 849 Boston Post Road East  | 19. Dan Russo, 127 Wagon Hill Road                                       |
| 5. Linda Kemp, 124H Broadmeadow Street   | 20. Christine Forte, 261 Naugler Avenue                                  |
| 6. Ellen Brien, 105 Warren Avenue        | 21. Kevin Moitoso, 74 Silver Leaf Way #21                                |
| 7. Bonnie Logan, 136 Greenwood Street    | 22. Stephen Creamer, 125 Spoonhill Avenue                                |
| 8. Donna Lynch, 84B Crystal Brook Way    | 23. Diana DeFalco, 127 Langelier Lane                                    |
| 9. Leslie Harries, 99 Westminster Drive  | 24. Wayside Athletic Club & Milin Associates, LLC, 80 Broadmeadow Street |
| 10. Dawn Ocoin, 60 West Hill Road        | 25. Isaac Matos, 153 Main Street   |
| 11. Marie Fernald, 104 Mechanic Street   | 26. Mike Sadofsky, 424 Sudbury Street                                    |
| 12. Janie Power, 242 Wilson Street       | 27. Karen Mulvey, 21 Summit Avenue                                       |
| 13. Mike Sadofsky, 424 Sudbury Street    | 28. Linda Felch Gibson, 743B Farm Road                                   |
| 14. Sal Femino, 5 Ahern Road             |  |
| 15. Jeremy Adelson, 24 St. Ives Way      |  |

ORDERED: That the Communication from Douglas Sylvester, 111 Wagon Hill Road re: Opposition of the Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136L, **FILE**; adopted.

ORDERED: That the Communication from Central Mass Mosquito Control re: Personnel in the Area on July 5, 11,18, & 25, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, May 21, 2018 & June 4, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Library Board of Trustees, May 1, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, May 17, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Retirement Board, May 29, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, May 30, 2018, **FILE**; adopted.

ORDERED: That the Minutes, License Board, May 30, 2018 & June 12, 2018, **FILE**; adopted.

ORDERED: That the Minutes Commission on Disabilities, May 1, 2018 & June 5, 2018, **FILE**; adopted.

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

- a. Donna Barberio, 14 Cross Street, Southborough, pothole or other road defect claim.
- b. Kristen Langlois, 14 McDermot Way, other property damage and/or personal injury.
- c. Paul Fiore, 111 Denoncourt Street, residential mailbox claim 2(a).
- d. Christine Johansen, 38 Denoncourt Street, residential mailbox claim 2(a).
- e. Joan Ledoux, 58 Walcott Circle, other property damage and/or personal injury.
- f. Tania Benedetto, 27 Ruth Drive, pothole or other road defect claim.
- g. Farm Family Insurance on behalf of Scott Robinson, 148 Chestnut Street.

Reports of Committees:

THERE WERE NO REPORTS OF COMMITTEE

ORDERED: That the Application for Renewal of Junk Dealer's/Second Hand License, Best Buy Stores, LP 1966, 601 Donald Lynch Boulevard, **FILE** as the location at 601 Donald Lynch Boulevard closed the previous month and was unlikely to restart operations; adopted.

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

## ORDERED:

WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require that SLOCUMB LANE be accepted as a public way

from Station 0+00 at the sideline of STETSON DRIVE to Terminus,

and that its appurtenant headwall maintenance easement be accepted as a municipal easement,

as shown on a plan thereof and as hereinafter described:

DESCRIPTION

Plan entitled, “‘CARISBROOKE II’ Acceptance Plan of Slocumb Lane and Headwall Maintenance Easement in Marlborough, Massachusetts,” Owner: Slocumb Realty, LLC, 120 Quarry Drive, Milford, MA 01757, Book 43031, Page 384; To Be Deeded to: City of Marlborough, 140 Main Street, Marlborough, MA 01752; Scale: 40 feet to an inch; Dated: September 26, 2017, last revised January 18, 2018; prepared by: Guerriere & Halnon, Inc., Engineering & Land Surveying, 333 West Street, Milford, MA 01757, which plan is to be recorded herewith.

Title to the roadway shown as SLOCUMB LANE on said plan, and title to a headwall maintenance easement shown as HEADWALL MAINTENANCE EASEMENT on said plan, has been granted to the City of Marlborough in a quitclaim deed from Slocumb Realty LLC, a Massachusetts limited liability company having its usual place of business at 120 Quarry Drive, 2<sup>nd</sup> Floor, Milford, Massachusetts, said deed to be recorded herewith at the Middlesex County (South District) Registry of Deeds.

IT IS THEREFORE ORDERED THAT:

SLOCUMB LANE be accepted as a public way, and its appurtenant headwall maintenance easement be accepted as a municipal easement, in the City of Marlborough, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:12 PM.



# IN CITY COUNCIL

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Marlborough, Mass., JUNE 18, 2018

## ORDERED:

That there being no objection thereto set **MONDAY AUGUST 27, 2018** as **DATE FOR PUBLIC HEARING** On the Petition from Mass Electric and Verizon New England, Inc. to install new Pole #37-5, Stevens Street, for new electrical feed to the High School, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 18-1007323



## IN CITY COUNCIL

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Marlborough, Mass., \_\_\_\_\_ JUNE 18, 2018

### ORDERED:

That there being no objection thereto set **MONDAY AUGUST 27, 2018** as **DATE FOR PUBLIC HEARING** On the Petition of AT & T to grant a location for Telecommunication Wires and Wireless Attachments and Appurtenances, Francis Street and East Main Street, Utility Pole #11-50, be and is herewith refer to **WIRELESS COMMUNICATION COMMITTEE**.

ADOPTED

ORDER NO. 18-1007321



# IN CITY COUNCIL

---

Marlborough, Mass., JUNE 18, 2018

**ORDERED:**

That there being no objection thereto set **MONDAY AUGUST 27, 2018** as **DATE FOR PUBLIC HEARING** On the Petition of AT & T to grant a location for Telecommunication Wires and Wireless Attachments and Appurtenances, 10 Neil Street Utility Pole 1, be and is herewith refer to **WIRELESS COMMUNICATION COMMITTEE**.

ADOPTED

ORDER NO. 18-1007322



# IN CITY COUNCIL

Marlborough, Mass., \_\_\_\_\_ JUNE 18, 2018

## ORDERED:

That there being no objection thereto set **MONDAY, AUGUST 27, 2018** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Christopher White, to build a 24 X 26 garage on a non-conforming lot, 22 Brimsmead Street, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

**Ninety days after public hearing is 11/25/18 which falls on a Sunday, therefore 11/26/18 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 18-1007320



## IN CITY COUNCIL

Marlborough, Mass., \_\_\_\_\_ JUNE 18, 2018

### ORDERED:

That there being no objection thereto set **MONDAY, AUGUST 27, 2018** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Avalon Marlborough II, a 123-unit Luxury Apartment Community located on a portion of 200 Forest Street in the Results Way Mixed Use Overlay District, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

**Ninety days after public hearing is 11/25/18 which falls on a Sunday, therefore 11/26/18 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 18-1007314



# IN CITY COUNCIL



Marlborough, Mass., \_\_\_\_\_ JUNE 18, 2018

## ORDERED:

That there being no objection thereto set **MONDAY, AUGUST 27, 2018** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Attorney Bergeron on behalf of Garden Remedies, Inc., for a Medical Marijuana Treatment Center and Adult Use Marijuana Retail Establishment, 416 Boston Post Road East, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

**Ninety days after public hearing is 11/25/18 which falls on a Sunday, therefore 11/26/18 would be considered the 90<sup>th</sup> day.**

ADOPTED

ORDER NO. 18-1007318



**Marlborough City Council**  
**Peter J. Juaire**  
**City Councilor-at-Large**  
140 Main Street  
Marlborough, Massachusetts 01752  
(508) 460-3711 TDD (508) 460-3610

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 AUG 22 P 4:49

August 22, 2018

President and Members  
City Council  
Marlborough, MA 01752

Dear President Clancy and Members of the City Council:

You may recall that on February 26, 2018, for personal reasons I recused myself from deliberating and voting on any and all matters relating to medical and adult marijuana businesses. Since then, the City Council has adopted a zoning ordinance for such businesses, and has adopted the local option excise on the sale of marijuana products.

With these preliminary matters concluded, however, I withdraw my recusal so that I may participate in all Council work concerning medical and adult marijuana businesses, including special permits. I look forward to the opportunity to contribute to the creation of special permit conditions aimed at enhancing the safety and welfare of our residents.

Thank you.

Truly yours,

Peter J. Juaire  
At-Large Councilor

August 17, 2018

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

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 AUG 22 P 12:44

RE: Garden Remedies, Inc. Special Permit

Dear Sirs:

I would like to take this opportunity to express my profound opposition to the proposed Medical Marijuana Treatment Center and Adult Use Marijuana Retail Establishment by Garden Remedies, Inc. to be located at 416 Boston Post Road East.

I am a resident of The Villages at Marlborough East, a 55+ community located directly next to and behind the proposed business. I cannot express strongly enough my opposition to this or ANY marijuana dispensary, not just at the projected location on Boston Post Road but in the city of Marlborough at all! A business of this type will wreak havoc in several ways:

1. **Increased traffic.** This is already a highly congested area and a marijuana dispensary will add more, unwelcome traffic to the area.
2. **Neighborhood safety.** This is a big concern for me; this type of business, certainly the retail portion I believe has the potential to draw an unwelcome clientele in this highly residential area.
3. **Decrease in home values.** Being right next door to a marijuana dispensary is going to drive down the value of my home. Being selfish here but I worked too long and hard to a) be able to afford my home and b) invest serious money to update it not just to my liking but to ADD VALUE to my home!!! The Villages at Marlborough East is (at least for now) a hot commodity; people seek out this property wanting to live here. However, if Garden Remedies is allowed to set up shop here, you will be responsible for the decrease in our home values.

Garden Remedies current location of 697 Washington Street in Newton is located primarily in a business district, not in a residential area. Consider all of the residential communities in the immediate area of 416 Boston Post Road: The Villages at Marlborough East, Princeton Green Apartments, Jo-Len Village, Harrison Arms Apartments, that's just to name a few. While I am not unsympathetic to those who feel they need the medical marijuana, I truly believe it is inappropriate and irresponsible to allow this type of establishment in such close proximity to a highly residential area. Marlborough doesn't need this!!

Thank you for your consideration.

Sincerely,



Pat Ganley

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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

CITY OF MARLBOROUGH  
OFFICE OF THE CITY CLERK  
MARLBOROUGH, MASSACHUSETTS 01752 2018 AUG -6 P 12: 02

LEGAL NOTICE

**Public Hearing –Special Permit**  
**Applicant: Garden Remedies, Inc.**  
**Locus: 416 Boston Post Road East**  
**Map 73, Parcel 30**

Notice is given that the **City Council of the City of Marlborough** will hold a PUBLIC HEARING on **Monday, August 27, 2018 at 8:00 PM** in City Council Chambers, 2<sup>nd</sup> floor City Hall, 140 Main Street, Marlborough, Massachusetts, On the Application for Special Permit from Attorney Bergeron on behalf of Garden Remedies, Inc., for a Medical Marijuana Treatment Center and Adult Use Marijuana Retail Establishment, 416 Boston Post Road East.

The application materials and plans are available for viewing in the Office of the City Clerk, City Hall, 140 Main Street, Marlborough, MA 01752, Telephone 508-460-3775.

*Per Order of the City Council*  
*#18-1007318*

*★ I vote against  
their being here  
James Spanelli  
56 Village Dr.  
Marlboro*



*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)

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH  
 2018 AUG 23 A 11: 24

*Arthur G. Vigeant*  
 MAYOR

*Nicholas J. Milano*  
 EXECUTIVE AIDE

*Patricia Bernard*  
 EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Transfer Request – Walker Building Elevator**

Honorable President Clancy and Councilors:

Please find enclosed for your review transfer requests to either repair or replace the elevator at the Walker Building. I have enclosed two transfer requests in order to facilitate a conversation with the City Council about the long-term future of the Walker Building.

The elevator was built in the 1980s to meet accessibility requirements at the Walker Building and is currently out of order. To bring it back into working condition, I asked DPW Commissioner John Ghiloni to research the scope of the problems and request cost estimates. We have two options, the first of which is to repair the existing elevator for approximately \$100,000.00. This would restore service soon, but it is likely that this repair would not be a long-term solution and that any future long-term tenants would also have to invest in an elevator replacement.

The second option would be to design and construct a replacement elevator for an approximate cost of \$700,000.00, a project that would take a year to complete. If we are serious as a community about permitting a potential adaptive reuse at the Walker Building, then I recommend that the City transfer \$700,000.00 to make this repair. There is interest from private developers in the Walker Building for a use that would maintain the beautiful façade, but the City would likely have to offer a long-term, low cost lease to make it financially feasible. In addition to local control over changes to the building, any substantive changes would also be reviewed by the Massachusetts Historical Commission.

Due to ample funding from rooms tax collections in the City's Economic Development account, I recommend that we use those revenues to fund the elevator repair or replacement. There will still be enough funds available next year to fund the Marlborough Economic Development Corporation's budget for Fiscal Year 2020 and improving the elevator is an economic development investment.

I look forward to discussing the future of the Walker Building and the elevator issues with you in greater detail. If you have any questions in the meantime, please do not hesitate to contact me or John Ghiloni.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur Vigean", with a long horizontal flourish extending to the right.

**Arthur Vigean**  
**Mayor**

Enclosures

8/22/2018

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Public Facilities

FISCAL YEAR: 2019

FROM ACCOUNT:

TO ACCOUNT:

Available  
Balance

Amount

Org Code Object

Account Description:

Amount

Org Code Object

Account Description:

Available  
Balance

\$901,679.51

\$700,000.00

27000 33085

Economic Development

\$700,000.00

19300006 58467

Capital Outlay-Public Fac

\$0.00

Reason:

Replace elevator at Walker Building

Reason:

Reason:

Reason:

\$700,000.00

Total

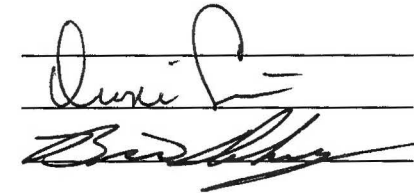
\$700,000.00

Total

Department Head signature:

Auditor signature:

Comptroller signature:





8/22/2018

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Public Facilities

FISCAL YEAR: 2019

FROM ACCOUNT:



TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$901,679.51</u>	<u>\$100,000.00</u>	<u>27000</u>	<u>33085</u>	<u>Economic Development</u>	<u>\$100,000.00</u>	<u>19300006</u>	<u>58467</u>	<u>Capital Outlay-Public Fac</u>	<u>\$0.00</u>
	Reason:	<u>Repair elevator at Walker Building</u>							
	Reason:								
	Reason:								
	Reason:								
	\$100,000.00	Total			\$100,000.00	Total			

Department Head signature:

Auditor signature:

Comptroller signature:

## ECONOMIC DEVELOPMENT FUNDING

9/30/2011 State Aid	\$165,166.12
12/31/2011 State Aid	\$190,224.55
3/31/2012 State Aid	\$132,447.82
6/29/2012 State Aid	\$146,495.56
9/30/2012 State Aid	\$185,400.20
12/31/2012 State Aid	\$182,736.99
3/31/2013 State Aid	\$123,837.95
6/28/2013 State Aid	\$152,429.69
9/20/2013 State Aid	\$196,053.08
12/30/2013 State Aid	\$204,331.94
3/31/2014 State Aid	\$134,171.82
6/30/2014 State Aid	\$165,392.81
9/30/2014 State Aid	\$225,891.57
12/31/2014 State Aid	\$215,368.61
3/31/2015 State Aid	\$139,754.81
6/30/2015 State Aid	\$181,957.00
9/30/2015 State Aid	\$246,477.46
12/31/2015 State Aid	\$243,518.11
3/31/2016 State Aid	\$147,152.99
6/30/2016 State Aid	\$188,289.73
9/30/2016 State Aid	\$250,636.64
12/31/2016 State Aid	\$261,571.54
3/31/2017 State Aid	\$144,194.44
6/30/2017 State Aid	\$199,405.00
9/30/2017 State Aid	\$260,640.83
12/31/2017 State Aid	\$280,764.79
3/31/2018 State Aid	\$158,551.10
6/30/2018 State Aid	\$213,203.36

Total Funding	<u>\$5,336,066.51</u>
---------------	-----------------------

12/5/2011 CO# 11-1003048	-\$146,837.00
12/19/2011 CO# 11-1004004	-\$3,163.00
5/21/2012 CO# 12-1005008	-\$200,000.00
12/17/2012 CO# 12-1005205	-\$277,099.00
6/3/2013 CO# 13-1005418A	-\$499,000.00
6/30/2014 CO# 14-1005840	-\$513,915.00
6/1/2015 CO# 15-1006198A	-\$731,875.00
6/20/2016 CO# 16-1006569A	-\$647,580.00
6/20/2016 CO# 16-1006569B	-\$75,000.00
6/5/2017 CO# 17-1006923A	-\$660,077.00
6/18/2018 CO# 18-1007280A	-\$679,841.00

Total Transfers	<u>-\$4,434,387.00</u>
-----------------	------------------------

Available for future transfers	\$901,679.51
--------------------------------	--------------



*City of Marlborough*

*Office of the Mayor*

140 Main Street  
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Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610  
[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

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CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 AUG 23 A 11:24

*Arthur G. Vigeant*  
MAYOR

*Nicholas J. Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Transfer Request – Information Technology**

Honorable President Clancy and Councilors:

Please find enclosed for your review a request in the amount of \$254,000.00 to transfer funds from the PEG Account to the Information Technology Department to fund investments in our information technology infrastructure, primarily additional security cameras to increase coverage in our school facilities.

This transfer will fund four projects:

- \$10,000 for the purchase of new computers at the Marlborough Public Library
- \$85,000 to replace and upgrade the City's existing Network Attached Storage device and related servers. This equipment is approaching five years old, which is when the warranty and support will expire. By upgrading the outdated NAS device, we will improve our network data and performance.
- \$24,000 to fund the implementation of a cyber security training program for City and school employees for a three-year period. We recently conducted a test phishing attack on employees and identified a need for training and cyber security awareness.
- \$135,000 to purchase and install additional security cameras in school facilities to increase and expand coverage. Over the summer, Marlborough Public Schools invested in new back-end equipment to ensure more than enough data storage capabilities.

Thank you for your consideration of this request to invest in our information technology infrastructure. If you have any questions, please do not hesitate to contact me or Mark Gibbs.

Sincerely,

  
Arthur Vigeant  
Mayor

Enclosures



**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
5/8/2018 Comcast	\$96,069.98
5/21/2018 Verizon	\$107,727.46
8/23/2018 Comcast	\$95,348.01
8/23/2018 Verizon	\$101,215.51

Total Funding	<u>\$1,044,922.52</u>
---------------	-----------------------

12/18/2017 co#17-1007095A	-\$282,100.00
5/21/2018 co# 18-1007263A	-\$355,519.00

Total Transfers	<u>-\$637,619.00</u>
-----------------	----------------------

Available for future transfers	\$407,303.52
--------------------------------	--------------

<b>Information Technology</b>			
<b>Request</b>	<b>Project</b>	<b>Description</b>	<b>Total</b>
1	New Library Computers	Replace outdated computers at the Marlborough Public Library	\$10,000.00
2	New Network Attached Storage Device	The City's Network Attached Storage Device (NAS) and related servers are approaching five years old, the end of their warranty and need to be replaced	\$85,000.00
3	Cyber Security training	Purchase a program that will test our e-mail security systems and also train employees to recognize cyber attacks, scams, and fraud over the next three years	\$24,000.00
4	Security Cameras	Purchase security cameras and fund installation at school facilities. Earlier this year, MPS purchased a new data storage system in order to accommodate the storage demands of the camera system at school facilities. Previously, we had to purchase a new server for every 25 cameras installed.	\$135,000.00
<b>Total</b>			<b>\$254,000.00</b>



*City of Marlborough*

*Arthur G. Vigeant*  
MAYOR

*Office of the Mayor*

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Patricia J. Milano*  
EXECUTIVE AIDE

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)

2018 AUG 23 A 10:24

*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Transfer Request – Department of Public Works**

Honorable President Clancy and Councilors:

Please find enclosed for your review and approval a transfer request in the amount of \$66,988.35 from the Reserve for Salaries account to various DPW payroll accounts for Laborers in the Department of Public Works.

This transfer will fund the recently ratified Memorandum of Agreement between the City of Marlborough and the Marlborough Public Works Equipment Operators Association for fiscal years 2019, 2020, and 2021.

Like the Foremen, the Laborers have agreed to allow the City to implement biweekly payroll. I thank the leadership of the Laborers union for working with us to quickly reach a mutually beneficial agreement.

Commissioner of Public Works John Ghiloni and I are available to discuss the memorandum of agreement and this required transfer with you in further detail, but please do not hesitate to contact one of us in the meantime with any questions.

Sincerely,

**Arthur G. Vigeant**  
Mayor

Enclosure



8/22/2018

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT:		Comptroller		FISCAL YEAR:		2019			
FROM ACCOUNT:				TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$990,000.00</u>	<u>\$66,988.35</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$16,796.98</u>	<u>14001303</u>	<u>50740</u>	<u>Equipment Operators</u>	<u>\$732,756.31</u>
	Reason:	<u>Recalculate amounts for contract obligations</u>			Reason:	<u>Contractual Obligation</u>			
					<u>\$18,303.05</u>	<u>14001503</u>	<u>50740</u>	<u>Equipment Operators</u>	<u>\$800,971.41</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$12,354.53</u>	<u>61090001</u>	<u>50740</u>	<u>Equipment Operators</u>	<u>\$677,287.70</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$3,606.63</u>	<u>14001403</u>	<u>50745</u>	<u>Motor Equipment Repairman</u>	<u>\$152,588.73</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$1,202.21</u>	<u>60085001</u>	<u>50750</u>	<u>Equipment Operators</u>	<u>\$50,863.25</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$1,202.21</u>	<u>60081001</u>	<u>50750</u>	<u>Equipment Operators</u>	<u>\$50,979.09</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$184.95</u>	<u>14001303</u>	<u>51920</u>	<u>Sick Leave Buy Back</u>	<u>\$18,970.00</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$256.22</u>	<u>14001503</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$25,250.00</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$46.24</u>	<u>60085003</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$3,781.00</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			
					<u>\$46.24</u>	<u>61090003</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$7,260.00</u>
	Reason:				Reason:	<u>Contractual Obligation</u>			



CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Comptroller  
FROM ACCOUNT:

FISCAL YEAR: 2019  
TO ACCOUNT:

\$66,988.35 Total

\$66,988.35 Total

Department Head signature:

Auditor signature:

Comptroller signature:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**DRAFT**  
**Memorandum of Agreement**  
**By & Between the**  
**City of Marlborough**



**And The**  
**MARLBOROUGH PUBLIC WORKS EQUIPMENT**  
**OPERATORS ASSOCIATION**  
**(DPW LABORERS)**

August 15, 2018 – Rev 8.0

The Marlborough Public Works Equipment Operators Association (Union) and the City of Marlborough (City) agree to the following terms and conditions for a collective bargaining agreement covering the period July 1, 2018 to June 30, 2021 ("2018 – 2021 CBA"). This Agreement is subject to ratification vote by the membership of the MPWEOA in accordance with its bylaws, and City Council vote in favor of funding the 2018 – 2021 CBA. The terms and conditions of the 2018 – 2021 CBA shall incorporate all provisions of the 2015-2018 CBA, subject to the following amendments and modifications:

**Term of New Contract (Article 29, p. 30)**

The new Contract shall be effective for the three (3) year period from July 1, 2018 – June 30, 2021. Applicable date changes shall be made to the cover page, Article 29 and in other appropriate provisions of the Contract to reflect the term of the new Contract.

**Provisions of New Contract**

Except as modified by this Memorandum of Agreement and, except for such technical matters as date changes, all other provisions of the July 1, 2015 – June 30, 2018 Contract shall be carried over intact into the successor Contract.

**Article 13 – Overtime**

**Section 8**

Delete complete section and replace with:

"All Laborers/SMEO Laborers shall receive an annual meal stipend of \$150.00 payable on the first payday of December. Snow and Ice event meals are not included in the meal stipend."

**Article 14 – Salaries**

**Section 1**

Add:

The Commissioner may extend each Laborer hired for an additional six (6) months with notice to the Union.

Effective July 1, 2018 there will be a 2% increase in base wages

Effective July 1, 2019 there will be a 2.5% increase in base wages

Effective July 1, 2020 there will be a 2% increase in base wages

"Wages, calculated to reflect the hourly rate, and weekly and annual wages, will be paid according to the schedule attached as *Appendix B*."

## Section 3

## Add #6

6. "Any Fleet Shop employee licensed for Massachusetts Vehicle Safety and Emissions Inspections shall receive a \$400.00 stipend payable the first pay period in December."

## Add #7

7. "Stipends will be paid for all licenses not required for employment (CDL/Hoisting) by SMEO Laborers when performing their duties. Such stipends will include tankers and catch basin cleaning (DMV or DOT certified). "State of Emergency" events are not eligible for stipends. Such stipends will be paid the first pay period in December."

## Section 4

Change the first sentence to read:

"On a bi-weekly or weekly basis, to be determined by the City, all employees will be paid by paperless electronic direct deposit."

## Section 6 – Safety Recuperation Time

Delete and replace with:

"Employees who will work more than sixteen (16) consecutive hours shall be given two (2) hours off for safety recuperation time to be paid at the overtime rate provided that:

- (a) the employee is required to return to duty after being excused for such safety recuperation time;
- (b) employees eligible for safety recuperation time may elect to recuperate wherever they choose as long as the location does not interfere with department operations as determined at the reasonable discretion of the division supervisor;
- (c) Safety and recuperation time will be assigned by the division supervisor, based on operational needs and available bargaining unit personnel.
- (d) On-call/back-up on call person during snow and ice operations will be allowed two (2) hours recoup time at 1:30PM if they work less than the required sixteen (16) consecutive hours."

**Article 17 – Clothing Allowance**

## Section 1

Increase clothing allowance to \$1,615 (tools included) for the Fleet/Repair Shop personnel.  
Increase the clothing allowance to \$1,240 for all other unit personnel.

Modify #2 to read:

"Uniforms and clothing, so purchased, must conform to minimum department standards. All unit members will be required to wear OSHA approved steel toe or composite work boots or shoes during work hours. Clothing Allowance will be paid via direct deposit."

**Article 25 – Miscellaneous**

## Add Section 6

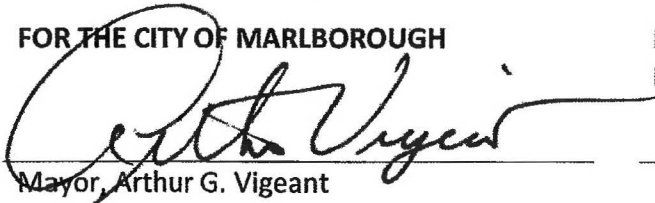
“Section 6. Global Positioning System usage. The primary purpose of GPS devices installed in City vehicles is to monitor and record vehicle maintenance needs and services, vehicle travel data and location, improved vehicle utilization, improved insurance ratings and not for surveillance and monitoring of employees. As such, employees will not be surveilled or monitored by GPS devices while performing their duties and the information recorded by same shall not be utilized except in support of a complaint or investigation of a complaint of employee misconduct.”

**APPENDIX A – Department of Public Works-PAST PRACTICES**

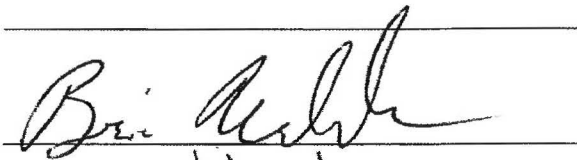

Modify as follows:

- 30. Increase the DOT Physical from \$50 to \$75 for up to two required physicals per year.
- 31. Delete in entirety and replace with:  
“Employees shall be released at NOON on the Day Before Thanksgiving, New Year’s Eve, December 31<sup>st</sup> and Good Friday.”
- 32. Add the following:  
“If Veteran’s Day falls on a Saturday, each employee will have a choice of the previous Friday or the following Monday to celebrate the holiday at the discretion of their supervisor.”
- 33. Add the following:  
“For the Street Dept., summer on-call will be paid for five (5) hours with a two (2) hour minimum per call from Friday at 3:30PM until Monday @ 7AM.”

FOR THE CITY OF MARLBOROUGH

  
\_\_\_\_\_  
Mayor, Arthur G. Vigeant

FOR MARLBOROUGH PUBLIC WORKS  
EQUIPMENT OPERATORS ASSOCIATIONS

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

Dated:

8/16/18

Dated:





# City of Marlborough

*Arthur G. Vigeant*  
MAYOR

## Office of the Mayor

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Nicholas J. Milano*  
EXECUTIVE AIDE

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)

2018 AUG 23 A 11: 29

*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Grant Acceptance – Marlborough Police Department – Executive Office of Public Safety and Security**

Dear Council President Clancy:

Please find enclosed for your acceptance a grant for the Marlborough Police Department from The Commonwealth of Massachusetts Executive Office of Public Safety and Security in the amount of \$99,805.00. This annual support grant will be used to offset personnel costs in the Public Safety Dispatching Center.

I have also enclosed a letter from Chief Giorgi, notification of grant award form, and a letter from the state regarding the grant funding.

If you have any questions about the grant, please do not hesitate to contact me or Chief David Giorgi.

Sincerely,

**Arthur Vigeant**  
Mayor

Enclosures



# City of Marlborough

## Police Department

355 Bolton Street, Marlborough, Massachusetts 01752  
Tel. (508)-485-1212 Fax (508)-624-6938

David A. Giorgi  
Chief of Police

August 9, 2018

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



Dear Mayor Vigeant:

The Marlborough Police Department has been awarded a grant in the amount of \$99,805.00 from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, FY2018 State 911 Department Support and Incentive Grant Program. The grant is a reimbursement grant, which will be used to offset personnel costs in the Public Safety Dispatching center.

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

Sincerely,

David A. Giorgi  
Chief of Police

**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: Police Department DATE: August 9, 2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: Executive Office of Public Safety State 911 Department Support  
and Incentive Grant

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: \$99,805.00

GRANT PERIOD: Present to June 30, 2019

SCOPE OF GRANT/  
ITEMS FUNDED Grant will be used to offset overtime cost for  
personell within E911 Dispatch Center

No

IS A POSITION BEING  
CREATED:

CAN FRINGE BENEFITS BE PAID FROM GRANT?

IF YES: No

ARE MATCHING CITY  
FUNDS REQUIRED?

None

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

IF MATCHING IS  
MONETARY PLEASE  
GIVE ACCOUNT

None

ANY OTHER EXPOSURE TO CITY? No

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

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



The Commonwealth of Massachusetts  
 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY  
**STATE 911 DEPARTMENT**

151 Campanelli Drive, Suite A ~ Middleborough, MA 02346

Tel: 508-828-2911 ~ TTY: 508-947-1455

[www.mass.gov/e911](http://www.mass.gov/e911)



**CHARLES D. BAKER**

*Governor*

**DANIEL BENNETT**  
*Secretary of Public Safety  
 and Security*

**KARYN E. POLITO**

*Lieutenant Governor*

**FRANK POZNIAK**

*Executive Director*

August 7, 2018

Chief David A. Giorgi  
 Marlborough Police Department  
 355 Bolton Street  
 Marlborough, MA 01752

Dear Chief Giorgi:

The Commonwealth of Massachusetts, State 911 Department would like to thank you for participating in the **FY 2019 State 911 Department Support and Incentive Grant** program.

For your files, attached please find a copy of the executed contract and the final approved Appendix A: Personnel Costs for your grant. Please note your contract start date is **August 7, 2018** and will run through June 30, 2019. Please keep in mind that there shall be no reimbursement for costs incurred prior to the effective date of the contract and all goods and services **MUST** be received on or before June 30, 2019.

Reimbursement requests should be submitted to the Department within **thirty (30) days** of the date on which the cost is incurred. We have made the request for payment forms available on our website [www.mass.gov/E911](http://www.mass.gov/E911). For any questions related to this process, please contact Michelle Hallahan at 508-821-7216. Please note that funding of reimbursement requests received more than two (2) months after the close of the fiscal year under which costs were incurred cannot be guaranteed.

If, in the future, you would like to make any changes to the authorized signatory, the contract manager, and/or the budget worksheet, please e-mail those proposed changes to [911DeptGrants@mass.gov](mailto:911DeptGrants@mass.gov). Grantees are strongly encouraged to submit final, year-end budget modification requests on or before March 29, 2019.

Sincerely,

Frank P. Pozniak  
 Executive Director

cc: FY 2019 Support and Incentive Grant File





# City of Marlborough Office of the Mayor

*Arthur G. Vigeant*  
MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
*Douglas J. Milano*  
EXECUTIVE AIDE

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)

2018 AUG 23 A 11:24

*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Grant Acceptance – Marlborough Police Department – Executive Office of Public Safety and Security**

Dear Council President Clancy:

Please find enclosed for your acceptance a grant for the Marlborough Police Department from The Commonwealth of Massachusetts Executive Office of Public Safety and Security in the amount of \$49,225.22. This support grant will be used to offset costs to maintain training compliance in the Public Safety Dispatching Center.

I have also enclosed a letter from Chief Giorgi, notification of grant award form, and a letter from the state regarding the grant funding.

If you have any questions about the grant, please do not hesitate to contact me or Chief David Giorgi.

Sincerely,

**Arthur Vigeant**  
Mayor

Enclosures



# *City of Marlborough*

## *Police Department*

355 Bolton Street, Marlborough, Massachusetts 01752  
Tel. (508)-485-1212 Fax (508)-624-6938

*David A. Giorgi*  
Chief of Police

August 22, 2018

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

Dear Mayor Vigeant:

The Marlborough Police Department has been awarded a grant in the amount of \$49,225.22 from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, FY2019 State 911 Department Training Grant and EMD/Regulatory Compliance Grant. The grant is a reimbursement grant which will be used to offset training costs in the Public Safety Dispatching center.

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

Sincerely,

David A. Giorgi  
Chief of Police



**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: Police Department DATE: August 17, 2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: FY19 State 911 Dept. Training Grant and EMD/Regulatory Compliance G

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: \$49,225.22

GRANT PERIOD: Present to June 30, 2019

SCOPE OF GRANT/  
ITEMS FUNDED To maintain mandated compliance training for current  
Public Safety Commuicators

No

IS A POSITION BEING  
CREATED:

CAN FRINGE BENEFITS BE PAID FROM GRANT?

IF YES: No

ARE MATCHING CITY  
FUNDS REQUIRED?

None

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

IF MATCHING IS  
MONETARY PLEASE  
GIVE ACCOUNT

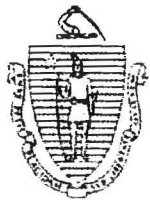
None

ANY OTHER EXPOSURE TO CITY? No

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

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





The Commonwealth of Massachusetts  
**EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY**  
**STATE 911 DEPARTMENT**  
 151 Campanelli Drive, Suite A ~ Middleborough, MA 02346  
 Tel: 508-828-2911 ~ TTY: 508-947-1455  
[www.mass.gov/e911](http://www.mass.gov/e911)



**CHARLES D. BAKER**  
 Governor

**DANIEL BENNETT**  
 Secretary of Public Safety  
 and Security

**KARYN E. POLITO**  
 Lieutenant Governor

**FRANK POZNIAK**  
 Executive Director

August 16, 2018

Chief David A. Giorgi  
 Marlborough Police Department  
 355 Bolton Street  
 Marlborough, MA 01752

Dear Chief Giorgi:

The Commonwealth of Massachusetts, State 911 Department would like to thank you for participating in the **FY2019 State 911 Department Training Grant and EMD / Regulatory Compliance Grant** program.

For your files, attached please find a copy of the executed contract and the final approved Appendix A: Listing of Certified Telecommunicators for your grant. Please note your contract start date is **August 16, 2018** and will run through June 30, 2019. Please keep in mind that there shall be no reimbursement for costs incurred prior to the effective date of the contract and all goods and services **MUST** be received on or before June 30, 2019.

Reimbursement requests should be submitted to the Department within **thirty (30) days** of the date on which the cost is incurred. We have made the request for payment forms available on our website [www.mass.gov/e911](http://www.mass.gov/e911). For any questions related to this process, please contact Michelle Hallahan at 508-821-7216. Please note that funding of reimbursement requests received more than two (2) months after the close of the fiscal year under which costs were incurred cannot be guaranteed.

If, in the future, you would like to make any changes to the authorized signatory, the contract manager, and/or the budget worksheet, please e-mail those proposed changes to [911DeptGrants@mass.gov](mailto:911DeptGrants@mass.gov). Grantees are strongly encouraged to submit final, year-end budget modification requests on or before March 29, 2019.

Sincerely,

Frank P. Pozniak  
 Executive Director

cc: FY2019 Training Grant and EMD / Regulatory Compliance Grant File

# COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



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

<b>CONTRACTOR LEGAL NAME:</b> City of Marlborough (and d/b/a): Marlborough Police Department		<b>COMMONWEALTH DEPARTMENT NAME:</b> State 911 Department MMARS Department Code: EPS	
<b>Legal Address: (W-9, W-4,T&amp;C):</b> 140 Main Street, Marlborough, MA 01752		<b>Business Mailing Address:</b> 151 Campanelli Drive, Suite A, Middleborough, MA 02346	
<b>Contract Manager:</b> Chief David A. Giorgi		<b>Billing Address (if different):</b>	
<b>E-Mail:</b> dgiorgi@marlborough-ma.gov		<b>Contract Manager:</b> Cindy Reynolds	
<b>Phone:</b> 508-624-6970	<b>Fax:</b> 508-624-6938	<b>E-Mail:</b> 911DeptGrants@mass.gov	
<b>Contractor Vendor Code:</b> VCG000,92111		<b>Phone:</b> 508-821-7299	<b>Fax:</b> 508-947-1452
<b>Vendor Code Address ID (e.g. "AD001"):</b> AD 001 (Note: The Address ID must be set up for EFT payments.)		<b>MMARS Doc ID(s):</b> CT EPS GRNT	
		<b>RFR/Procurement or Other ID Number:</b> FY19 Training/EMD/Regulatory Compliance Grant	
<b><u>X</u> NEW CONTRACT</b>		<b><u>    </u> CONTRACT AMENDMENT</b>	
<b>PROCUREMENT OR EXCEPTION TYPE: (Check one option only)</b> <u>    </u> Statewide Contract (OSD or an OSD-designated Department) <u>    </u> Collective Purchase (Attach OSD approval, scope, budget) <u> X </u> Department Procurement (Includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) <u>    </u> Emergency Contract (Attach justification for emergency, scope, budget) <u>    </u> Contract Employee (Attach Employment Status Form, scope, budget) <u>    </u> Legislative/Legal or Other: (Attach authorizing language/justification, scope and budget)		Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$54,094.24__ (or "no change") <b>AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.)</b> <u>    </u> Amendment to Scope or Budget (Attach updated scope and budget) <u>    </u> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <u>    </u> Contract Employee (Attach any updates to scope or budget) <u>    </u> Legislative/Legal or Other: (Attach authorizing language/justification and updated scope and budget)	

The following **COMMONWEALTH TERMS AND CONDITIONS (T&C)** has been executed, filed with CTR and is incorporated by reference into this Contract.  
 X  Commonwealth Terms and Conditions         Commonwealth Terms and Conditions For Human and Social Services

**COMPENSATION:** (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00.  
     Rate Contract (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.)  
 X  Maximum Obligation Contract Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended): 49,225.22

**PROMPT PAYMENT DISCOUNTS (PPD):** Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days \_\_\_ % PPD; Payment issued within 15 days \_\_\_ % PPD; Payment issued within 20 days \_\_\_ % PPD; Payment issued within 30 days \_\_\_ % PPD. If PPD percentages are left blank, identify reason:  X  agree to standard 45 day cycle      statutory/legal or Ready Payments (G.L.c. 29, § 23A);      only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)

**BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT:** (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) **Contract is for the reimbursement of funds under the State 911 Department FY 2019 Training Grant and EMD/Regulatory Compliance Grant as authorized and awarded in compliance with grant guidelines and the grantee's approved application.**

**ANTICIPATED START DATE:** (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:  
 X  1. may be incurred as of the Effective Date (latest signature date below) and **no** obligations have been incurred **prior** to the Effective Date.  
     2. may be incurred as of \_\_\_\_\_, 20\_\_\_\_, a date **LATER** than the Effective Date below and **no** obligations have been incurred **prior** to the Effective Date.  
     3. were incurred as of \_\_\_\_\_, 20\_\_\_\_, a date **PRIOR** to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.

**CONTRACT END DATE:** Contract performance shall terminate as of **June 30, 2019**, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.

**CERTIFICATIONS:** Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached Contractor Certifications (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form including the Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.

**AUTHORIZING SIGNATURE FOR THE CONTRACTOR:**  
X: \_\_\_\_\_ Date: 7/21/19  
(Signature and Date Must Be Handwritten At Time of Signature)  
Print Name: Arthur Vigeas  
Print Title: Mayor

**AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:**  
X: \_\_\_\_\_ Date: 8/16/19  
(Signature and Date Must Be Handwritten At Time of Signature)  
Print Name: Frank Pozniak  
Print Title: Executive Director



# City of Marlborough

*Arthur G. Vigeant*  
MAYOR

## Office of the Mayor

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Nicholas J. Milano*  
EXECUTIVE AIDE

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)

2018 AUG 23 A 11:24

*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Grant Acceptance – Marlborough Police Department – Department of Mental Health**

Dear Council President Clancy:

Please find enclosed for your acceptance a grant for the Marlborough Police Department from The Commonwealth of Massachusetts Department of Mental Health in the amount of \$45,000.00. This is an amendment to the initial grant awarded in 2015, and it will continue to fund the Police Department's Jail Diversion Program that is operated in conjunction with Advocates, Inc. for Fiscal Year 2019.

I have also enclosed a letter, notification of grant award form, and documentation from the Department of Mental Health.

Thanks to this support from the state, our police have a full-time clinician available to assist individuals with mental health issues. It helps keep both officers and individuals safe. If you have any questions about the grant, please do not hesitate to contact me or Chief David Giorgi.

Sincerely,

Arthur Vigeant  
Mayor

Enclosures



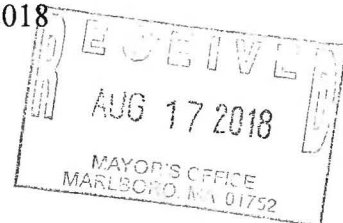
# City of Marlborough Police Department

David A. Giorgi  
Chief of Police

355 Bolton Street, Marlborough, Massachusetts 01752  
Tel. (508)-485-1212 Fax (508)-624-6938

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

August 16, 2018



Dear Mayor Vigeant:

The Marlborough Police Department has been awarded a grant in the amount of \$45,000 from the Commonwealth of Massachusetts, Executive Office of Health and Human Services, Department of Mental Health. This a one year amendment to the initial grant which was awarded in 2015 and will be used to continue funding our Jail Diversion Program, in conjunction with Advocates, Inc. for the next fiscal year. The grant award is \$45,000 for FY19.

Attached is a completed Notification of Grant Award form and a copy of the FY19 grant award contract. I am requesting that the grant award be forwarded to the City Council for approval. Should you have any questions, please do not hesitate to call.

Sincerely,

David A. Giorgi  
Chief of Police

<b>CITY OF MARLBOROUGH NOTICE OF GRANT AWARD</b>			
DEPARTMENT:	Police	DATE:	August 16, 2018
PERSON RESPONSIBLE FOR GRANT EXPENDITURE:	David A. Giorgi		
NAME OF GRANT:	Jail Diversion Grant		
GRANTOR:	Comm. Of Massachusetts, Dept. of Mental Health		
GRANT AMOUNT:	\$45,000.00		
GRANT PERIOD:	FY19		
SCOPE OF GRANT/ ITEMS FUNDED	To fund Jail Diversion Program Full time clinician coverage for the police department's J.D.P. Funds will be used for clinician's services and associated costs		
IS A POSITION BEING CREATED:	No. Advocates Inc. will provide clinician to the department for the JDP program. The grants funds will be used to pay for the clinician and Advocates Inc. will invoice the City monthly.		
IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT?			
ARE MATCHING CITY FUNDS REQUIRED?	No		
IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:			
IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS TO BE USED:			
ANY OTHER EXPOSURE TO CITY?	No		
IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL:	As soon as possible		
<b>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</b>			





The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Mental Health  
25 Staniford Street  
Boston, Massachusetts 02114-2575

CHARLES D. BAKER  
Governor  
KARYN E. POLITO  
Lieutenant Governor  
MARYLOU SUDDERS  
Secretary  
JOAN MIKULA  
Commissioner

(617) 626-8000  
www.mass.gov/dmh

**FY 2019  
Approved Contract**

DATE: 7/24/18  
VENDOR: Marlborough Police Dept  
PROGRAM: Jail Division  
SC #: SCDMH82201608.1610000

.....  
Please find enclosed an approved copy of your FY2019 contract with the Department of Mental Health, Central Office.

If you should have any questions, please feel free to call me @ 617/626-8006.

*Maureen Giacchino*  
Maureen Giacchino  
Contract Manager

FY19  
\$45,000.00

Enclosure

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



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

<b>CONTRACTOR LEGAL NAME:</b> Marlborough Police Department (and d/b/a):		<b>COMMONWEALTH DEPARTMENT NAME:</b> Mental Health MMARS Department Code: DMH	
<b>Legal Address:</b> (W-9, W-4,T&C): 355 Bolton St., Marlborough, MA 01752		<b>Business Mailing Address:</b> 25 Stanford St., Boston, MA 02114	
<b>Contract Manager:</b> David Giorgi		<b>Billing Address (if different):</b>	
<b>E-Mail:</b> <a href="mailto:dgiorgi@marlborough-ma.gov">dgiorgi@marlborough-ma.gov</a>		<b>Contract Manager:</b> Maureen Giacchino	
<b>Phone:</b> 508-485-1212	<b>Fax:</b> 508-624-6938	<b>E-Mail:</b> <a href="mailto:Maureen.giacchino@state.ma.us">Maureen.giacchino@state.ma.us</a>	
<b>Contractor Vendor Code:</b> VC6000192112		<b>Phone:</b> 617-626-8006	<b>Fax:</b> 617-626-8014
<b>Vendor Code Address ID (e.g. "AD001"):</b> AD 001 (Note: The Address Id Must be set up for EFT payments.)		<b>MMARS Doc ID(s):</b> SCDMH822016081610000	
		<b>FRF/Procurement or Other ID Number:</b> 2016-DMH-3024-01	
<p align="center"><u>NEW CONTRACT</u></p> <p><b>PROCUREMENT OR EXCEPTION TYPE:</b> (Check one option only)</p> <input type="checkbox"/> <u>Statewide Contract</u> (OSD or an OSD-designated Department) <input type="checkbox"/> <u>Collective Purchase</u> (Attach OSD approval, scope, budget) <input type="checkbox"/> <u>Department Procurement</u> (includes State or Federal grants <u>815 CMR 2.00</u> ) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> <u>Emergency Contract</u> (Attach justification for emergency, scope, budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach <u>Employment Status Form</u> , scope, budget) <input type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification, scope and budget)		<p align="center"><u>X CONTRACT AMENDMENT</u></p> <p>Enter Current Contract End Date <u>Prior</u> to Amendment: 06/30, 20 18</p> <p>Enter Amendment Amount: \$ <u>45,000.00</u> (or "no change")</p> <p><b>AMENDMENT TYPE:</b> (Check one option only. Attach details of Amendment changes.)</p> <input checked="" type="checkbox"/> <u>Amendment to Scope or Budget</u> (Attach updated scope and budget) <input type="checkbox"/> <u>Interim Contract</u> (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach any updates to scope or budget) <input type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification and updated scope and budget)	
The following <u>COMMONWEALTH TERMS AND CONDITIONS</u> (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. <input type="checkbox"/> Commonwealth Terms and Conditions <input checked="" type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
<p><b>COMPENSATION:</b> (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00.</p> <input type="checkbox"/> <u>Rate Contract</u> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> <u>Maximum Obligation Contract</u> Enter Total Maximum Obligation for total duration of this Contract (or <u>new</u> Total if Contract is being amended). \$ <u>180,000.00</u>			
<p><b>PROMPT PAYMENT DISCOUNTS (PPD):</b> Commonwealth payments are issued through <u>EFT</u> 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle ___ statutory/legal or Ready Payments (<u>G.L. c. 29, § 23A</u>); ___ only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See <u>Prompt Pay Discounts Policy</u>.)</p>			
<p><b>BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT:</b> (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Renewal for FY19</p>			
<p><b>ANTICIPATED START DATE:</b> (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:</p> <p><input type="checkbox"/> 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u>.  <input checked="" type="checkbox"/> 2. may be incurred as of <u>7/1, 20 18</u>, a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u>.  <input type="checkbox"/> 3. were incurred as of <u>____, 20 ____</u>, a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.</p>			
<p><b>CONTRACT END DATE:</b> Contract performance shall terminate as of <u>6/30, 20 19</u>, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.</p>			
<p><b>CERTIFICATIONS:</b> Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u>, this Standard Contract Form including the <u>Instructions and Contractor Certifications</u>, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u>, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.</p>			
<p><b>AUTHORIZING SIGNATURE FOR THE CONTRACTOR:</b></p> <p>X: <u>[Signature]</u> Date: <u>7-6-18</u>                  (Signature and Date Must Be Handwritten At Time of Signature)</p> <p>Print Name: <u>DAVID A. GIORGI</u>                  Print Title: <u>Chief of Police</u></p>		<p><b>AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:</b></p> <p>X: <u>[Signature]</u> Date: <u>7/6/18</u>                  (Signature and Date Must Be Handwritten At Time of Signature)</p> <p>Print Name: <u>JIM BERASTRAN</u>                  Print Title: <u>Director of Acctg</u></p>	



*City of Marlborough*

*Arthur G. Vigeant*  
MAYOR

*Office of the Mayor*

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Patricia J. Milano*  
EXECUTIVE AIDE

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)

2018 AUG 23

*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Grant Acceptance – Department of Public Works**

Honorable President Clancy and Councilors:

Please find enclosed for your acceptance a grant from the Executive Office of Energy and Environmental Affairs for the City of Marlborough in the amount of \$31,000.00. This grant will be administered by City Engineer Thomas DiPersio and will be used to hire a consultant to assist the City in identifying risks or vulnerabilities to changing weather patterns.

We may not have the same vulnerabilities as coastal communities with rising sea levels, but stronger storms and a longer storm season, in both winter and summer, as well as other changes to weather patterns could impact our facilities, infrastructure, and natural resources. By reviewing these threats and developing a plan to better prepare for future issues, we will leave Marlborough well-positioned for future generations.

Mr. DiPersio has solicited cost-estimates from consultants, including MAPC, and will soon begin the planning process. If you have any questions, please do not hesitate to contact me or Tom DiPersio.

Sincerely,

**Arthur Vigeant**  
**Mayor**

Enclosures



**CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD**

DEPARTMENT: Department of Public Works DATE: 8/21/2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Thomas DiPersio

NAME OF GRANT: Municipal Vulnerability Program - Planning Grant

GRANTOR: Executive Office of Energy and Environmental Affairs

GRANT AMOUNT: \$31,000.00

GRANT PERIOD: Fiscal Year 2019

SCOPE OF GRANT/  
ITEMS FUNDED

Fund a planning initiative to identify potential vulnerabilities in Marlborough to changing weather patterns.

IS A POSITION BEING  
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? No

ARE MATCHING CITY  
FUNDS REQUIRED? No - we are procuring the services of a consultant to assist City staff

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

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

N/A

ANY OTHER EXPOSURE TO CITY?  
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: No

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

## Baker-Polito Administration Awards Climate Vulnerability Preparedness Funding to 82 Communities

### Grants Will Help Communities Prepare for Climate Change and Build Resilience

**ORLEANS** — The Baker-Polito Administration today announced over \$2 million in grant funding has been awarded to 82 towns and cities across the Commonwealth to complete climate change vulnerability assessments and develop resiliency plans through the **Municipal Vulnerability Preparedness (MVP) program**. The grant and designation program, which builds on Governor Baker's Executive Order 569 as well as other administration-led state and local partnerships, provides communities with technical support, climate change data and planning tools to identify hazards and develop strategies to improve resilience. The grant awardees, representing 43 percent of municipalities in the state, across all regions of the Commonwealth, were announced by Energy and Environmental Affairs Secretary Matthew Beaton, as part of a tour of storm damage on the beaches of the outer Cape.

"The Municipal Vulnerability Preparedness program is the cornerstone of our administration's efforts to work with communities on further reducing greenhouse gas emissions and protecting residents, municipalities and businesses from the impacts of climate change," **said Governor Charlie Baker**. "Municipalities on the front lines of climate change, so we are proud to provide our communities the resources, data and planning tools they need to build resiliency to severe weather and other impacts."

"These communities are stepping up to the challenge of climate change by working together to identify their vulnerabilities, strengthen resilience and help us build a stronger Commonwealth," **said Lieutenant Governor Karyn Polito**. "We look forward to partnering with now over 40 percent of all cities and towns to ensure the safety of residents and the health of critical environmental resources."

Through the MVP Program, municipalities work through a community-based workshop process to identify key climate-related hazards, vulnerabilities and strengths, develop adaptation actions, and prioritize next steps. Results of the workshops and planning efforts will be used to inform existing local plans, grant applications, and policies, such as local hazard mitigation plans.

These awards are part of a larger \$5 million **investment** in the MVP program in 2018 by the Baker-Polito Administration, which represents a ten-fold increase over 2017 funding levels. Of that funding, \$3 million will be awarded through MVP Action Grants, which will help communities implement priorities identified through their MVP planning process.

"The severe damage caused by this winter's Nor'easters illustrates how incredibly important it is that we plan and prepare now for the impacts of climate change," **said Energy and Environmental Affairs Secretary Matthew Beaton**. "We applaud the leadership and initiative of these 82 communities that are partnering with the

Commonwealth to take vital steps towards building climate resilience for their residents, infrastructure, businesses and environment.”

The MVP program is led in each town by an experienced Project Coordinator from the town with a core team of town staff and volunteers representing town planning departments, emergency managers, conservation commissioners, economic councils, the business community and other key stakeholders. Technical assistance is delivered by state-certified MVP providers using a standardized toolkit for assessing vulnerability and developing strategies, and newly developed climate projections and data from the Northeast Climate Science Center at UMass-Amherst. Upon successful completion of the program, municipalities are designated as a “Municipal Vulnerability Preparedness (MVP) program community,” which enables them to compete in EEA’s MVP Action Grant program.

The following communities will receive funding to complete the planning process:

<b>Municipality</b>	<b>Total Award</b>	<b>Municipality</b>	<b>Total Award</b>
<i><b>Boston-Metro</b></i>	<i><b>Northeast</b></i>		
Concord	\$33,000	Amesbury	\$38,000
Dedham	\$28,000	Andover	\$29,000
Everett	\$49,500	Beverly	\$32,500
Newton	\$48,000	Boxford	\$15,000
Quincy	\$45,500	Chelmsford	\$31,000
Revere	\$33,500	Ipswich	\$15,000
Waltham	\$41,500	Lynn	\$45,500
Woburn	\$29,000	Methuen	\$32,000
<b>Total (8)</b>	<b>\$308,000</b>	Nahant	\$15,000
<i><b>Cape and Islands</b></i>	Salisbury	\$17,000	
Barnstable	\$35,500	Wenham	\$20,000
Bourne	\$18,000	<b>Total (13)</b>	<b>\$290,000</b>

Brewster	\$20,000	<i>Southeast</i>	
Chatham	\$15,000	Bridgewater	\$26,000
Eastham	\$25,000	Brockton	\$47,000
Edgartown	\$17,000	Canton	\$24,500
Nantucket	\$22,000	Easton	\$24,500
Oak Bluffs	\$20,000	Fall River	\$49,000
Orleans	\$25,000	Hingham	\$19,500
Provincetown	\$27,500	Hull	\$15,000
Tisbury	\$20,000	Kingston	\$20,000
Wellfleet & Truro	\$15,000	Lakeville & Rochester	\$28,000
Yarmouth	\$24,500	North Attleborough	\$26,000
<b>Total (14)</b>	<b>\$284,500</b>	Norton & Mansfield	\$38,500
<i>Central</i>	Rockland	\$28,000	
Auburn	\$18,000	<b>Total (12)</b>	<b>\$346,000</b>
Brookfield	\$28,000	<i>Western</i>	
Clinton	\$20,000	Amherst	\$29,000
Harvard	\$35,000	Chicopee	\$50,000
Hudson	\$18,000	Dalton	\$22,000
Leicester	\$20,000	Erving	\$20,000
Sutton	\$15,000	Easthampton	\$28,000
Uxbridge	\$15,000	Granby	\$15,000
West Boylston	\$15,000	Longmeadow	\$18,000

Worcester	\$100,000	Monson	\$20,000
<b>Total (10)</b>	<b>\$284,000</b>	North Adams	\$30,000
<i>MetroWest</i>	Palmer	\$25,000	
Burlington	\$26,000	Pittsfield	\$35,500
Framingham	\$44,500	Plainfield	\$25,000
Lexington	\$32,500	Sandisfield	\$20,000
Lincoln	\$20,000	Sheffield	\$22,000
Marlborough	\$31,000	Southwick	\$15,000
Medfield	\$20,000	<b>Total (15)</b>	<b>\$374,500</b>
Millis	\$21,000		
Sudbury	\$33,000		
Wayland	\$25,000		
Walpole	\$21,000		
<b>Total (9)</b>	<b>\$274,000</b>		
<b>TOTAL AWARDS</b>	<b>\$2,161,000</b>		

“After the horrendous winter the Cape and Islands experienced, it only make sense to make sure that any new infrastructure improvements made here can stand the test of both time and the environment,” **said State Representative William Crocker (R-Centerville)**. “The first step in that process will be planning those improvements and I am very happy to see the Baker-Polito Administration has awarded the Towns of Barnstable and Yarmouth funding to help make that possible.”

“It is important to achieve coordination between communities and the commonwealth’s administration with issues related to climate change and other coastal vulnerabilities,” **said State Representative Randy Hunt (R-Sandwich)**. “Our communities appreciate the continued support and growing relationship to aid in developing plans that address local needs and preparedness.”

“After the battering that the Cape Cod coastline took this winter causing extensive erosion and property damage, these MVP grants are truly welcome, needed, and appreciated,” **said State Representative Sarah Peake (D-Provincetown)**. “The Baker-Polito administration and Secretary Beaton are the real “MVPs,” helping our communities through this grant program to better prepare for climate change and future storm events.”

“I’m afraid that last winter’s coastal flooding and damage to our beaches was a stark reminder of how vulnerable Cape Cod, Martha’s Vineyard and Nantucket are to climate change,” **said State Senator Julian Cyr (D-Truro)**. “Our residents know firsthand that action is needed to improve our resiliency to protect our towns and beautiful coastal environment, and I commend the Baker Administration for working directly with our municipalities to provide state funding support.”

To further assist communities in planning for climate change impacts, the Baker-Polito Administration recently launched a new website, the **resilient MA Climate Clearinghouse**, to provide communities access to the best science and data on expected climate change impacts, information on planning and actions communities can deploy to build resiliency and avoid loss, and links to important grant programs and technical assistance. The site, which was built with data developed through a partnership between EEA, the Northeast Climate Center at UMass-Amherst and the Northeast States for Coordinated Air Use Management, provides access to statewide climate change projections showing how temperature, precipitation and sea level rise will change through the end of the century, which any user can overlay with other data of interest, including information on emergency facilities, infrastructure and natural resources.

As part of the Baker-Polito Administration’s commitment to combat and prepare for climate change, Governor Baker recently filed **legislation** to authorize over \$1.4 billion in capital allocations for investments in safeguarding residents, municipalities and businesses from the impacts of climate change, protecting environmental resources, and investing in communities. The legislation would put into law essential components of Governor Baker’s **Executive Order 569**, which established an integrated strategy for climate change adaptation across the Commonwealth, including the Municipal Vulnerability Preparedness (MVP) program and the **Statewide Hazard Mitigation and Adaptation Plan** – a blueprint to protect residents, communities, and local economies. The funding available through these grant programs builds upon the Baker-Polito Administration’s ongoing efforts to mitigate and adapt to climate change.

###



# City of Marlborough

*Arthur G. Vigeant*  
MAYOR

## Office of the Mayor

RECEIVED  
CITY CLERK'S OFFICE  
OF MARLBOROUGH

*Nicholas J. Milano*  
EXECUTIVE AIDE

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)

2018 AUG 23 A 11: 24

*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

### Re: Grant Acceptance – Marlborough Police Department – Digital Federal Credit Union

Honorable President Clancy and Councilors:

Please find enclosed for your acceptance a grant for the Marlborough Police Department from Digital Federal Credit Union in the amount of \$7,500.00, which will be used by the Police Department to support Department programs and fund additional traffic enforcement equipment.

I have also enclosed a letter, notification of grant award form, and a copy of the check from Digital Federal Credit Union

We thank them for their support of Marlborough's first responders. If you have any questions about the grant, please do not hesitate to contact me or Chief David Giorgi.

Sincerely,

Arthur Vigeant  
Mayor

Enclosures



# City of Marlborough

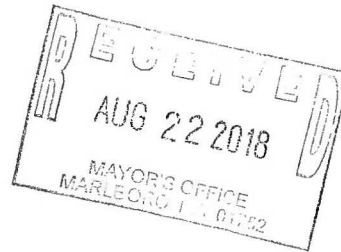
## Police Department

355 Bolton Street, Marlborough, Massachusetts 01752  
Tel. (508)-485-1212 Fax (508)-624-6938

David A. Giorgi  
Chief of Police

August 22, 2018

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



Dear Mayor Vigeant:

The Marlborough Police Department has received a donation check in the amount of \$7,500.00 from Digital Federal Credit Union(D.C.U.). The donation has been offered to the police department as representative of DCU's continued support for the department's programs and efforts to make a difference in our community.

Attached is a copy of the cover letter which our department received from DCU, a Notice of Grant Award, as well as copy of the check. I am requesting that the donation be forwarded to the City Council for approval. Should you have any questions, please do not hesitate to call.

Sincerely,

David A. Giorgi  
Chief of Police



CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD

DEPARTMENT: POLICE DATE: August 22, 2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: Digital Federal Credit Union donation

GRANTOR: D.C.U.

GRANT AMOUNT: \$7,500.00

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

SCOPE OF GRANT/  
ITEMS FUNDED Donation to support department programs  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IS A POSITION BEING  
CREATED: N/A  
\_\_\_\_\_

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? \_\_\_\_\_

ARE MATCHING CITY  
FUNDS REQUIRED? N/A  
\_\_\_\_\_

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

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

ANY OTHER EXPOSURE TO CITY?  
N/A  
\_\_\_\_\_

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: N/A  
\_\_\_\_\_

**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**



July 31, 2018

Marlborough Police Department  
355 Bolton Street  
Marlborough, MA 01752

To Whom It May Concern,

On behalf of Digital Federal Credit Union, I am pleased to provide the Marlborough Police Department with the enclosed check for \$7,500. This donation represents DCU's support of your organization's efforts in providing programs that will make a difference.

As a socially responsible organization, DCU is committed to partnering with other organizations, such as yours that make a difference in the communities we serve. The purpose of this donation is to give back to our communities by supporting programs offered by your organization. The donation is not a sponsorship or an opportunity for DCU to market our credit union. We hope that our contribution makes a difference to the people you serve in our communities.

Thank you for all that you do. Please feel free to mail any questions and/or inquiries to Digital Federal Credit Union, Attn: Diana Taxiera, 220 Donald Lynch Blvd., Marlborough, MA 01752.

For further information about DCU and our branch locations, or communities we serve, please visit our website at [www.dcu.org](http://www.dcu.org).



DATE  
7/31/2018

CHECK NUMBER  
056139

Detach This Portion Before Depositing  
15-5

INVOICE NUMBER	INVOICE DATE	DESCRIPTION	GROSS AMOUNT	DISCOUNT	NET AMOUNT
2018 DONATION	7/31/2018	Vchr: VO103012	\$7,500.00	\$0.00	\$7,500.00

PRINT BATCH 2,569	VENDOR CODE MARLBORPOLI	PAY TO NAME CITY OF MARLBROUGH-POLICE DEPARTMENT	NET TOTAL \$7,500.00
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ORIGINAL CHECK HAS A VOID PANTOGRAPH AND IS PRINTED ON CHEMICAL REACTIVE PAPER - SEE BACK FOR DETAILS

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

ACCOUNTS PAYABLE

53-9182  
2113

DATE	CHECK NO.
7/31/2018	056139

PAY

Seven thousand five hundred and 00 / 100 Dollars Only \*\*\*\*\*

VOID AFTER 90 DAYS

AMOUNT
\$7,500.00

PAY  
TO  
ORDER  
OF

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

*Jeanie M. LaChapelle*



*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  
**RECEIVED**  
 CITY CLERK'S OFFICE  
 CITY OF MARLBOROUGH  
 2018 AUG 23 A 11: 24  
*J. Milano*  
 EXECUTIVE AIDE  
*Patricia Bernard*  
 EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Grant Acceptance – Marlborough Fire Department – Digital Federal Credit Union**

Dear Council President Clancy:

Please find enclosed for your acceptance a grant for the Marlborough Fire Department from Digital Federal Credit Union in the amount of \$7,500.00, which will be used by the Fire Department to purchase additional information technology upgrades.

I have also enclosed a letter, notification of grant award form, and a copy of the check from Digital Federal Credit Union.

We thank them for their support of Marlborough's first responders. If you have any questions about the grant, please do not hesitate to contact me or Chief Kevin Breen.

Sincerely,

Arthur Vigeant  
 Mayor

Enclosures



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

August 15, 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 \$7,500.00 from Digital Federal Credit Union.

Attached is a completed Notification of Grant Award form, a copy of their cover letter 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: 8/15/2018

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

NAME OF GRANT: Donation

GRANTOR: Digital Federal Credit Union (DCU)

GRANT AMOUNT: \$7,500.00

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

SCOPE OF GRANT/  
ITEMS FUNDED Information technology upgrades  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**

DATE  
7/31/2018

CHECK NUMBER  
056141

Detach This Portion Before Depositing  
16-4

INVOICE NUMBER	INVOICE DATE	DESCRIPTION	GROSS AMOUNT	DISCOUNT	NET AMOUNT
2018 DONATION	7/31/2018	Vchr: VO103010	\$7,500.00	\$0.00	\$7,500.00

PRINT BATCH 2,569	VENDOR CODE MARLBOROUGHF	PAY TO NAME MARLBOROUGH FIRE DEPARTMENT	NET TOTAL \$7,500.00
----------------------	-----------------------------	--	-------------------------

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



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

ACCOUNTS PAYABLE

53-9182  
2113

DATE	CHECK NO.
7/31/2018	056141

PAY

Seven thousand five hundred and 00 / 100 Dollars Only \*\*\*\*\*

VOID AFTER 90 DAYS

AMOUNT
\$7,500.00

PAY TO ORDER OF

MARLBOROUGH FIRE DEPARTMENT  
215 MAPLE STREET  
MARLBOROUGH MA 01752

*Louis M. LaChapelle*

⑈056141⑈ 1211391825⑆ 91821 5⑈ 30



July 31, 2018

Marlborough Fire Department  
215 Maple Street  
Marlborough, MA 01752

To Whom It May Concern,

On behalf of Digital Federal Credit Union, I am pleased to provide the Marlborough Fire Department with the enclosed check for \$7,500. This donation represents DCU's support of your organization's efforts in providing programs that will make a difference.

As a socially responsible organization, DCU is committed to partnering with other organizations, such as yours that make a difference in the communities we serve. The purpose of this donation is to give back to our communities by supporting programs offered by your organization. The donation is not a sponsorship or an opportunity for DCU to market our credit union. We hope that our contribution makes a difference to the people you serve in our communities.

Thank you for all that you do. Please feel free to mail any questions and/or inquiries to Digital Federal Credit Union, Attn: Diana Taxiera, 220 Donald Lynch Blvd., Marlborough, MA 01752.

For further information about DCU and our branch locations, or communities we serve, please visit our website at [www.dcu.org](http://www.dcu.org).







# City of Marlborough

*Arthur G. Vigeant*  
MAYOR

## Office of the Mayor

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Patricia J. Milano*  
EXECUTIVE AIDE

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Marlborough, Massachusetts 01752  
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[www.marlborough-ma.gov](http://www.marlborough-ma.gov)

2018 AUG 23

A 11:24

*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Grant Acceptance – Marlborough Police Department – Solar Wolf Energy**

Dear Council President Clancy:

Please find enclosed for your acceptance a grant for the Marlborough Police Department from Solar Wolf Energy in the amount of \$2,000.00, which will be used by the Police Department for establishing a Marlborough Police Department honor guard. Chief Giorgi has informed me that there is interest in having a Police honor guard; the Marlborough Fire Department does currently have an honor guard.

I have also enclosed a letter, notification of grant award form, and a copy of the check from Solar Wolf Energy.

We thank Solar Wolf Energy, which just recently opened in Marlborough, for their support of our first responders. If you have any questions about the grant, please do not hesitate to contact me or Chief David Giorgi.

Sincerely,

Arthur Vigeant  
Mayor

Enclosures



# City of Marlborough

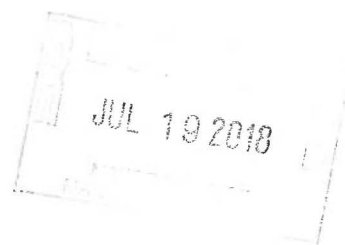
## Police Department

355 Bolton Street, Marlborough, Massachusetts 01752  
Tel. (508)-485-1212 Fax (508)-624-6938

David A. Giorgi  
Chief of Police

July 18, 2018

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



Dear Mayor Vigeant:

The Marlborough Police Department has received a donation check in the amount of \$2,000.00 from Solar Wolf Energy Inc. and Chairman Ted Strzelecki. The donation has been offered to the police department as representative of Mr. Strzelecki's continued support for First Responders in Massachusetts. Solar Wolf Energy Inc. recently opened an office in Marlborough and Mr. Strzelecki stated that he wanted to start by giving back to the police and fire departments.

Attached is a copy of the Notice of Grant Award as well as copy of the check. I am requesting that the donation be forwarded to the City Council for approval. Should you have any questions, please do not hesitate to call.

Sincerely,

David A. Giorgi  
Chief of Police

CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD

DEPARTMENT: POLICE DATE: July 18, 2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: Solar Wolf Energy Inc. donation

GRANTOR: Ted Strzelecki- Chairman

GRANT AMOUNT: \$2,000.00

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

SCOPE OF GRANT/  
ITEMS FUNDED Charitable donation to the department

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

IS A POSITION BEING  
CREATED: N/A

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? \_\_\_\_\_

ARE MATCHING CITY  
FUNDS REQUIRED? N/A

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

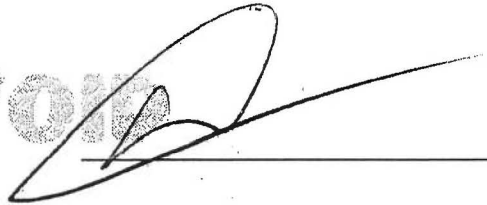
IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS  
TO BE USED:  
N/A

ANY OTHER EXPOSURE TO CITY? N/A

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: N/A

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

TO THE  
ORDER  
OF  
Marlborough Police Department  
355 Bolton Street  
Marlborough, MA 01752



090059 10701751 333639365

SECURITY FEATURES INCLUDED. DETAILS ON BACK

**Solar Wolf Energy Inc**

**90059**

NAME: Marlborough Police Department

CHECK DATE: 7/13/2018

Donation

2,000.00

Citizens Checking

2,000.00



# City of Marlborough

*Arthur G. Vigeant*  
MAYOR

## Office of the Mayor

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
*Thomas J. Milano*  
EXECUTIVE AIDE

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)

2018 AUG 23

*Andrew Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

### Re: Grant Acceptance – Marlborough Fire Department – Solar Wolf Energy

Dear Council President Clancy:

Please find enclosed for your acceptance a grant for the Marlborough Fire Department from Solar Wolf Energy in the amount of \$2,000.00, which will be used by the Fire Department to purchase decals and challenge coins to be used to build department morale.

I have also enclosed a letter, notification of grant award form, and a copy of the check from Solar Wolf Energy.

We thank Solar Wolf Energy, which just recently opened in Marlborough, for their support of our first responders. If you have any questions about the grant, please do not hesitate to contact me or Chief Kevin Breen.

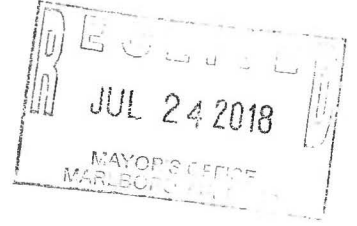
Sincerely,

Arthur Vigeant  
Mayor

Enclosures



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



July 23, 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 \$2,000.00 from Solar Wolf Energy.

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: 7/23/2018

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

NAME OF GRANT: Donation

GRANTOR: Solar Wolf Energy

GRANT AMOUNT: \$2,000.00

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

SCOPE OF GRANT/  
ITEMS FUNDED challenge coins and decals  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**

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

**Solar Wolf Energy Inc**  
134 Worcester-Providence Tpke  
Millbury, Ma 01527

Citizens Bank  
5-7017/2110

**90060**

Printed: WinUser-Solar Wolf Energy; 07/13/18 12:08:02 pm

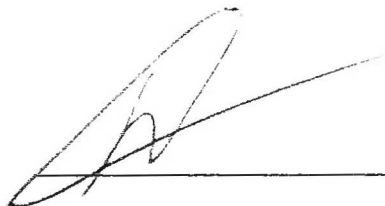
DATE: 7/13/2018

➔ PAY ONLY **2,000**<sup>00</sup> CENTS  
Two Zero Zero Zero

\$ 2,000.00

PAY Two Thousand and 00/100 Dollars

TO THE ORDER OF **Marlborough Fire Department**  
**215 Maple Street**  
**Marlborough, MA 01752**



SECURITY FEATURES INCLUDED. DETAILS ON BACK

⑆090060⑆ ⑆211070175⑆ 1333639365⑆

**Solar Wolf Energy Inc**

**90060**

NAME: **Marlborough Fire Department**

CHECK DATE: **7/13/2018**

Donation

2,000.00

Citizens Checking

2,000.00





# City of Marlborough

*Arthur G. Vigeant*  
MAYOR

## Office of the Mayor

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Nicholas J. Milano*  
EXECUTIVE AIDE

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)

2018 AUG 23 A 11: 24

*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Grant Acceptance – Marlborough Police Department – Target’s Heroes and Helpers Program**

Dear Council President Clancy:

Please find enclosed for your acceptance a grant for the Marlborough Police Department from Target in the amount of \$1,500.00. This grant will be used to fund Target’s annual Heroes and Helpers program. As part of the program, officers will be paired with a child and together they will help choose gifts for the child’s family using the Target gift cards. As Chief Giorgi notes in his letter, this is a rewarding program for officers and members of our community.

I have also enclosed a letter, notification of grant award form, and information from Target regarding this program.

If you have any questions about the grant, please do not hesitate to contact me or Chief David Giorgi.

Sincerely,

**Arthur Vigeant**  
Mayor

Enclosures

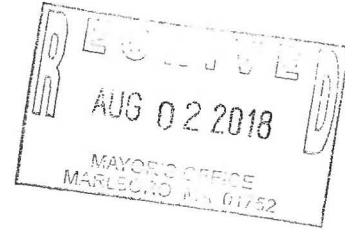


# City of Marlborough

## Police Department

355 Bolton Street, Marlborough, Massachusetts 01752  
Tel. (508)-485-1212 Fax (508)-624-6938

David A. Giorgi  
Chief of Police



August 1, 2018

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

Dear Mayor Vigeant:

The Marlborough Police Department has been awarded a grant in the amount of \$1,500.00 from Target. The grant is part of Target's Heroes and Helpers program and will be used to purchase Target gift cards for children participating in the program. Each participating child will be paired with a Marlborough police officer who will help choose gifts for the child's family using one of the donated Target gift cards. We will simply be turning the \$1,500.00 back over to Target as we participate with them in this program. The department and our officers have participated in this program for several years and it is a rewarding experience for all participants, both the children and the officers.

I am requesting that the grant award be forwarded to the City Council for approval and the event has traditionally taken place during the second week in December at the Target store on Boston Post Road East. Should you have any questions, please do not hesitate to call.

Sincerely,

David A. Giorgi  
Chief of Police

CITY OF MARLBOROUGH  
NOTICE OF GRANT AWARD

DEPARTMENT: POLICE DATE: August 1, 2018

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: HEROES AND HELPERS

GRANTOR: TARGET STORE

GRANT AMOUNT: \$1,500.00

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

SCOPE OF GRANT/  
ITEMS FUNDED HEROES AND HELPERS HOLIDAY PROGRAM

IS A POSITION BEING  
CREATED: N/A

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? \_\_\_\_\_

ARE MATCHING CITY  
FUNDS REQUIRED? N/A

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

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

ANY OTHER EXPOSURE TO CITY?  
N/A

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: December 18, 2018

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

**David Giorgi**

---

**From:** Robert Jusseaume  
**Sent:** Monday, July 30, 2018 8:09 AM  
**To:** David Giorgi  
**Cc:** Robert Jusseaume  
**Subject:** FW: Target Application Approved - Application ID 42167291

FYI

-----Original Message-----

**From:** do-not-reply@cybergrants.com [mailto:do-not-reply@cybergrants.com]  
**Sent:** Friday, July 27, 2018 7:17 PM  
**To:** Robert Jusseaume <rjusseaume@marlborough-ma.gov>  
**Subject:** Target Application Approved - Application ID 42167291

City of Marlborough Massachusetts Police Department  
355 Bolton Street  
Marlborough, MA 01752

Program: Heroes and Helpers  
Payment Amount: \$1,500.00  
Check #0002630475  
Check Date:07/26/2018  
Grant Request ID#42167291

Dear Robert:

Target is pleased to inform you that your organization's grant request has been approved. Your grant check should have arrived, or will arrive in the next few days and is specifically for the program and amount referenced above. If you have not received your check within 30 business days from check date, please reach out to your Target contact. Please note that your grant check is void if it is not cashed within five months.

As always, Target grants are one-time gifts. By making annual commitments, we ensure we can remain flexible and respond to changing community and business needs.

Since 1946, Target has given 5 percent of its profit to communities, which today equals millions of dollars a week. Whether it's inspiring young minds, offering unique cultural experiences or meeting your community's most basic needs; we thank you for your continued commitment to making a difference.

Kind Regards,

Target Corporate Responsibility

CG/JMAIL/131692193



# City of Marlborough

## Office of the Mayor

*Arthur G. Vigeant*  
MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Nicholas J. Milano*  
EXECUTIVE AIDE

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)

2018 AUG 23 A 11:24  
*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Home Rule Petition – Liquor License**

Honorable President Clancy and Councilors:

In December 2017, I submitted a home rule petition that would provide the City of Marlborough with two additional off-premises liquor licenses. After City Council approval in April 2018, it was filed by Representative Danielle Gregoire. Since then, the Legislature has held hearings on the home rule petition but has also made several changes to the original petition.

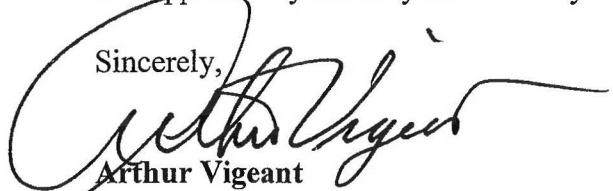
Due to the scope of the changes, the home rule petition must be resubmitted to City Council for approval. The major changes are:

- The Legislature reduced the number of additional off premises licenses from two to one
- The Legislature required that the petition identify Kennedy's Market on Maple Street by name. It is still the Licensing Board's decision whether to grant the licenses
- The Legislature required a two-year window by which Kennedy's Market may apply for the license. If the license is not granted within two years, the license will no longer be available in Marlborough

The original petition said that once a liquor license was issued to a company at a certain address, it could only be used at that address, even if the business closed. The Legislature has kept this provision in the home rule petition. In other words, this license is only available to businesses at this exact location on Maple Street.

As I noted in my original letter to you, the Licensing Board and I agree that Kennedy's Market is a good candidate for an off premises license, if they further develop their market.

I request your support of this home rule petition. The Legislature will not act on it any further until it is approved by the City Council. If you have any questions, please do not hesitate to contact me.

Sincerely,  
  
Arthur Vigeant  
Mayor

**ORDERED:**

That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**An Act authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises.**

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Marlborough may grant 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to Kennedy's Irish Pub Inc. d/b/a Kennedy's Market located at 247 Maple Street in the city of Marlborough. The license shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall not approve the transfer of the license granted pursuant to this act to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license granted pursuant to this act is cancelled, revoked, or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

(d) The license granted pursuant to this act shall be issued within 2 years after the effective date of this act; provided, however, that if the license is originally granted within that time period, it may be granted to a new applicant pursuant to subsection (b) or (c) anytime thereafter.

SECTION 2. This act shall take effect upon its passage.

ADOPTED

In City Council  
Order No. 18-  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY

ATTEST:



# IN CITY COUNCIL

Marlborough, Mass., APRIL 2, 2018

## ORDERED:

That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**An act authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises.**

### SECTION 1.

- (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Marlborough may grant 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138. A license granted pursuant to this act shall be subject to the conditions set by the said licensing authority and shall be subject to all of said chapter 138 except said section 17.
- (b) The licensing authority of the said city shall not approve the transfer of a license granted pursuant to this act to any other person, partnership, corporation, limited liability company, organization or other entity or to any other location.
- (c) If a license granted pursuant to this act is cancelled, revoked, or no longer in use at the location of original issuance, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority of the said city and the said licensing authority may then grant the license to a new applicant at the same location under the same conditions as authorized in this act if the applicant files with the said licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

SECTION 2. This act shall take effect upon its passage.

Be and is herewith **APPROVED**.

ADOPTED

In City Council

Order No. 17/18-1007113B

Approved by Mayor

Arthur G. Vigeant

Date: April 6, 2018

A TRUE COPY

ATTEST:

*Lisa M. Spence*  
City Clerk

# HOUSE . . . . . No. 4621

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, June 18, 2018.

The committee on Consumer Protection and Professional Licensure to whom was referred the joint petition (accompanied by bill, House, No. 4442) of Danielle W. Gregoire, James B. Eldridge and Carmine Gentile (with the approval of the mayor and city council) relative to authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises, reports recommending that the accompanying bill (House, No. 4621) ought to pass [Local Approval Received].

For the committee,

TACKEY CHAN.



**HOUSE . . . . . No. 4621**

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises..

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

1           SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the  
2           licensing authority of the city of Marlborough may grant 1 additional license for the sale of all  
3           alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to  
4           Kennedy’s Irish Pub Inc. d/b/a Kennedy’s Market located at 247 Maple Street in the city of  
5           Marlborough. The license shall be subject to all of said chapter 138 except said section 17.

6           (b) The licensing authority shall not approve the transfer of the license granted pursuant  
7           to this act to any other location, but it may grant the license to a new applicant at the same  
8           location if the applicant files with the licensing authority a letter from the department of revenue  
9           and a letter from the department of unemployment assistance indicating that the license is in  
10          good standing with those departments and that all applicable taxes, fees and contributions have  
11          been paid.

12          (c) If the license granted pursuant to this act is cancelled, revoked, or no longer in use, it  
13          shall be returned physically, with all of the legal rights, privileges and restrictions pertaining

14 thereto, to the licensing authority, which may then grant the license to a new applicant at the  
15 same location under the same conditions as specified in this act. .

16 (d) The license granted pursuant to this act shall be issued within 2 years after the  
17 effective date of this act; provided, however, that if the license is originally granted within that  
18 time period, it may be granted to a new applicant pursuant to subsection (b) or (c) anytime  
19 thereafter.

20 SECTION 2. This act shall take effect upon its passage.



*City of Marlborough*

*Arthur G. Vigeant*  
MAYOR

*Office of the Mayor*

RECEIVED  
CLERK'S OFFICE  
CITY OF MARLBOROUGH

*Nicholas J. Milano*  
EXECUTIVE AIDE

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)

2018 AUG 23 A 11:24  
*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Marlborough Public Library Naming Rights**

Dear Council President Clancy:

Please find enclosed a proposed revision of the City Code to allow the Board of Library Trustees to name public assets located in and at the Marlborough Public Library.

The City Council established a naming rights ordinance for all new public facilities and streets in 1986. The proposed ordinance would keep this in place while allowing the Library Trustees some flexibility to name places or collections within the Library.

Supporters of the Library have organized a capital campaign to raise private funds to defray the cost of the library renovation and addition project. Allowing potential donors to name collections or spaces at the Library will likely assist their efforts to raise funds. Upon City Council approval of this ordinance, the Library Trustees would develop a naming rights policy to apply to all potential naming rights proposals.

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

Sincerely,

**Arthur Vigeant**  
Mayor

Enclosures

## ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING § 551-1, ENTITLED "STREET NAMES," OF CHAPTER 551 AS FOLLOWS:

- I. Chapter 551 is hereby amended by deleting the title of § 551-1 in its entirety and inserting in place thereof the following title:  
  
Names of public streets, highways, places, buildings, spaces and other public assets
- II. Chapter 551 is hereby amended by inserting into § 551-1 the following new paragraph:
  - C. The Board of Library Trustees, having care, custody, management and supervision of the Marlborough Public Library pursuant to § 11 of chapter 78 of the Massachusetts General Laws and § 28 of Division 3 of the Charter of the City of Marlborough may name public assets located in and at the Marlborough Public Library, including internal and external spaces, furnishings, collections, equipment or fixtures, under such terms and conditions as may be specified in a naming policy adopted by the Board of Library Trustees for said public assets which are not otherwise governed by paragraphs A. and B. herein. Said authority of the Board of Library Trustees is in addition to, and not in lieu of, such powers and authorities of the Board of Library Trustees as may be provided by statute, regulation, ordinance or law.

ADOPTED

In City Council  
Order No. 18-  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

*City of Marlborough, MA  
Wednesday, August 1, 2018*

## Chapter 551. Streets and Sidewalks

### Article I. Miscellaneous Provisions

#### § 551-1. Street names.

- A. The several streets in the City shall continue to be called and known by the names by which they are now called and known, until the same shall be altered by the City Council. The City Council may change or alter the name of any street, highway or public place. The Council shall establish the names of all streets, highways and public places hereafter laid out and accepted by the City, or by any other authority within the City, and shall cause signposts to be erected, designating the names.
- B. Effective March 1, 1986, and thereafter, all newly accepted streets, all newly built and/or heretofore unnamed schools, parks and other publicly owned buildings shall be named after deceased Marlborough residents who were veterans of declared wars and/or armed conflicts.  
[Added 2-10-1986 by Ord. No. 86-784]



*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  
**RECEIVED**  
**CITY CLERK'S OFFICE**  
**CITY OF MARLBOROUGH**  
 2018 AUG 23 A 11:39  
*J. Milano*  
 EXECUTIVE AIDE  
*Patricia Bernard*  
 EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Salary Ordinance Amendment**

Honorable President Clancy and Councilors:

Please find enclosed for your review an amendment to the City's salary ordinance to make two changes to a salary in the Human Resources office and Facilities staff. Based on the scope of the work these employees do, I believe their salaries ought to be adjusted to reflect current market demand.

The first change is to the Human Resources Assistant position and reflects an increase as well as a change from the older four step salary schedule to a seven-step schedule. I recommend adding three steps to the current top step salary, increasing 2 percent a year to create a new range from \$53,079.34 to \$59,775.96 in seven increments. This is based on a salary survey conducted by my office of comparable positions in similar communities in Massachusetts. This proposed salary already includes the two percent increase currently in City Council.

The second change is to create a new position that will develop, manage, and implement communications technology projects, focusing on network improvement projects. This will not result in any additional personnel. We expect an incumbent employee to apply for this new position if it is approved by City Council.

I have also enclosed a transfer request that would fund these changes.

Please do not hesitate to contact me with any questions.

Sincerely,

Arthur Vigeant  
 Mayor

Ordered:

Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by inserting into Chapter 125, Section 6, Salary Schedule the following:

Position	Effective Date	Step 1 Start	Step 2 6 months of service	Step 3 1 year of service	Step 4 2 years of service	Step 5 3 yrs. of service	Step 6 4 yrs. of service	Step 7 5 yrs. of service
Human Resources Assistant Manager of Communications Technology	October 1, 2018	\$53,079.34	\$54,140.93	\$55,223.75	\$56,328.23	\$57,454.79	\$58,603.89	\$59,775.96
	October 1, 2018	\$60,389.89	\$61,597.68	\$62,829.64	\$64,086.23	\$65,367.95	\$66,675.31	\$68,008.82

# CITY OF MARLBOROUGH

Marlborough, MA 01752

---

## PUBLIC FACILITIES MANAGER – COMMUNICATIONS TECHNOLOGY

### **RESPONSIBILITIES:**

Under the supervision of the Public Facilities Director, this 40 hour per week position plans voice, data and fiber optic network installations by studying work orders, plans, manuals, and technical specifications; ordering and gathering equipment, supplies, materials, and tools, assessing installation site; preparing an installation diagram.

Establishes fiber optic, voice and data networks by running, pulling, terminating, and splicing cables; installing telecommunications equipment, routers, switches, multiplexors, and cable trays; establishing connections; programming features; establishing connections and integrations; following industry standards; activating remote access tools; coordinating with contractors.

Verifies service by testing circuits, equipment, and alarms; identifying, correcting, or escalating problems.

Design, install and maintain all network surveillance IP camera systems, cameras, video monitors and card access systems.

Documents network by labeling and routing equipment and cables; recording configuration diagrams and specifications.

Maintains network by troubleshooting and repairing outages; testing network back-up procedures; updating documentation.

Maintains customer rapport by listening to and resolving concerns; answering questions. Maintains safe work environment by following codes, standards, and legal regulations. Keeps supplies ready by inventorying stock; placing orders; verifying receipt.

Updates job knowledge by participating in educational opportunities; reading technical publications

### **MINIMUM QUALIFICATIONS:**

High School diploma with advanced technical education preferred. Telecommunications Knowledge and Telecommunications Technologies expertise required. Minimum 7+ years' experience.

**Salary Range:** \$60,389.89 – \$68,008.82





08/23/2018 10:42  
6876nmil

CITY OF MARLBOROUGH  
SALARY TABLES

P 1  
pmgrstep

EFF. DATE	GROUP/BU	GRADE/ RANK	DESCRIPTION	PAY BASIS	FREQUENCY	CALC	PERIODS	HRS/ DAY	HRS/ PERIOD	DAYS/ PERIOD	HRS/ YEAR	DAYS/ YEAR	USE PCT
01/01/2018	CMUN MUNICIPAL	TELE	TELECOMMUN TECH A	ANNUAL	W WEEKLY	11	52.0000	8.00	40.00	5.00	2080.00	260.00	N
Change was made by 2.0000%													
1/1/18 Now position part of MMEA													

STEP/LEVEL	PERCENT	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	0.0000	.0000	0.0000	0.00	0.00
01	0.0000	.0000	0.0000	0.00	0.00
02	0.0000	.0000	0.0000	0.00	0.00
03	0.0000	.0000	0.0000	0.00	0.00
04	0.0000	.0000	0.0000	0.00	0.00
05	0.0000	.0000	0.0000	0.00	0.00
06	0.0000	.0000	0.0000	0.00	0.00
07	0.0000	30.3313	242.6493	1,213.25	63,088.82

\*\* END OF REPORT - Generated by Nick Milano \*\*



08/23/2018 10:43  
6876nmil

CITY OF MARLBOROUGH  
SALARY TABLES

P 1  
pmgrstep

EFF. DATE	GROUP/BU	GRADE/ RANK	DESCRIPTION	PAY BASIS	FREQUENCY	CALC	PERIODS	HRS/ DAY	HRS/ PERIOD	DAYS/ PERIOD	HRS/ YEAR	DAYS/ YEAR	USE PCT
07/01/2017	CNOA NON-AFFILI	PSNL	PERSONNEL ASST	A ANNUAL	W WEEKLY	11	52.0000	7.00	35.00	5.00	1820.00	260.00	N

Change was made by 2.0000%  
No Dollar amount used.

STEP/LEVEL	PERCENT	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	0.0000	26.9954	188.9672	944.84	49,131.46
01	0.0000	28.0540	196.3776	981.89	51,058.18
02	0.0000	29.1760	204.2327	1,021.16	53,100.51
03	0.0000	30.3429	212.3990	1,062.00	55,223.75

\*\* END OF REPORT - Generated by Nick Milano \*\*

8/23/2018

CITY OF MARLBOROUGH  
BUDGET TRANSFERS --

DEPT: Comptroller

FISCAL YEAR: 2019

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$990,000.00</u>	<u>\$7,100.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$3,410.00</u>	<u>11520001</u>	<u>50532</u>	<u>HR Assistant</u>	<u>\$46,734.00</u>
	Reason:	<u>Cover change in Salary Schedule</u>			Reason:	<u>Change in Salary Schedule</u>			
					<u>\$3,690.00</u>	<u>13032001</u>	<u>50385</u>	<u>Electrician</u>	<u>\$109,804.15</u>
	Reason:				Reason:	<u>Change in Salary Schedule</u>			
	 \$7,100.00	Total			 \$7,100.00	Total			

Department Head signature:

Auditor signature:

Comptroller signature:




*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  
**RECEIVED**  
**CITY CLERK'S OFFICE**  
**CITY OF MARLBOROUGH**  
 2018 AUG 23 A 11: 24  
*Nicholas J. Milano*  
 EXECUTIVE AIDE

*Patricia Bernard*  
 EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Land Acquisition – 49 West Main Street**

Dear Council President Clancy:

Please find enclosed for your review an order to finalize the City of Marlborough's acquisition of 49 West Main Street for the potential library project. As you may recall, the City Council previously approved my request to enter negotiations with the property owner and sign a purchase and sale agreement.

The enclosed order would authorize me to close on the property and make payment of the balance of the purchase price, which is \$362,504.00 for a total price of \$381,504.00. No transfer is required at this time because the funds are already available in a capital outlay account. However, the City Council must take a vote to formally appropriate funds for purchasing land. Pending certification of free cash in the next month or two, I will submit a transfer for your review to backfill this capital outlay account.

The Library project has been approved by the Massachusetts Board of Library Commissioners and I anticipate submitting a request to the City Council to fund the project in the coming months. Purchasing this particular property, along with the others on Witherbee Street, will make available additional land area for the library, whether for the addition or potential parking.

Per the Legal Department, the City Council may approve the attached order with a single 2/3 majority vote.

Please do not hesitate to contact me with any questions.

Sincerely,

**Arthur Vigeant**  
**Mayor**

Enclosures

## ORDERED

That by Order No.17-1006760A the City Council of the City of Marlborough authorized the Mayor to negotiate and enter into a purchase and sales agreement for the purchase of 49 West Main Street, and by Order No. 16-1006760B the City Council appropriated funds and approved the use of said funds to bind an offer by the City on a purchase and sales agreement for 49 West Main Street, the performance of which agreement is contingent upon (1) a favorable vote of the City Council authorizing the City to acquire said parcel for the amount stated therein and (2) an appropriation of sufficient funds for said purchase, the Mayor, having thus negotiated a purchase and sales agreement bound by an offer to purchase, the City Council hereby (1) authorizes the City to acquire 49 West Main Street in the total amount of \$381,504.00 as provided in said purchase and sales agreement and (2) by two-thirds vote appropriates from Account No. 19300006-58595 (City Hall Equipment) the balance due on said purchase in the amount of \$362,504.00.

Further, the City Council hereby authorizes the Mayor to accept a deed pursuant to M.G.L. c. 40, § 3 for said property located at 49 West Main Street.

ADOPTED  
In City Council  
Order No. 18-  
Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:



*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)

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 AUG 23 A 11:24

*Arthur G. Vigeant*  
MAYOR

*Nicholas J. Milano*  
EXECUTIVE AIDE

*Patricia Bernard*  
EXECUTIVE SECRETARY

August 23, 2018

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

**Re: Appointments to the Cultural Council**

Honorable President Clancy and Councilors:

Please find enclosed for your review and confirmation the appointment of Monica Lucey to the Marlborough Cultural Council for a term to expire three years from the date of confirmation. Ms. Lucey is the Dean of Faculty and Academics at Hillside School where she also resides. She joined Hillside 11 years ago and has spent her career helping young people grow and become better students.

There are three other pending appointments to the Cultural Council and combined they will ensure the Council has enough membership to continue awarding state grant funding to worthy cultural and arts initiatives in Marlborough.

I ask the City Council to review and confirm these appointments over the next six weeks to ensure that the Cultural Council has additional members prior to the application period for this year's grant funding.

Sincerely,

Arthur G. Vigeant  
Mayor

## Monica J. Lucey

404 Robin Hill Road  
Marlborough, MA 01752

### EDUCATION

#### Providence College

Providence, RI

*Masters of Education in Special Education, May 2005*

- G.P.A. 3.97, Course Highlights: American Sign Language, Behavior Strategies, Teaching Students with Autism

#### Providence College

Providence, RI

*Bachelor of Arts in Elementary Education and Special Education, May 2003*

- G.P.A. 3.33, Dean's List 2001-2003, graduated Cum Laude
- RI Elementary 1-6 and Special Education Certification 1-8 Certification

### EMPLOYMENT

#### Hillside School

Marlborough, MA

*Dean of Faculty and Academics, Chapel Coordinator*

*August 2007-Present*

*Dean of Residential Life, Learning Specialist, 5/6 Teacher*

- Interviewed, hired, trained all faculty involved in the academic program through planning and implementing faculty orientations.
- Supervised faculty, planned professional development activities, conducted observations, attended mediations and managed parent communication between students, faculty and families.
- Managed budget for entire academic program, ensuring that all constituencies received necessary funding and were able to meet their goals.
- Responsible for all aspects of running a smooth residential program, including: roommate placement, dorm placement of students and staff, weekly schedules, planning of weekend activities and coverage, and coordinating travel arrangements and coverage.
- Taught a class of up to 12 5th and 6th grade students of varying abilities and educational profiles, providing differentiation and modifications to curriculum.
- Taught small groups of 1-5 students in organizational/study skills tutorials, language arts skills tutorials and a foreign language alternative class.
- Developed curriculum for organizational tutorials that covered materials management, study skills, organized thinking and time management based on the individual needs of each student.
- Junior Varsity Basketball Coach for a team of 18 fifth through ninth grade students.
- Provided individual support and guidance for academic and social issues for up to six boys as their advisor and mentor and provided their parents with a personal link to the school with bi-weekly updates on their sons' performance.
- Acted as an Administrator on Duty, supervising all faculty, staff and students on campus during the residential hours.
- Acted as a houseparent, supervising a house of 24 boys living at a Junior Boarding School and assisting them in their growth and development into young men.
- Responsible for running a non-denominational chapel program for all boarding students.

#### Content Area Tutor

Providence, RI

*Individual Tutor*

*August 2003-Present*

- Tutored and mentored a college student with cognitive disabilities and OCD and provided guidance in course selection and study skills.
- Provided one-on-one tutoring for an eighth grade student with ADD in all subject areas and developed reading guides and graphic organizers for summer reading.
- Taught Chicago Math to a fourth grade student diagnosed with ADHD and Bipolar Disorder and worked with her to develop her self-confidence and to lower her anxiety level regarding school work.

#### Camp Hayward

Sandwich, MA

*Waterfront Director*

*Summers 2007, 2008*

- Responsible for running the day-to-day operations of waterfront including scheduling lifeguards and eyes on water, supervising staff, mentoring and providing support for staff, mediating disputes between staff and campers.
- Developed a system for evaluating lifeguards who come with many different types of certifications and planned and ran trainings for lifeguards and all staff on pertinent waterfront issues.
- Ensured safety at the waterfront and in all areas of camp through lifeguarding and filling in for the camp nurse during breaks.

## Monica J. Lucey

### Providence College Academic Skills Specialist

*Office of Academic Services*

- Assisted at-risk student-athletes in developing their academic skills.
- Developed Action Plans to address each student-athlete's individual strengths and needs.
- Designed Access Database to track weekly progress of student-athletes and to provide detailed reports to the Coaching Staff and Academic Services Staff.
- Accompanied Men's Basketball Team on road trips to provide academic support while traveling.
- Provided individual support and guidance regarding all academic issues, ran study groups and organized tutoring for student-athletes.
- Developed and presented "Tips and Tricks of Improving Your Memory" for Providence College students.

**Providence, RI**

*September 2006-June 2007*

### Providence College

*Professional Tutor/Skills Specialist*

- Tutored college basketball players and provided them with assistance in their classes.
- Provided individual support and guidance with regard to academic issues to diverse scholarshiped student-athletes, including working with students with cognitive disabilities.
- Worked in conjunction with Coaches, Staff and Academic Services to provide the student-athletes with the highest quality of academic skill building.

**Providence, RI**

*December 2005-August 2006*

### Providence College

*Professional Note Taker and Tutor*

- Responsible for taking notes for a student with a hearing impairment in all of his classes.
- Provided individual support and guidance regarding all academic issues for a student-athlete with a hearing impairment, including providing him with tutoring support.

**Providence, RI**

*July 2005-December 2005*

### The Wheeler School Summer Camp

*Operations Supervisor and Head Counselor*

- As the operations supervisor, managed the day to day operations of the summer camp office.
- Managed all registrations, audited immunization records and staff records to ensure D.O.H. compliance.
- As a Head Counselor, in charge of the safety and well-being of up to 40 campers, and the supervision of up to three staff and three counselors-in-training, and up to 20 campers and two staff at the extended day program.

**Providence, RI**

*May 2004-June 2006*

### Providence College Writing Center

*Coordinator and Supervisor*

- Supervised thirteen student workers, coordinated schedules and ensured integrity of the Writing Center.
- Kept daily, updated and accurate statistics on the Writing Center.
- Assisted in the planning and execution of Tutor Development Days.
- Tutored a student who was hearing-impaired, and a student with cognitive disabilities.
- Presented "It's Still Greek to Me" at the New England Peer Tutoring Conference in April, 2004 and presented "Content Area Tutoring: Reaching the Reluctant Reader" for the Providence College Tutors in April, 2005.

**Providence, RI**

*August 2003-May 2005*

### PROFESSIONAL INVOLVEMENT

- Member, National Academic Advising Association (NACADA)
- Member, National Association of Academic Advisors for Athletics (N4A)
- Member, Council of Exceptional Children (CEC)
- Member, Association for Supervision and Curriculum Development (ASCD)
- Member, JBSA Residential Life Group

### COMMITTEE INVOLVEMENT

*AISNE Re-Accreditation Committee Chairperson*

*April 2016-May 2018*

- Provided insight and clarity into how Hillside does faculty development, professional development, faculty retention and policies on faculty dismissal.

*Human Rights Committee Member, Opportunities Unlimited*

*January 2004-January 2007*

- Evaluated files of adults with developmental disabilities that live in group homes to ensure that agency was acting in their clients best interests and made recommendations to to ensure the highest quality of life for their clients
- Reviewed all instances of physical restraint and contact between staff and clients to be sure that the clients' rights were not violated

*NEASC Committee Member for Organization and Governance*

*January 2007*

- Provided insight into ways the college could improve its methods of disseminating information to the college community



## Monica J. Lucey

### COMMUNITY LEADERSHIP

*Harlem Lacrosse, Harlem, NY*

*August 2017*

- Personally funded \$6,000 SAT Class for inner city high school juniors and seniors looking to attend college who would not have had the ability to take the class otherwise

*Religious Education Teacher, St. Thomas Parish, Providence, RI*

*September 2003-May 2006*

- Instructed fifth grade students in religious education classes

*March of Dimes Walk*

*April 2004-April 2006*

- Raised over \$500 each year to benefit research for premature babies

*McAuley Village Tutor*

*September 2001-May 2003*

- Mentored and tutored children two times per week and provided a stable environment for these children

### PROFESSIONAL PRESENTATIONS

Junior Boarding School Case Studies — What would you do?, JBSA Residential Life Forum, August, 2017

How to Balance Teaching, Coaching and Being a Houseparent When all you want to do is Sleep, JBSA Residential Life Forum, August, 2016

To Be a First Time Houseparent — How to Make your Mark, JBSA Residential Life Forum, August, 2015

Tips and Tricks of Improving Your Memory, Providence College Students, February, 2007

Content Area Tutoring: Reaching the Reluctant Reader, Providence College Peer Tutors, April, 2005

It's Still Greek to Me, New England Peer Tutoring Conference, April, 2004

### CLUBS AND ACTIVITIES

Varsity Division 1 Women's Swimming and Diving Team, Board of Students Supporting Athletes, Pastoral Service Organization-Outreach to Children Committee Chairperson



25  
**City of Marlborough, Massachusetts**  
**CITY CLERK DEPARTMENT**

**Lisa M. Thomas**  
**City Clerk**

The City Clerk be and is hereby authorized and directed to warn and notify the voters of each of the seven (7) Wards and fourteen (14) Precincts of the City of Marlborough, duly qualified to vote in Primaries, to assemble in their respective polling places, as designated by the City Council as follows:

WARD ONE: Precinct 1 and 2	Francis J. Kane School, 520 Farm Road
WARD TWO: Precinct 1 and 2	Francis J. Kane School, 520 Farm Road
WARD THREE: Precinct 1	Senior Center, 40 New Street
WARD THREE: Precinct 2	Raymond J. Richer School, 80 Foley Road
WARD FOUR: Precinct 1 and 2	Senior Center, 40 New Street
WARD FIVE: Precinct 1 and 2	Senior Center, 40 New Street
WARD SIX: Precinct 1 and 2	1LT Charles W. Whitcomb School, 25 Union Street
WARD SEVEN: Precinct 1 and 2	Hildreth School, 85 Sawin Street

On Tuesday, September 4, 2018 then and there, for the purpose of casting their votes in the State Primary for the candidates of political parties for the following offices:

**SENATOR IN CONGRESS**

**GOVERNOR**

**LIEUTENANT GOVERNOR**

**ATTORNEY GENERAL**

**SECRETARY OF STATE**

**TREASURER AND RECEIVER GENERAL**

**AUDITOR**

**REPRESENTATIVE IN CONGRESS**

**COUNCILOR**

**SENATOR IN GENERAL COURT**

**REPRESENTATIVE IN GENERAL COURT**

**REPRESENTATIVE IN GENERAL COURT**

**DISTRICT ATTORNEY**

**CLERK OF COURT**

**REGISTER OF DEEDS**

**FOR THIS COMMONWEALTH**

**FOR THIS COMMONWEALTH**

**FOR THIS COMMONWEALTH**

**FOR THIS COMMONWEALTH**

**FOR THIS COMMONWEALTH**

**FOR THIS COMMONWEALTH**

**FOR THIS COMMONWEALTH**

**THIRD DISTRICT**

**THIRD DISTRICT**

**MIDDLESEX & WORCESTER DISTRICT**

**FOURTH MIDDLESEX DISTRICT**

**THIRTEENTH MIDDLESEX DISTRICT**

**NORTHERN DISTRICT**

**MIDDLESEX COUNTY**

**MIDDLESEX SOUTHERN DISTRICT**

It is further ordered that the polling places legally designated by the City Council be opened at 7:00 o'clock in the forenoon and be closed at 8:00 o'clock in the evening. The City Clerk be and hereby is authorized to cause notice to be given by publication of this Order in a local newspaper and by posting a copy of the same in a conspicuous place in the office of the City Clerk and in each Ward and Precinct of the City.

Edward J. Clancy  
City Council President

This Legal Advertisement will be published on [www.msjnews.com](http://www.msjnews.com) and  
<http://masspublicnotices.org>.

Marlborough City Clerk's Office ■ 140 Main St. ■ Marlborough, Massachusetts 01752  
Telephone (508) 460-3775 ■ Fax (508) 460-3723



*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](mailto:LEGAL@MARLBOROUGH-MA.GOV)

RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 AUG 17 P 1:43

DONALD V. RIDER, JR.  
CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN  
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS  
PARALEGAL

August 17, 2018

Edward J. Clancy  
President  
Marlborough City Council

RE: Benchmark's Deed of Ten Acres to the City of Marlborough

Dear President Clancy and Members:

You will recall having approved last September an order (Order No. 17-1007003A-1) that, among other actions, authorized the Mayor to convey to BSL Marlborough Development LLC ("Benchmark") the City's fee interest in a so-called Sewer Parcel concerning property located at 421 Bolton Street. In turn, that Order made that conveyance subject to, among other things, Benchmark's conveyance to the City of approximately 10 acres at the site. That acreage comprises the "Donated Land" described in condition no. 8 of the special permit granted to Benchmark last September (Order No. 17-1006816E).

Earlier this week, the closing on the property at 421 Bolton Street took place. As a part of that closing, Benchmark executed the deed conveying the Donated Land to the City. A copy of Benchmark's recorded deed is enclosed for your reference. Also enclosed for your consideration and approval is a proposed order accepting the executed and recorded deed for all municipal purposes.

Please let me know if you have any questions or concerns on the above. Thank you for your attention to this matter.

Very truly yours,

Donald V. Rider, Jr.  
City Solicitor

Enclosure  
cc: Mayor  
DPW Commissioner

**ORDERED:**

Having authorized the Mayor, pursuant to Order No. 17-1007003A-1, to convey to BSL Marlborough Development LLC (“Benchmark”) the City’s fee interest in a so-called Sewer Parcel concerning property located at 421 Bolton Street in Marlborough;

And having by that Order made that conveyance subject to, among other things, Benchmark’s conveyance to the City of approximately 10 acres at the site, which acreage comprises the “Donated Land” described in condition no. 8 of the special permit granted to Benchmark in Order No. 17-1006816E;

NOW, THEREFORE, the City Council of the City of Marlborough hereby accepts Benchmark’s executed and recorded deed of the Donated Land to the City for all municipal purposes. A copy of Benchmark’s executed deed, as recorded, is attached hereto.

ADOPTED  
In City Council  
Order No. 18-100

Adopted

Approved by Mayor  
Arthur G. Vigeant  
Date:

A TRUE COPY  
ATTEST:

3 D

Record and return to:

Alan J. Schlesinger  
Schlesinger and Buchbinder, LLP  
1200 Walnut Street  
Newton, MA 02461



2018 00124288

Bk: 71472 Pg: 28 Doc: DEED  
Page: 1 of 3 08/15/2018 10:16 AM

*This space reserved for Recorder's use only*

QUITCLAIM DEED

**BSL MARLBOROUGH DEVELOPMENT LLC**, a Massachusetts limited liability company with an address of 201 Jones Road, Third Floor West, Waltham, Massachusetts 02451 ("Grantor"), for good and valuable consideration paid of less than **ONE HUNDRED and 00/100 DOLLARS (\$100.00)**, grants to **THE CITY OF MARLBOROUGH**, a municipal corporation with a usual place of business at 140 Main Street, Marlborough, Massachusetts 01752 ("Grantee"), **WITH QUITCLAIM COVENANTS**.

That certain parcel of land in Marlborough, Massachusetts, shown as Lot 2 on a "Plan of Land BSL Marlborough Development LLC 421 Bolton Street" by Control Point Associates dated March 22, 2018, last revised June 4, 2018, recorded as Plan No. 470 of 2018. Said parcel of land is granted for all municipal purposes.

Grantor entity is not classified as a corporation for federal income tax purposes for the current taxable year.

Being a portion of the premises conveyed to Grantor in that certain deed from Richard C. Cochrane and Jill E. Cochrane dated August 3, 2018 recorded herewith.

[SIGNATURE PAGE FOLLOWS]

Please return to: Natalie E. Robb  
Fidelity National Title Ins. Co.  
133 Federal Street, 3<sup>rd</sup> Floor  
Boston, MA 02110 15-0148

Property address: Land off of Bolton Street and Poirier Drive, Marlborough, Massachusetts

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed effective as of the 14<sup>th</sup> day of August, 2018.

**BSL MARLBOROUGH  
DEVELOPMENT LLC,**  
a Massachusetts limited liability company

By: Sarah J. Laffey  
Name: Sarah J. Laffey  
Title: VP and Assistant Secretary

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 8<sup>th</sup> day of August, 2018, before me, the undersigned notary public, Sarah Laffey, Manager of BSL Marlborough Development LLC, personally appeared, proved to me through satisfactory evidence of identification, which was Drivers license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as the voluntary act of BSL Marlborough Development LLC.

Linda Marrone  
Notary Public

Printed Name: Linda marrone

My Commission Expires: 1 | 27 | 2023



LINDA P MARRONE  
NOTARY PUBLIC  
Commonwealth of Massachusetts  
My Commission Expires  
January 27, 2023

[Seal]

ACCEPTED this 14<sup>th</sup> day of August, 2018.

CITY OF MARLBOROUGH

By: [Signature]  
Name: Arthur G. Vigeant  
Title: Mayor, City of Marlborough

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 9<sup>th</sup> day of August, 2018, before me, the undersigned notary public, Arthur G. Vigeant, in his capacity as Mayor of the City of Marlborough, personally appeared, proved to me through satisfactory evidence of identification, which was Personal Knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as the voluntary act of the City of Marlborough.

[Signature]

Notary Public

Printed Name: Ellen M. Stavropoulos

My Commission Expires: May 30, 2019





*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](mailto:LEGAL@MARLBOROUGH-MA.GOV)

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 CITY OF MARLBOROUGH

2018 AUG 22 P 1:15

DONALD V. RIDER, JR.  
 CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN  
 ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS  
 PARALEGAL

August 23, 2018

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

RE: Apex Center - Revised Open Space Plan & Revised Open Space Covenant and Restriction

Dear President Clancy and Members:

Enclosed please find a revised Open Space Plan and revised Open Space Covenant and Restriction, both of which correspond to Order No. 16/17/18-1006443WW. Said order, which concerns the Open Space Covenant and Restriction pursuant to paragraph 20 of the Development Agreement between Walker Realty LLC and the City of Marlborough, was tabled at the March 12, 2018 meeting of the Legal & Legislative Committee pending submission of a revised plan with defined boundaries. Accordingly, Walker Realty LLC has provided the enclosed revised plan.

Also at the March 21, 2018 meeting, the Legal & Legislative Committee requested that the Legal Department insert certain terms into the Open Space Covenant and Restriction. Those certain terms are highlighted on the enclosed revised Open Space Covenant and Restriction.

I respectfully request that you send the revised Open Space Plan and revised Open Space Covenant and Restriction to the Legal & Legislative Committee for its review and recommendation. Thank you for your attention to this matter.

Very Truly Yours,

/s/ Cynthia Panagore Griffin

Cynthia Panagore Griffin

Enclosures

Cc: Priscilla Ryder, Conservation Officer  
 Thomas DiPersio, City Engineer  
 Kevin Eriksen, Esq.



## OPEN SPACE COVENANT AND RESTRICTION

This OPEN SPACE COVENANT AND RESTRICTION (hereinafter, the “Covenant”) is entered into this \_\_\_ day of \_\_\_\_\_ 2018 by Walker Realty LLC, a Massachusetts limited liability corporation with a usual address of 4 Lan Drive, Westford, MA 01886 and Marlboro Hospitality, LLC, a Massachusetts limited liability company with a usual address of 4 Lan Drive, Westford, MA 01886, their respective successors as fee owners of the hereinafter described Restricted Land (hereinafter, collectively, the “Covenanting Party”) with the City of Marlborough, a municipal corporation with an address of 140 Main Street, Marlborough, MA 01752 (hereinafter, the “Benefitted Party”).

Reference is made to the following facts which set forth the background to this Covenant:

- A. The Covenanting Party is the fee owner of certain property located off Boston Post Road West, Marlborough, Massachusetts known as Lots 11, 12, and 13A as shown on a plan entitled “Subdivision Plan of Land in Marlborough, Massachusetts” prepared by VHB Inc., dated May 4, 2017, revised through June 14, 2017 and recorded at Middlesex County South Registry of Deeds at Plan Book 2017, Plan 574, (the “Property”), said Restricted Land being a portion thereof.
- B. Pursuant to Section 650-35 of the City of Marlborough Zoning Ordinance, the Property is located within the Hospitality and Mixed Use Overlay District (hereinafter, the “HRMUOD”).
- C. Pursuant to the provisions of Section 650-35 of the City of Marlborough Zoning Ordinance, the Marlborough City Council approved a Development Agreement, which is recorded with the Middlesex South Registry of Deeds in Book 68164, Page 152, for the development of the Property as permitted in the HRMUOD.
- D. Pursuant to paragraph 20 of said Development Agreement, the Covenanting Party is required as a condition of site plan approval to grant to the Benefitted Party a perpetual easement for an additional non-disturbance area to be left as undevelopable Open Space (hereinafter, the “Restricted Land”) at the Property (hereinafter, the “Covenant Requirement”).
- E. In connection with site plan approval, pursuant to the Development Agreement the Covenanting Party desires to restrict 638,500 square feet or 14.6 acres of land, more or less, more particularly described on the plan entitled “Open Space Exhibit, For: Apex Center, 240 Boston Post Road W, Marlborough, MA,” dated 3/21/8 and designated as Exhibit A attached hereto and incorporated herein as the Restricted Land consisting of open space left substantially in its natural state as undevelopable open space in accordance with the terms of this Covenant and in fulfillment of the Covenant Requirement.

NOW THEREFORE for good and valuable consideration, which is acknowledged, the undersigned hereby COVENANTS with the City of Marlborough, acting by and through its Mayor, duly authorized by the Marlborough City Council, as follows:

I. COVENATING PARTY:

Walker Realty LLC, a Massachusetts limited liability corporation, and Marlborough Hospitality LLC, are the fee owners of the Restricted Land.

II. PURPOSES:

The purposes of this Open Space Covenant and Restriction (hereinafter, this "Covenant") are for the perpetual conservation and preservation of open space, passive recreation, to assure that the Restricted Land will be retained, in perpetuity, in its natural, scenic, wetlands and wooded condition.

III. PROHIBITED AND PERMITTED ACTS AND USES:

A. Prohibited Acts and Uses: Subject to the exceptions set forth hereinafter, the Covenanting Party will not perform or permit the following acts and uses which are expressly prohibited on, above, and below the Restricted Land:

1. Constructing or placing any buildings, constructing or placing parking, roadways or walkways or other structures or pads from asphalt, stone, synthetic or concrete or other materials, fences, signs, billboards or other advertising displays, antennas, utility poles, towers, cabinets, telecommunications equipment of any kind, conduits, lines or other temporary or permanent structures, facilities or accessory uses whatsoever, including portions thereof, on, below, or above the Restricted Land;
2. Mining, excavating, dredging or removing from the Restricted Land soil, loam, peat, gravel, sand, rock or other mineral resources or natural deposits;
3. Placing, filling, storing or dumping on the Restricted Land of soil, refuse, trash, vehicle bodies or parts, rubbish, chemicals, debris, junk, waste or other objects, substances or materials whatsoever or the installation of underground storage tanks;
4. Cutting, removing or otherwise destroying trees, grasses or other vegetation;
5. The stockpiling and composting of stumps, trees, shrubs, grasses, brush limbs or similar materials and snow;
6. Any uses or acts which would impair or be detrimental to the public walking trail easements recorded with the Middlesex County South Registry of Deeds in Book 70162, Page 310 and Book 70162, Page 318, and to the sewer easement, recorded with the Middlesex County South Registry of Deeds in Book 70162, Page 327;

7. Activities detrimental to drainage, flood control, water conservation, wildlife habitat, erosion control or soil conservation;
8. Hunting, trapping and fishing;
9. Any other use of the Restricted Land or activity adverse to conservation or which would materially impair the character of the land as open space left substantially in its natural state, unless necessary for protection of the land as such land left substantially in its natural state; and
10. Use of motorized vehicles including but not limited to trucks, cars, all-terrain vehicles, dirt bikes, motorcycles, campers, trailers and snowmobiles.

B. Exceptions to Otherwise Prohibited Acts and Uses: Notwithstanding anything to the contrary contained in Paragraph A. above, the following acts and uses are permitted:

1. The maintenance and modification of vegetation, excavation, dredging, removal of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposits on the Restricted Land for conservation, habitat management or scientific purposes;
2. Construction, reconstruction, modification, inspection, maintenance, repair and use of easements of record, drainage facilities, wastewater facilities and other utilities and rights of way, if any, to service the Property, of which the Restricted Land is a part, and/or to service any other land outside of the Property which is Benefitted by these appurtenances, together with any and all rights and easements of record necessary and desirable to effectuate the foregoing;
3. Drainage from adjoining land;
4. The erection and maintenance of signs identifying ownership of the Restricted Land, its status as land subject to an Open Space Covenant and Restriction, the restrictions on the use of the Restricted Land, the identity of areas of interest, natural features or other characteristics of the Restricted Land, and the aforementioned public walking trail easements recorded with the Middlesex County South Registry of Deeds;
5. With the prior approval of the Tree Warden of the City of Marlborough, the removal of hazardous, downed, dead or dying trees or tree limbs, although some deadfall may remain as den trees and to otherwise support wildlife; the de minimus cutting and removal of shrubs and other vegetation, the planting of native trees, shrubs and other vegetation, and the removal of debris or trash for normal maintenance of the Restricted Land in a natural condition and to prevent threat of injury or damage to persons or property;
6. Measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, or rare and or endangered species including selective planting of native trees, shrubs and plant species, and removal of non-native and invasive plant species;

7. The placing of fences and benches that do not interfere with the purposes of this Covenant;
8. Trapping to control nuisance wildlife species pursuant to M.G.L. c. 131, § 80A;
9. The maintenance, removal or replacement of utilities, underground structures, good drainage, soil conservation or to other permissible uses of the Restricted Land;
10. On the aforementioned public walking trails only, the use of the Restricted Land by the public for passive recreational activities such as walking, snowshoeing, biking, cross-country skiing, nature study, bird watching, and the like;
11. The repair, maintenance, and reconstruction of the walking trails and the sewer easement, and appurtenances thereto, in conformance with the recorded walking trail easements and sewer easement, recorded at the Middlesex County South Registry of Deeds as provided herein, including but not limited to upgrading the surface of the walking trails, and as reasonably necessary such fences, bridges, gates, and stonewalls, if any, as may be located on the Restricted Land; and
12. Motorized vehicles necessary for public safety (e.g., fire, police, ambulance and other government officials) in carrying out their lawful duties or as necessary in furtherance of any use permitted under this Section III (B).

#### IV. MAINTENANCE AND STEWARDSHIP OF THE RESTRICTED LAND

The Benefitted Party, its agents and assigns, may enter upon the Restricted Land at reasonable times and with reasonable advanced written notice to monitor the Covenanting Party's compliance with this Covenant and to otherwise enforce the terms thereof, provided, however, that the Benefitted Party shall provide reasonable notice of entry to the Covenanting Party.

#### V. MISCELLANEOUS

- A. The burdens of this Covenant shall run with the Restricted Land in perpetuity and shall be enforceable against the Covenanting Party and the successors and assigns of the Covenanting Party holding any interest in the Restricted Land, provided however, Covenanting Party and each successive owner of the Restricted Land (or portion(s) thereof) shall be liable only for those matters arising during the respective party's ownership of the Restricted Land (or portion(s) thereof) and only to the extent of its ownership of the Restricted Land (or portion(s) thereof). Nothing contained in this Covenant shall be construed to entitle the Benefitted Party to bring any action against the Covenanting Party for any injury or change in the Restricted Land resulting from causes beyond the Covenanting Party's control, including but not limited to fire, flood, storm and earth movement, or from any prudent action taken by the Covenanting Party under emergencies, conditions to abate, prevent or mitigate significant injury to the Restricted Land from such causes.
- B. The rights hereby granted shall include the right to enforce this Covenant by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations. The

Covenantee Party covenants and agrees to reimburse the Benefitted Party all reasonable costs and expenses (including reasonable attorney's fees) incurred in enforcing this Covenant or in taking reasonable measures to remedy, correct, or abate any violation thereof, provided that a violation of this Covenant is acknowledged by the Covenantee Party to have occurred or determined by a court of competent jurisdiction to have occurred.

- C. Any election by the Benefitted Party as to the manner and timing of its right to enforce this covenant and restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be waiver of such rights.
- D. This Covenant may be amended to permit additional uses permitted within open space land in the City of Marlborough by the recording of an instrument executed by the Covenantee Party and the Benefitted Party, with approval of the Marlborough City Council and the Mayor of the City of Marlborough.
- E. This Covenantee Party and the Benefitted Party, on their own behalf and on behalf of their successors and assigns, agree and represent as follows: (i) pursuant to M.G.L. c. 184, § 23, the foregoing Covenant is a gift for the public purpose of preservation of land in its natural state with rights of public access thereto as provided in the above-referenced walking trail easements; and (ii) pursuant to M.G.L. c. 184, § 26, the foregoing Covenant is a restriction held by a governmental body, which shall be duly recorded and indexed in the grantor index on the registry of deeds or registered in the registry of deeds in the registry district of the land court for the county or district wherein the land lies so as to affect its title, and which describes the land by metes and bounds or by reference to a recorded or registered plan showing its boundaries. Accordingly, the foregoing Covenant shall remain in effect in perpetuity, and shall not be subject to the limitation on the period of a covenant of unlimited duration set forth in M.G.L. c. 184, § 23 on the periods of its enforceability set forth in M.G.L. c. 184, § 27.
- F. The Benefitted Party is authorized to record or file notices or instruments, if any, appropriate to assuring the perpetual enforceability of this Covenant. Without limiting any of the foregoing, the Covenantee Party its successors and assigns agree to execute any such reasonable instruments within a commercially reasonable period of time after written request of the Benefitted Party.
- G. The foregoing is not intended to constitute a conservation restriction under M.G.L. c. 184, §§ 31 and 32.
- H. The foregoing Covenant is not intended to be a disposition of land or easement and is not intended to be subject to the provisions of Article 97 of the Constitution of the Commonwealth. Further, by acceptance hereof, the Benefitted Party hereby specifically contractually agrees with the Covenantee Party, in consideration for the grant of this Covenant, to retain the right to release or modify the terms of this Covenant without being subject to the provisions of Article 97 of the Constitution of the Commonwealth.

- I. By Order of the Marlborough City Council, attached hereto as Exhibit B, this Covenant has been approved, and the gift thereof accepted, by the Marlborough City Council in accordance with paragraph 20 of the Development Agreement, which paragraph concerns the recording of a perpetual easement for an additional non-disturbance area at the Property to be left as undevelopable Open Space.
- J. This Covenant shall be and is binding upon the grantee's or successors in title to the Covenanting Party, which agrees to incorporate by reference the terms of this Open Space Covenant and Restriction in any deed or other legal instrument by which it divests itself of any interest in all or any portion of the Restricted Land, it being the express intention and understanding and agreement that this covenant shall constitute a covenant running with the land. Without limitation, the Covenanting Party, on its own behalf and on behalf of its successors and assigns, waives and relinquishes any right to assert that the Covenant does not constitute a gift to a governmental body for a public purpose.

The Marlborough City Council shall be the Benefitted Party under this Covenant until the City Council transfers, if at all, said status as Benefitted Party to the Conservation Commission of the City of Marlborough, after which the Conservation Commission shall be the Benefitted Party under this Covenant until the City Council transfers said status as Benefitted Party under this Covenant, if at all, to itself or to another department, board or commission of the City of Marlborough.

- K. If any provision of this Covenant shall to any extent be held invalid, the remainder shall not be affected.
- L. The Covenanting Party and the Benefitted Party intend that the covenants and restrictions arising hereunder take effect on the day and year this Restriction is recorded in the official records of the Middlesex County South Registry of Deeds, after all signatures have been affixed hereto. This document and any exhibits thereto shall be recorded in a timely manner by the Benefitting Party, at its sole expense, upon execution by all parties.

Witness our hands and seals this \_\_\_\_ day of \_\_\_\_\_, 2018.

**FOR THE COVENANTING PARTY:**

**FOR THE BENEFITTED PARTY:**

WALKER REALTY LLC

THE CITY OF MARLBOROUGH

By and through its duly authorized Mayor:

\_\_\_\_\_  
Robert Walker, Manager

\_\_\_\_\_  
Arthur G. Vigeant, Mayor  
In his official capacity



MARLBOROUGH HOSPITALITY LLC

\_\_\_\_\_  
Robert Walker, Manager

**COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 2018, before me, the undersigned notary public, personally appeared Robert A. Walker, Manager, proved to me through satisfactory evidence of identification, which was Personal Knowledge to be the person whose name is signed on the preceding/attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

**COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 2018, before me, the undersigned notary public, personally appeared Arthur G. Vigeant, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_ (source of identification) to be the person whose name is signed on the preceding/attached document in his official capacity as the Mayor of the City of Marlborough, and acknowledged to me that he signed it voluntarily for its stated purpose.

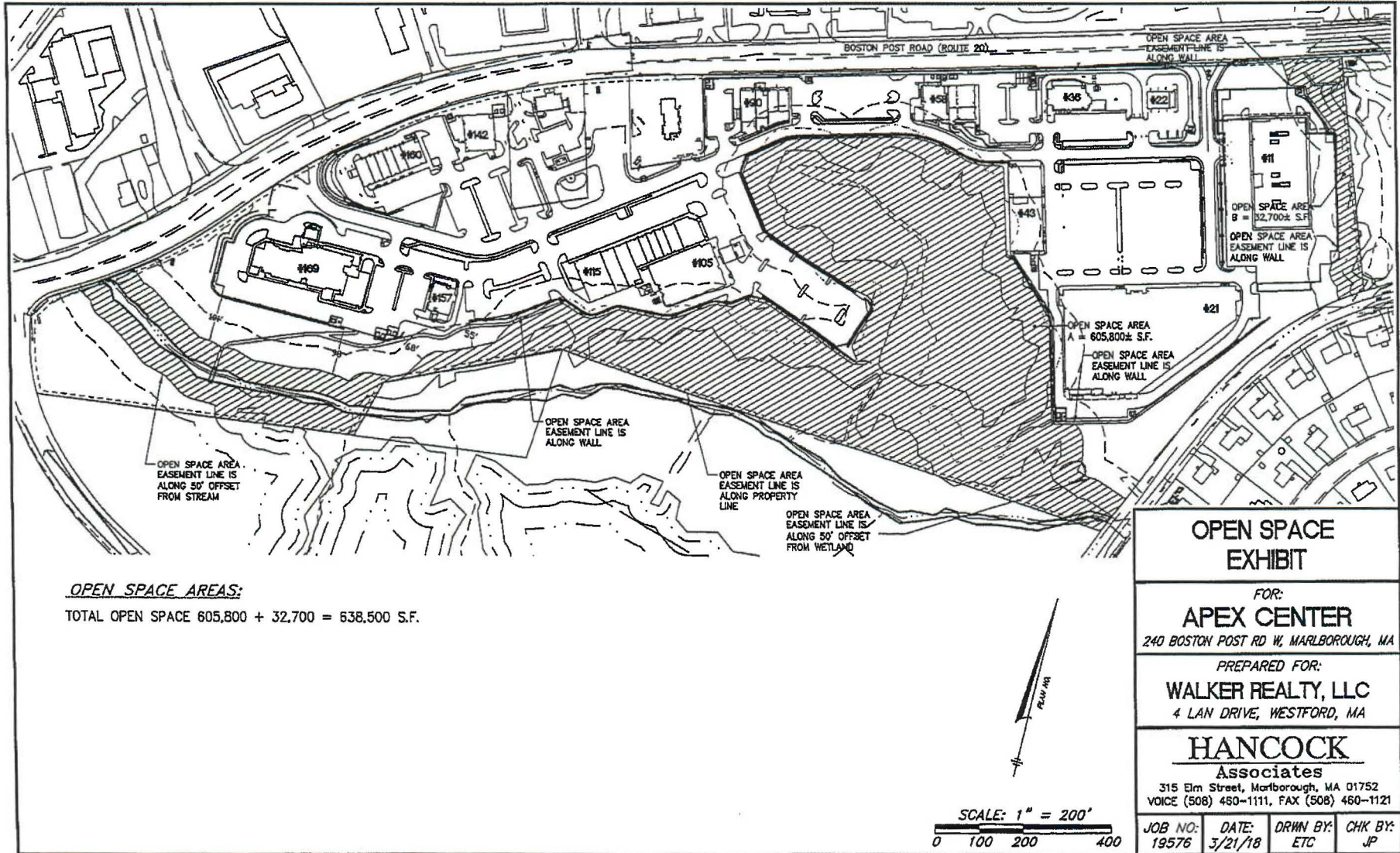
\_\_\_\_\_  
Notary Public

My Commission Expires

**EXHIBIT A**



**EXHIBIT B**



OPEN SPACE AREAS:

TOTAL OPEN SPACE 605,800 + 32,700 = 638,500 S.F.

<b>OPEN SPACE EXHIBIT</b>			
FOR:			
<b>APEX CENTER</b>			
240 BOSTON POST RD W, MARLBOROUGH, MA			
PREPARED FOR:			
<b>WALKER REALTY, LLC</b>			
4 LAN DRIVE, WESTFORD, MA			
<b>HANCOCK Associates</b>			
315 Elm Street, Marlborough, MA 01752			
VOICE (508) 460-1111, FAX (508) 460-1121			
JOB NO:	DATE:	DRWN BY:	CHK BY:
19576	3/21/18	ETC	JP

P:\18116\18116.dwg 3D Project\18116-Open-Space-Exhibit.dwg  
 Plot: 18116-Open-Space-Exhibit.dwg  
 Date: 3/21/18  
 Time: 10:00 AM



*City of Marlborough*  
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*Commonwealth of Massachusetts*  
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PLANNING BOARD 28-1

Barbara L. Fenby, Chair  
Colleen Hughes  
Philip Hodge  
Sean N. Fay  
George LaVenture  
Greg Gallagher  
Christopher Russ

**Krista Holmi, Administrator**

**Phone: (508) 624-6910 x33200**

**Email: [planning\\_board@marlborough-ma.gov](mailto:planning_board@marlborough-ma.gov)**

**[kholmi@marlborough-ma.gov](mailto:kholmi@marlborough-ma.gov)**

July 27, 2018

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

RE: Council Order#18-1007198D Proposed Zoning Amendment, Article VI Section 650-22, Retirement Community Overlay District.

Honorable President Clancy and Councilors:

At its regularly scheduled Planning Board meeting on July 23, 2018, the Board took the following action regarding the above-referenced Council order:

On a motion by Mr. Fay and seconded by Mr. LaVenture, the Board voted to make a favorable recommendation to the City Council on the proposed zoning amendment. The Board requested that the City Council provide further evaluation of parking needs to determine the adequacy of one (1) parking space per dwelling unit. Motion carried.

The Board provided the following reasons in reaching its recommendation:

- The developer established that the proposed overlay district would result in a development meeting a demonstrated need for a diversified housing stock in the City of Marlborough;
- The developer established that the proposed overlay district would benefit the City by providing an age-restricted (Age 55+) housing option with a positive fiscal impact to the City of Marlborough;
- The developer established to the Board's satisfaction that the proposed overlay district fits into the neighborhood, and in the Board's opinion, approval of the overlay district for this area would not unduly burden abutters.

The Planning Board favorably viewed the developer's revisions, as they address the Board's reservations as follows:

- In Section 2. ii. (2) The revised amendment specifies a *RCO-MF (Retirement Community-Multifamily)* may contain one (1) bedroom units, two (2) bedroom units, and studio units... (This revised amendment eliminates three (3) bedroom units in RCO-MF).

- In Section 2. ii. (5) *No part of any principal building in a multifamily retirement community shall be less than 50 feet from any exterior lot line or less than 100 feet from a public way.* This revised amendment doubles the previous setbacks of 25 feet from any exterior lot line or 50 feet from a public way. The new larger setbacks in RCO-MF provide additional protection for abutters.
- In Section 2. ii (10) *A minimum of 1.0 parking space per dwelling unit shall be provided in a RCO-MF.* As reflected in its vote, the Board would like the City Council to review the adequacy of one (1) parking spot per dwelling unit.

Sincerely,

Handwritten signature of Barbara L. Fenby in cursive script, with the initials 'KH' at the end.

Barbara L. Fenby  
Chairperson

cc: City Clerk ✓  
File



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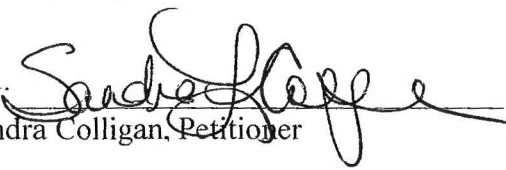
**AGREEMENT TO EXTEND  
TIME LIMITATIONS**

Order No.18-1007244: Application for Special Permit from Sandra Colligan to demolish existing house and build a new two-story home at 21 Patten Drive, Marlborough, MA  
-REFER TO URBAN AFFAIRS COMMITTEE  
**PUBLIC HEARING: JUNE 18, 2018**

The decision of the special permit granting authority shall be made within ninety days following the date of such public hearing. The required time limits for a public hearing and said action may be extended by written agreement between the petitioner and the special permit granting authority. A copy of such agreement shall be filed in the office of the City Clerk.

Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, is hereby extended, by agreement, until 10:00 p.m. on **October 30, 2018**.

By: \_\_\_\_\_  
Edward J. Clancy, City Council President,  
acting on behalf of, and at the direction of,  
the special permit granting authority:  
**Marlborough City Council**

By:   
Sandra Colligan, Petitioner



CITY OF MARLBOROUGH  
*Office of the City Council*  
140 Main Street  
Marlborough, Massachusetts 01752  
(508) 460-3711 TDD (508) 460-3610


**AGREEMENT TO EXTEND  
TIME LIMITATIONS**

Order No.18-1007245: Application for Special Permit from Atty. Falk, on behalf of Jefferson Street Residences, 27 Jefferson Street, to build an eleven (11) unit two story, multifamily condominium at 27 Jefferson Street  
-REFER TO URBAN AFFAIRS COMMITTEE  
**PUBLIC HEARING: JUNE 18, 2018**

The decision of the special permit granting authority shall be made within ninety days following the date of such public hearing. The required time limits for a public hearing and said action may be extended by written agreement between the petitioner and the special permit granting authority. A copy of such agreement shall be filed in the office of the City Clerk.

Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, is hereby extended, by agreement, until 10:00 p.m. on **October 30, 2018**.

By: \_\_\_\_\_  
Edward J. Clancy, City Council President,  
acting on behalf of, and at the direction of,  
the special permit granting authority:  
**Marlborough City Council**

By:   
\_\_\_\_\_  
Brian Falk, Esq.  
Acting on behalf of, and at the direction of,  
Petitioner  
**Stas Burdan, Jefferson Street Residences  
27 Jefferson, LLC**





THE COMMONWEALTH OF MASSACHUSETTS  
STATE RECLAMATION & MOSQUITO CONTROL BOARD

**CENTRAL MASSACHUSETTS  
MOSQUITO CONTROL PROJECT**

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



COMMISSION CHAIRMAN  
RICHARD DAY

EXECUTIVE DIRECTOR  
TIMOTHY D. DESCHAMPS

July 20, 2018

City of Marlboro  
Health Department  
Marlboro, MA 01752

Central Massachusetts Mosquito Control Project personnel will be in your community to respond to residents' concerns about mosquitoes in their area on the following dates in August:

**August 1, 8, 15, 22, 29**

**Any dates in August are very tentative**, and all dates are subject to change due to weather conditions, mosquito populations, mosquito virus activity and/or special event spraying. This program will shut down when cool night time temperatures become predominant in the area. A detailed notice about our spray schedule is posted on the CMMCP phone system after 3:30 p.m. each day, and it is also listed on our website at <http://www.cmmcp.org/pesticide.htm>.

Requests for service may be recorded by calling the CMMCP office at (508) 393-3055 between 7:00 AM - 3:30 PM, Monday through Friday, or logging on to <http://www.cmmcp.org>. Results of these requests may initiate an application of mosquito insecticides to defined, site-specific areas of town. Such an application may be accomplished by using hand or truck mounted equipment depending on the extent of the application.

Per 333CMR13.03(1)(a): "Wide Area Applications of pesticides and mosquito control applications of pesticides approved by the State Reclamation and Mosquito Control Board shall not be made to private property which has been designated for exclusion from such application by a person living on or legally in control of said property." For more information please check: <http://www.cmmcp.org/exclusion.htm>.

Please list this information in the local newspapers and on the local cable access channels if possible. Thank you for your assistance.

Sincerely,

*Timothy D. Deschamps*

Executive Director

cc: City/Town Clerk  
Police Department



**CITY OF MARLBOROUGH**  
Marlborough, Massachusetts 01752

**Fort Meadow Commission**

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2018 JUL 24 A 8:48



**TOWN OF HUDSON**  
Hudson, Massachusetts 01749

**September 21, 2017**  
**Fort Meadow Commission Meeting Minutes**

7:00 PM - Meeting called to order in the Hudson Town Hall

In attendance:

- Marlborough Commissioners Thomson and DelGenio
- Hudson Commissioner Kaczmarek and Agent Pelletier
- 13 residents from Hudson and Marlboro

Minutes:

- Minutes from August 19, 2017 meeting reviewed and approved by Commissioners Thomson, DelGenio and Kaczmarek
- Safety and warning rules
  - No update
- Weed Treatment/Algae
  - City of Marlboro and Town of Hudson has approved the drawdown for October 2, 2017 letter to residents be completed tomorrow
  - Hudson has approved the treating of Phragmites, Marlboro has the item on their agenda tonight.
  - Blue/Green Algae spotted in some local areas near spillway and Memorial Beach. Fort Meadow Commission, Conservation Commission and Board of Health are all monitoring the situation. To date, no outbreaks have been extensive or long lasting.
- Hixon Boat Launch
  - Launch gate locks
    - Locks were swapped by the end of the day on August 20<sup>th</sup>
    - 5 residents applied for and received both old and new keys

7:50 PM - Meeting adjourned

2017 Remaining Meeting Schedule (all meetings at 7:00 PM on third Thursday of the month)

None





**CITY OF MARLBOROUGH**  
Marlborough, Massachusetts 01752

**Fort Meadow Commission**  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH

2018 JUL 23 P 1:59



**TOWN OF HUDSON**  
Hudson, Massachusetts 01749

**May 24, 2018**  
**Fort Meadow Commission Meeting Minutes**

7:00 PM - Meeting called to order in the Marlboro City Hall

**In attendance:**

- Marlborough Commissioners Thomson and DelGenio and agent Gould and Blatchley
- Hudson Agent Pelletier
- 3 residents from Hudson and Marlboro

**Minutes:**

- Minutes from September 21, 2017 meeting reviewed and approved by Commissioners Thomson and DelGenio
- Safety and warning rules
  - No update
- Weed Treatment/Algae
  - Weed treatment survey pending, treatment recommendation to follow if required
  - The commissioners voted to recommend that the weed control measures proposed for 2018 by the contractor Solitude Management be followed. Commissioner Thomson will notify both Hudson and Marlborough Conservation Commissions of the vote.
- Hixon Boat Launch
  - All buoys have been installed
  - Dock has been installed

7:50 PM - Meeting adjourned

2018 Remaining Meeting Schedule (all meetings at 7:00 PM on third Thursday of the month)

Hudson	Marlboro
June 21	July 19
August 16	September 20



**CITY OF MARLBOROUGH**  
Marlborough, Massachusetts 01752

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**Fort Meadow Commission**  
2018 JUL 23 P 1:59



**TOWN OF HUDSON**  
Hudson, Massachusetts 01749

**June 21, 2018**  
**Fort Meadow Commission Meeting Minutes**

7:08 PM - Meeting called to order in the Hudson Town Hall

In attendance:

- Marlborough Commissioners Thomson and DelGenio and Agent Blatchley
- Hudson Commissioner Kaczmarek and Agent Pelletier
- 3 residents from Hudson and Marlboro

Minutes:

- Minutes from May 24, 2018 meeting reviewed and approved by Commissioners Thomson and DelGenio as written
- Safety and warning rules
  - No update
- Weed Treatment/Algae
  - Weed treatment survey done June 1
  - Weed control measures conducted on June 12
- Hixon Boat Launch
  - All buoys have been installed
  - Dock has been installed

7:39 PM - Meeting adjourned

2018 Remaining Meeting Schedule (all meetings at 7:00 PM on third Thursday of the month)

Marlboro  
July 19  
September 20

Hudson  
August 16

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CITY OF MARLBOROUGH  
2018 JUL 25 P 12:57



**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, June 27, 2018 at 10:00 am in Memorial Hall, 3<sup>rd</sup> Floor, City Hall. Members present: Chairman - Police Chief David Giorgi, DPW Commissioner John Ghiloni and City Clerk Lisa Thomas. Also present: Assistant City Engineer Tim Collins, Sgt. Dan Campbell – MPD Traffic Services Unit, City Councilor Mike Ossing and City Solicitor Don Rider. Minutes taken by Karen Lambert, MPD Records Clerk.

**1- Minutes**

The minutes of the Traffic Commission meeting of Wednesday, May 30, 2018.

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

**2 - New Business**

**2a) Pleasant St./Crowley Drive Issue**

Councilor Robey sent an email to Chief Giorgi on behalf of a resident of Avery Lane. He was concerned about the increase in traffic if an over 55 development were to go in at the undeveloped lot at the end of Crowley Drive. He is already concerned with the traffic in the area. He asked what could be done about traffic on Pleasant Street now and the current street signs. Councilor Robey had pictures of the speed limit signs on Pleasant Street some of which were hidden by trees. She asked if the trees could be trimmed. She also asked, if the over 55 development were approved, if it would be possible to have a traffic light installed, similar to what has been proposed for Rte. 85 at Poirier Drive, placed at this location.

Commissioner Ghiloni advised that he spoke to the Forestry Department this morning and the trees blocking the stop signs are on the list for trimming. With regard to the request for a traffic light, Counselor Ossing mentioned that initially there were plans for a

mall at this location and he thinks the wiring for traffic lights was installed at that time. Tim Collins said that yes, he thinks can holes for lights are there. He had an aerial photo of the area. At one point, it was thought that that the warrants for a traffic signal would be met, mainly based on volume. Traffic lights can't be installed just because they are requested. There are very specific warrants (i.e. requirements) that need to be met. The original development plans were discussed back in 2003 and here it is, 15 years later, and the area is still not developed. He said that we would first have to wait for the area to be build up and then do a traffic study with the increased volume.

Mr. Collins also explained that this area actually has very different conditions then the intersection of Poirier Drive and Bolton Street. He passed out a summary of the Traffic Signal Warrant Methodology for this intersection. There are 9 Warrants (requirements) for the installation of Traffic Signals, they are based on such factors as vehicular volume, peak hour volume, pedestrian volume, crash experience etc. This area was found to meet the Peak Hour Warrant and Crash Experience Warrant. The lights at this intersection will only function at specific peak hours where the warrant is met. The intersection of Pleasant and Crowley would not have the same scenario at this time. Even with the peak hour scenario, certain volume would still need to be met. It was also discussed that the State has control of Fitchburg Street and any changes would be under their control.

MOTION was made, seconded, duly VOTED to REFER to the DPW for cutting back of vegetation around the speed limit signs and to Chief Giorgi to advise Councilor Robey of the discussion.

#### **2b) Stop Sign on Exeter Street**

A concerned citizen contacted the station to advise that this stop sign is missing and is "an accident waiting to happen". Tim Collins said that this stop sign (at Exeter and Edinboro) is not on the current schedule for Stop Signs, however, he found the regulation for it from June 2, 1992. Mr. Collins wanted to make sure it was properly approved and advertised before he replaced the sign. Lisa Thomas asked if she could hold off any advertisements until after year end. It will be advertised in July.

MOTION was made, seconded, duly VOTED to REFER to Lisa Thomas to advertise the regulation in July.

### **3-Old Business**

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

**Update:** Commissioner Ghiloni advised that this item is still in process.

MOTION was made, seconded, duly VOTED to TABLE.

#### **3b) Discussion of Ch. 586, Section 33: "Municipal Off-street Parking Areas" relative to parking decks on Weed Street.**

City Solicitor Don Ryder was in attendance for this item. He had reviewed the draft and marked it with comments and was presenting it for further discussion. A few minor revisions were made for clarification purposes, i.e. "lower levels" was changed to "entry

level” and “sublevel” and “lower entry level “changed to “entry off Weed Street”. Tim Collins brought up a photo of the No Parking area in front of City Hall where there was also clarification needed. All agreed that the suggested changes made sense.

MOTION was made, seconded, duly VOTED to REFER to Tim Collins to revise the document as amended and submit it for a vote at the next meeting.

**3c) Elm Street Parking**

MOTION was made, seconded, duly VOTED to TABLE.

**3d) Issues at Winter Avenue and Lincoln Street**

MOTION was made, seconded, duly VOTED to TABLE.

**3e) Request for Special Speed Regulation Petition for Hemenway Street Extension.**

Tim Collins prepared a memo to Chief Giorgi and the Traffic Commission outlining the findings of the Speed Zone Study that was conducted. He reviewed his memo with the group as this is what will be presented to the State. The study included, Roadway Characteristics, Abutting Properties/Zoning, Roadway Geometry, Roadway Cross Section, Pavement Condition, Roadside Safety, Lighting, Traffic Control Devices and Regulations, Speed Limits and Accident History. The packet also includes backup documentation, i.e diagrams, detailed summary sheets and accident reports. In his conclusion, Mr. Collins states, “The bend in the road, a crest in the road and an unregulated speed zone are the main contributing factors in a majority of the accidents occurring on Hemenway Street Extension”. He also noted other contributing factors such as, narrow pavement width, high tree canopy and lack of lighting. He is requesting a Special Speed Zone throughout the entire length of Hemenway Street Extension at 25 mph, as per his findings. All were in agreement. Mr. Collins also mentioned that a similar petition was made for Parmenter Road, however, the state said “no” to the request and suggested “thickly settled” signage with warning signs for the curve.

Mr. Collins advised that he would draft the memo as a letter to the MADOT with Commissioner Ghiloni’s signature. He will cc the Traffic Commission on the letter.

MOTION was made, seconded, duly VOTED to REFER to Mr. Collins to send the petition to MADOT. This item will be removed from the Agenda until a response is received from the State.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:41 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 Wednesday, June 27, 2018, including meeting agenda.

-Draft of Traffic Commission Minutes from Wednesday, May 30, 2018.

-Email from Councilor Robey to Chief Giorgi, dated 6/15/18, re: Pleasant St./Crowley Dr. issue, including photos.

-Email from Carrie Lizotte to Chief Giorgi, dated 6/7/18, re: phone call from concerned citizen – Stop Sign on Exeter St.

-Email from Sgt. Campbell to Chief Giorgi, dated 6/1/18, re: Winter Ave. Accidents.

**Additional Handouts:**

-Memo from Tim Collins to Chief Giorgi and Traffic Commission, dated 6/17/18, re: Hemenway Street Extension Speed Zone Study.

-Email from Tim Collins to Chief Giorgi and Carrie Lizotte, dated 6/8/18, re: Stop Sign on Exeter St., along with copy of regulation.

-Copy of Traffic Signal Warrant Methodology summary for intersection of Bolton Street and Poirier Drive.

**City of Marlborough  
License Board**

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

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2018 JUL 26 P 4:19

**Minutes of the License Board Regular Meeting Held Wednesday, June 27, 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**

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

**Moose Lodge (11 permits)** Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved

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

**ITAM (5 permit)** Member Bouvier motioned for approval, Member Mitrakas seconded; Board vote: 3-0 approved

**2. Application for New Wines and Malt Beverages License – Muse Paintbar, LLC, 115 Apex Drive, Rachel Sterling, Manager**

Public Meeting opened at 7:35 pm

Attorney Mark Vaughan with Reimer & Braunstein LLP represented the Muse Paintbar and presented the application for a new Wines & Malt Beverages License. The establishment combines painting instruction with a restaurant and bar. The painting sessions are offered 7 days a week. Hours of operation: Mondays – Saturdays 12:00 pm to 10:00 pm and Sundays 1:00 pm to 8:00 pm.

Call for support comments and questions – there were none.

Call for opposition and questions –

Abutters in attendance: Marcel Bouffard, 170 Glen St., Noreen Bucchino, 88 Glen St. and Robert Gustafson, 134 Glen St. Abutters expressed concerns over the number of liquor licenses already in the city, the issues they are continuing to have with the Apex Center in general, including traffic and “racing” on Glen street, noise and lights late at night, bands of people walking the complex and crossing Rt. 20 to the shopping area across the street at night and the safety issues related to all of the liquor licenses in the complex.

## License Board Meeting Minutes-June 27, 2018, Page 2

Following much discussion, the Board concluded that the objections of the abutters were with issues related to the Apex Center in general and not related to the applicant directly. Thus, Member Mitrakas motioned to approve Muse Paintbar's application for a Wines & Malt Beverages license application with the hours of service being Mondays – Saturdays 12:00 pm to 10:00 pm and Sundays 1:00 pm to 8:00 pm. Member Bouvier seconded the motion; Board vote was 3-0, approved.

Application for Common Victualler License: Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approved

Entertainment License (radio/TV): Member Mitrakas motioned for approval, Member Bouvier seconded; Board vote: 3-0 approve

**3. Informational meeting re: New Liquor License- Tropical Cafe, 22 Rawlins Ave. Solange Moura, President/Owner**

Item tabled until next July as applicants were not present.

**4. Reports from the Chairman - None**

**5. Misc. correspondence and open issues - None**

**6. Review minutes –**

May 30, 2018 meeting minutes and June 12, 2018 Special Meeting minutes. Member Bouvier motioned to approve both sets of minutes and place on file, Member Mitrakas seconded the motion; Board vote: 3 – 0 to accept the minutes and place on file.

Member Bouvier motioned to adjourn the meeting at 8:40 pm, seconded by Member Mitrakas; Board vote 3-0

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

Respectfully submitted,



Walter Bonin, Chairman



**Minutes  
Retirement Board Meeting of  
June 26, 2018**

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2018 AUG -1 P 3 01

The monthly meeting of the Marlborough Retirement Board was held on June 26, 2018. Gregory Brewster, 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 May 29, 2018. A motion was made and seconded to approve. Vote unanimous.
3. The Board reviewed information regarding the FY19 Cost of Living Adjustment. After discussion, a motion was made and seconded to approve a 3% cost of living adjustment on the first \$12,000 of a retirement allowance. Vote unanimous.
4. The Board reviewed the engagement letter from Roselli, Clark & Associates. The audit fee will be \$7,000 per year of each of the three years covered by the letter. A motion was made and seconded to approve. Vote unanimous.
5. The Board reviewed the draft FY19 operating budget. After discussion, a motion was made and seconded to approve an operating budget for FY19 of \$451,426 with additional management fees of \$668,733 for a total of \$1,120,159. Vote unanimous.
6. The Board reviewed Michael Sacco's letter regarding PERAC's opinion on the applicability of the anti-spiking statutes to Marlborough employees whose salaries are set by ordinance. Mr. Sacco agreed with the Board's position that a salary ordinance is a law and as a result, employees whose salaries are established by ordinance should be exempted from the anti-spiking statutes. His letter discussed the Board's options for further action. The Board asked the director to write to PERAC to request that they reconsider their opinion. After discussion, a motion was made and seconded to accept and place on file. Vote unanimous.
7. The Board reviewed a request from Kimberly Capobianco for creditable service for non-contributory service for the following periods: October 1983 to July 1984, September 5, 1984 to October 31, 1985, September 1986 to June 1987, and April 1994 to June 1995. After discussion, a motion was made and seconded to grant two (2) years of creditable service for the periods between October 1983 and July 1984 and September 5, 1984 and October 31, 1985. Vote unanimous.
8. Approval of retirements was the next item on the agenda. The following individuals have applied for superannuation retirement; Lucinda Lopes and John Manning. After a review of pertinent information, a motion was made and seconded to approve. Vote unanimous.
9. A motion was made and seconded to approve the refund of Lauren Keenan-Aradi. Vote unanimous. The State Employees Retirement Board has requested the transfer

(DK)

WJ

DSS

(DK)

DS

of Johnny Mio and Kayla Mills' annuity savings accounts. The Massachusetts Teachers Retirement System has requested the transfer of Jillian Robert Moran's annuity savings account. A motion was made and seconded to approve all transfers. Vote unanimous.

10. The Board reviewed travel expense reimbursements in connection with the MACRS conference in Hyannis. After review, a motion was made and seconded to reimburse William Taylor and Gregory Brewster for travel expenses. Vote unanimous.
11. The Board reviewed the operating budget as of June 30, 2018. A motion was made and seconded to accept and place on file. Vote unanimous.
12. The Board reviewed the cash reconciliation for April 2018. A motion was made and seconded to accept and place on file. Vote unanimous.
13. The Board reviewed the cashbooks, journals, and trial balances for May 2018. A motion was made and seconded to accept and place on file. Vote unanimous.
14. A motion was made and seconded to approve the following warrants; retiree payroll for June 2018, #152018 and #162018. Vote unanimous.
15. The Board reviewed a copy of a letter from Dorothy Seymour addressed to the Personnel Office regarding City's change in health insurance policy for retirees.
16. 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

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION  
Minutes  
June 7, 2018 (Thursday)  
Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

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CITY OF MARLBOROUGH  
2018 AUG -7 P 3 58**

**Present:** Edward Clancy-Chairman, David Williams, Allan White, John Skarin, Karin Paquin, William Dunbar and Priscilla Ryder-Conservation Officer.

**Absent:** David Williams

**Acceptance of Minutes:** The minutes of May 17, 2018 were reviewed and unanimously approve as written.

**Public Hearings:**

Notice of Intent

City of Marlborough – The City of Marlborough Conservation Commission

Ms. Ryder explained that she had spoken to the legal office regarding this project. The Conservation Commission is basically submitting a wetland permit to itself for trail work and boardwalk construction which appears as if it could be a conflict of interest. After discussions with both the legal department and the Central Regional DEP office, it was determined that the Conservation Commission can use the "rule of necessity" under which to hear this case. The Commission is not reviewing this case in a vacuum since DEP has reviewed it and has issued a DEP file number, and will also review the final permit when issued. She noted however, that Ms. Paquin, having worked on the Notice of Intent submission should abstained from the presentation and voting. Therefore, Ms. Paquin abstained from this hearing.

Ms. Ryder presented a power point presentation explaining that this is a plan which is part of the 26.2-mile trail through the city. It began as a recommendation in the 2010 Open Space Plan and has been eight years in the planning. The idea is to build a trail that connects open spaces, sidewalks and bike paths and to avoid conflicts, so the trail is enjoyable for walkers, but provides privacy for homeowners where possible. She outlined the overall trail location and showed the specific map sections showing bridges and bog bridges and helical pier boardwalk, locations and dimensions. She showed the typical design and photos of each wetland crossing type. The helical piers are above the wetland and per Department of Environmental Protection (DEP) are not considered fill and therefore need no wetland replication. However, the other board walks and bog bridges do constitute alteration and therefore require wetland replication to account for wetland areas impacted. These impacts are outlined in the Notice of Intent with the square feet of each. Replication areas will be adjacent to these locations where invasive plants have invaded and require removal. Native plants will be put in their place and the area excavated to compensate for the filled areas, as described in more detail in the Notice of Intent. Total wetland filling and compensation is 1,574 sq. ft.

The Chairman opened the discussion to the audience.

There were a number of abutters in attendance:

- 453 Bigelow St. – Suzanne Neubauer – wanted to know about the easement and had concerns about trash and violence.
- 447 Bigelow St. – Nicholas Seymour – asked about an alternative route that uses the sewer line instead.

- 615 Concord Rd. – Ray Giglio – expressed concern about parking on Collins Dr. and Concord Rd. Deer, coyotes, foxes and snapping turtles lay eggs in this area. It is full of wildlife. Ms. Ryder will discuss parking with the Police Chief.
- 608 Concord Rd. – Christine Olin – concerned with sidewalk and crossing on Concord Rd. She indicated that the deer use the gas line.
- 69 Collins Dr. – Stephen Harper – he raised the issue of beaver and flooding and the long-term budget for maintaining the trail.
- Donna Boxell – wanted more information about the wetland replication. She was concerned the trail may be tight against adjacent property line.
- 467 Collins Dr. – Rob McCabe expressed that he loved the trail concept and was excited to see it.
- 81 Collins Dr. - Terry Sciore – asked about the long-term trail maintenance funding and how many people would manage the project.

Ms. Ryder noted that some of the boy scouts who will be constructing the trails were present. They were introduced: Ian Harvey, Brian Boxell and Andrew DesMarais explained the sections they would do. Chris Emilus, in the audience expressed thanks to the scouts for volunteering. Chairman Clancy also thanked the scouts for their service and willingness to help with the project and explained that the scouts do most of the city's trail projects, so we are grateful to the scouts.

With no other testimony given or taken, the public hearing was closed. Ms. Ryder will draft conditions for the next meeting.

#### Abbreviated Notice of Resource Area Delineation

241 Stow Rd. - Markian Stecyk

Dave Crossman of B & C Associates represented the applicant. He explained that the owner is seeking confirmation of a wetland boundary delineation. He stated standing water was observed when ground was frozen, but when checked in Spring, soils were very bright, high chroma, which indicates it is not wet. Commission member Karin Paquin explained her observation on site that the wetlands was well defined in the lower section near the golf course and next to the driveway soils were not wet but, bright as Mr. Crossman indicated. Commission member, Dennis Demers stated he built the house on the adjacent lot and there is ledge on the lot. Ms. Ryder noted the wetland has shrunk from when the house was built, because soils were used this time and only vegetation was used previously.

There being no further questions, the hearing was closed. The Commission approved the wetland delineation as presented on a vote of 6-0 to approve as presented.

#### Notice of Intent – Draft Order of Conditions - Continuation

Poirier Dr. - City of Marlborough

Ben Gary, project manager and landscape architect from Marshall/Gary LLC were presented along with Conrad Nuthmann, Chris Emilus both PE Engineer with Brennan Consulting. They presented changes to the plans as follows:

1. The northwest corner was adjusted, so the wall is outside the 20-ft. buffer zone
2. Fence and gates were added
3. The City's Engineering Dept. is satisfied with the plans. All his comments have been addressed. E-mail from Thomas DiPersio was reviewed.

4. Early construction phase plan was provided and the site will be graded so it is 10" below the final grade.
5. There will be 10– 12 – 24 ft. walls. Average height will be 10-12 ft. with a 6-ft. fence on top with a guard rail. The wall will be a geogrid wall. The city engineer would like to see more details on the wall. Amarello will be the main contractor. They will have the wall constructed by a sub-contractor.

After further discussion on sewer and replication area, etc. and there being no further questions, the hearing was closed. The draft Order of Conditions was reviewed and the Commission voted 6-0 to issue the Order of Conditions as written and amended.

Notice of Intent – Continuation Continued to the June 21, 2018 meeting.

Hayes Memorial Drive (Map 99 Parcel 4) - The Gutierrez Company

At the applicants' request, prior to the meeting, this hearing was continued to the June 21<sup>st</sup>, 2018 meeting date.

#### **Certificates of Compliance**

- 212-1083 0 Crowley Dr. – full Certificate of Compliance – Ms. Ryder noted that some work related to earth moving and tabling of the site had been done, but none of the utilities or building were constructed. Therefore, this is a full Certificate of Compliance noting the work done, and also noting that no work was ever commenced on the building. The Commission voted unanimously 6-0 to issue a full Certificate of Compliance as noted.
- 212-927 49 Danjou Drive – Full – Ms. Ryder noted that all the documents required for the Certificate of Compliance have been received or are in progress, and the site visit confirmed all is in order. The Commission voted unanimously 6-0 to issue a full Certificate of Compliance, and asked Ms. Ryder to hold it until the deed language required is received.
- 212-1188 245 Lakeshore Dr. – Full - Mr. Dunbar noted that he had inspected the site, everything is stable, erosion controls are removed, and the metal supports that had been dangerously sticking out of the water had been removed. Some cement footings were installed in the lake for the dock at “underwater” ground level. The conditions of the order have been met. The Commission voted unanimously 6-0 to issue a full certificate of compliance for this project.

#### **Discussion:**

- Apex – review snow removal practice.

Joe Trola was present. He presented the Commission with his proposed snow storage protocol. He showed a plan noting the snow storage areas which the Commission reviewed. He outlined the following protocol: Behind the Apex Entertainment building, they would like to dump excess snow over the wall. They would agree to replace tree damaged with the same tree size, will clean up all other areas where snow dumping has occurred in the Spring.

Commission member, Dennis Demers, stated that the site was designed with detention areas to filter the water from the site. Therefore, his opinion is that no snow should be thrown over the fence or wall. The entire site was designed with an underground system to treat the water and control volume.

After much discussion about whether to allow dumping over the wall in a snow emergency. Ms. Ryder shared similar comments from an e-mail from Tom DiPersio. It was decided that a new draft protocol needs to be provided with language about snow emergencies and that the Commission would be the

one to determine when it was an emergency. Ms. Ryder will work with Mr. Trolla to come up with language for further review. Mr. Demers asked Ms. Ryder to check minutes to see if Mr. Walker promised to haul the snow off site.

- Ft. Meadow weed treatment – The Commission reviewed a letter from the Ft. Meadow Commission explaining that the tentative weed treatment schedule is for the week of June 12 (Tuesday). The letter included a map of the treatment area based on lake survey by Solitude.
- 72 Hager St. – Open Space Development – Comments to the Planning Board  
Peter Bemis of Engineering Design Consultants, Inc. is the project engineer. He explained that he is proposing an open space development. The conventional development would allow 5-6 houses. They want to build only 3 and leave some open space and create a 4<sup>th</sup> lot for a barn. The Commission asked how the open space would be managed and what the public interest of the open space would be. Ms. Ryder read an e-mail to Mr. Bemis that she had written outlining the questions about the public benefit since it doesn't abut or enlarge any existing open space in Framingham or Marlborough and would not have public access. After further discussion, it was agreed that there is public value: (1) aesthetic east gateway to the city, (2) agricultural past "historical" value, (3) social benefit of green open space, (4) farms diminishing. Based on these values, the Commission determined they can recommend to the Planning Board that this Open Space development has some value, but details still need to be worked out.

The Commission asked Ms. Ryder to send an e-mail to the Planning Board explaining same.

**Correspondence/Other Business:**

- Letter from Daniel Olesen – 33 Boundary St. – dated May 14, 2018 - RE: Proposed Panther Walking Trail. Read and placed on file.
- Letter from Jeff DiBuono – 25 Jacobs Rd. – RE: trails. Read and placed on file.

**Adjournment** – There being no further business, the meeting was adjourned at 9:52 PM.

Respectfully submitted:

  
Priscilla Ryder  
Conservation Officer



**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

Minutes

June 21, 2018 (Thursday)

Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM

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**2018 AUG 21 P 3 53**

**Members Present:** Edward Clancy-Chairman, John Skarin, Allan White, William Dunbar, Dennis Demers and Priscilla Ryder-Conservation Officer.

**Absent:** David Williams and Karin Paquin

**Public Hearings:**

Request for Determination of Applicability

10 Rose Point - Giselle Araujo

Proposes to install an above ground pool and fence next to wetlands. The applicant did not appear at the hearing. The hearing was continued to July 19<sup>th</sup>.

**Notice of Intent –Continue to July 19, 2018**

Hayes Memorial Drive (Map 99 Parcel 4) - The Gutierrez Company

Proposes to construct a paved driveway and parking to a warehouse/distribution center in Northboro. At the applicant's request, the hearing was continued.

**Certificates of Compliance**

- DEP 212-1140, #1 Bemis lane (lot #9) - full certificate – The Commission voted unanimously 5-0 to issue a full Certificate of Compliance noting to hold the Certificate until such time when the erosion controls are removed.
- DEP 212-1139, #7 Bemis Lane (lot #8) – full certificate – The Commission voted unanimously 5-0 to issue a full Certificate of Compliance noting to hold the Certificate until such time when the erosion controls are removed.
- DEP 212-733 Slocumb Lane Subdivision roadway – full certificate – The Commission voted unanimously 5-0 to issue a full Certificate of Compliance noting to hold the Certificate until such time when the catch basins are cleaned and inspected.

**Order of Conditions**

- DEP 212- 1200 City of Marlborough - Panther Borough's Trail- The Commission reviewed the "draft" Order of Conditions. The "site" specific conditions were reviewed carefully. The Commission voted 5-0 to approve the Conditions as amended.

**Emergency Certificate**

186 Reservoir St.- Fabiana Menezes – Due to a conflict of interest, Denis Demers abstained from this discussion. Sewer pump chamber installation-septic failure. The applicant presented a revised plan for the sewer line. The tank will be located behind the house with a pump chamber. The current septic

system has failed and they need to connect to the sewer system now before they can move in. The owner will be filing a full Notice of Intent for the house addition at the next meeting.

The Commission voted 4-0 to issue an Emergency Certificate. (Dennis Demers abstained)

**Correspondence:** The following correspondence was reviewed and the Commission voted to accept and lace on file.

- e-mail from Catherine Glennon 57 Collins Dr. re: Collins Dr.- Boroughs trail.
- 2018 DPW – City Construction Projects list
- CSX Transportation Inc/ - 2018 Yearly Operational Plan – letter from Wood Environmental
- City of Marlborough Notification of intent to make herbicide application per approved YOP- letter from Chris White. There was some discussion about how herbicides are applied. Ms. Ryder will ask Chris White.
- Notice of Project Change – Marlborough Hills EEA # 15067 comments due June 26, 2008. This is for the new housing units being proposed.

**Other Business:**

- 2 Minehan Ln. – Ms. Ryder noted that the Dept. of Public Works has discovered that the outlet pipe is leaking and the pond is draining. They can repair the outlet structure from the inside and will be doing this work as a maintenance item since no work in the pond is proposed. The Commission agreed.

**Next Meetings** - July 19 and August 2, 2018 (no meeting July 5)

**Adjournment**

Respectfully submitted,



Priscilla Ryder

Conservation Officer



**MINUTES**  
**MARLBOROUGH PLANNING BOARD**  
**MARLBOROUGH, MA 01752**

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 CITY OF MARLBOROUGH

1A

Call to Order

2018 AUG - 8 ~~July 18~~, 2018

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3<sup>rd</sup> Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Sean Fay, Colleen Hughes, Phil Hodge, George LaVenture and Greg Gallagher. Also in attendance were City Engineer, Thomas DiPersio, City Solicitor, Don Rider, and Planning Board Administrator, Krista Holmi.

As Chairperson Fenby was not present, the meeting was opened with a motion by Mr. LaVenture, seconded by Mr. Gallagher nominating Mr. Fay to serve as Chairperson for the meeting. Motion carried.

**1. Meeting Minutes**

**A. June 04, 2018**

On a motion by Ms. Hughes, seconded by Mr. Hodge, the Board voted to accept and file the minutes of June 04, 2018. Motion carried.

**2. Chair's Business**

- A. Request to set hearing date – Attorney William Pezzoni, Day Pitney, appeared before the Board to request a public hearing on a proposed modified amendment to the Marlborough Zoning Code - Retirement Community Overlay-Council Order 18-10007198. Mr. Pezzoni explained that the zoning amendment was resubmitted with changes based on feedback by both the City Council Urban Affairs Committee and the Planning Board. The ordinance contains new definitions under section 650-5: Retirement Community Overlay - Detached and Townhomes (RCO-D/T), Retirement Community Overlay – Multifamily (RCO-MF). In addition, the number of allowed bedrooms was reduced to (2), and setbacks were increased. Additional siting restrictions were also added. Acting Chair Fay set the public hearing for Monday, July 23, contingent upon the referral of the matter to the Planning Board from the Marlborough City Council. Mr. LaVenture requested that the proponent include a map indicating allowed locations. Mr. Pezzoni indicated that a map would be included as a part of the public hearing presentation.**

**3. Approval Not Required (None)**

**4. Public Hearings (None)**

**5. Pending Subdivision Plans: Updates and Discussion**

- A. Subdivision Status Report- Engineer's Report – City Engineer DiPersio indicated that there were several subdivision items detailed on the agenda, so they will be addressed in order.**
- B. Cider Mill Subdivision- Extension Request. Attorney Paul Beattie was present to represent West Hill, LLC, developer of the Cider Mill Subdivision. Attorney Beattie had requested an extension on the completion of Goodwin St. and McDermot Way until July 1, 2019. Attorney Beattie provided necessary checklist items including proof of up to date tax status, a continuation certificate of the \$185,000 bond (in effect until 3-16-19), and a determination by the Code Enforcement Officer Wilderman that the property was free of blight. On a motion by Mr. LaVenture, seconded by Mr. Hodge, the Board voted to accept and file the provided correspondence. Motion carried. City Engineer DiPersio indicated that January 22, 2019 is a more reasonable extension of the subdivision approval. This date coincides with the end of the subdivision's 1-year maintenance period. On a motion by Ms. Hughes and seconded by Mr. Gallagher, the Board voted to extend the subdivision approval until January 22, 2019. Motion carried.**

- C. **Howe's Landing Subdivision- Extension Request.** Victor Galvani was present on behalf of attorney Paul Galvani, representatives for Howe's Landing Developers, LLC. Ms. Hughes read the June 11, 2018 letter from Attorney Galvani *Re: Howe's Landing Subdivision – request for extension of time for completion* into the record. The letter detailed the developer's request for a 30-day extension for completion until July 30, 2018. Two documents were presented for execution, *Extension of Performance Secured by Tripartite Agreement*, and the proposed *Performance Secured by Tripartite Agreement*. City Solicitor Rider indicated that he had reviewed the documents and found them to be in order. On a motion by Mr. LaVenture, seconded by Ms. Hughes, the Board voted to accept and file the provided correspondence. On a motion by Ms. Hughes, seconded by Mr. LaVenture, the Board voted to sign the two documents, extending the subdivision completion date until July 30, 2018, provided that the documents were properly recorded with the Middlesex South Registry of Deeds prior to the June 30, 2018 expiration. Motion carried. The Board also voted to take a brief recess to allow for the documents to be signed and notarized. The Planning Board reconvened on a motion by Ms. Hughes, seconded by Mr. LaVenture. Motion carried.
- D. **Walker Brook Estates – Extension Request.** On a motion by Ms. Hughes, seconded by Mr. LaVenture, the Board voted to accept and file the June 14, 2018 correspondence from Ed Melanson of Melanson Development Group. Motion carried. The correspondence included a request for extension of the subdivision maintenance period until August 28, 2018. Board Administrator Holmi indicated that there were no outstanding taxes (as confirmed by the Treasurer's Office), no site blight (confirmed by Assistant City Engineer Collins), and that the Northern Bank & Trust Company had acknowledged the bond agreement between Melanson Development Group, Northern Bank & Trust Company and the City of Marlborough. The Bank is holding \$63,000.00 securing the completion of the Walker Brook Estates Subdivision. On a motion by Ms. Hughes, seconded by Mr. Gallagher, the Board voted to extend the one-year maintenance period from June 2, 2018 until August 28, 2018. Motion carried.
- E. **Mauro Farm.** Mr. Fay disclosed a potential conflict, stating that he abuts an abutter to the project. On a motion by Ms. Hughes, seconded by Mr. LaVenture, the Board voted to accept and file the June 11, 2018 correspondence from Assistant City Engineer Collins to Mr. Depietri of Capital Group Properties. The letter detailed remaining uncompleted work items. Motion carried. Solicitor Rider restated that before the City accepts the deeds to the roadway, its easements, and the open space parcels, the Planning Board/ City Council will need a Certificate of Compliance to be issued by the Conservation Commission. Solicitor Rider indicated that he is in communication with Attorney Catanzaro regarding the need for the Certificate of Compliance as well as the deed conveying the fee interest in the roads to the City of Marlborough.
- F. **215 Simarano Drive.** City Engineer DiPersio indicated that definitive subdivision plans would be distributed at the June 19 Site Plan Committee meeting to Police/Fire/Building/Conservation. He informed members that the developer had no intention of building the proposed subdivision, and that the plan was filed only to provide the means for the extension of a zoning freeze on the development site. Solicitor Rider provided additional background information on Chapter 40A Section 6. A public hearing on the plan will be held at the Planning Board meeting on July 23, 2018.
- G. **Marlborough Hub.** Ms. Hughes read the June 14, 2018 letter from City Engineer DiPersio into the record. The letter indicated that he has been in discussion with design engineer Jacob Lemieux of Hancock Associates who is working on revised plans that address the Board's expressed waiver concerns in the plan submitted to the Board on April 2, 2018. To date, Engineering had not received any revised plans; therefore, Engineering is unable to complete its review. Mr. DiPersio advised that Hancock inform the client to request an extension of time for the Board's decision on the subdivision submission. Ms. Hughes read the June 18 letter from Attorney Bergeron *Re: Request for Extension Marlborough Hub* into the record. (Note: The e-mailed letter did not arrive in time for inclusion in the agenda packet, but was distributed to members prior to the meeting on June 18.) In the letter, Attorney Bergeron indicated that Marlborough Hub, LLC agreed to extend the time for a decision on the definitive subdivision approval to August 27, 2018. On a motion by Ms. Hughes, seconded by Mr. Hodge, the board voted to accept and file both correspondences. Motion carried. On a motion by Mr. LaVenture, seconded by Mr. Gallagher, the Board voted to extend the time for decision on the Marlborough Hub subdivision plan until midnight, August 27, 2018. Motion carried.

**6. Preliminary/Open Space/Limited Development Subdivisions**

**A. 72 Hager St. Open Space Special Permit – Conservation Commission Comments**

Ms. Hughes read the June 14 email correspondence from Conservation Officer Ryder into the record. On a motion by Mr. Hodge and seconded by Mr. LaVenture, the Board voted to accept and file the correspondence. Motion carried. Ms. Ryder’s email indicated the Conservation Commission felt that there was sufficient merit to warrant further review of the Open Space Development plans at 72 Hager St. There were numerous points including questions about the Conservation Restriction, access from Rt. 20, and specifics of the homeowner’s association agreement. The Commission also indicated that wetlands in both Marlborough and Framingham would need to be confirmed. Details of the special permit will be shared further at the public hearing scheduled for July 23, 2018.

**7. Definitive Subdivision Submission (None)**

**8. Signs (None)**

**9. Informal Discussion (None)**

**10. Unfinished Business**

A. Goodale Estates – Acting Chair Fay asked if there were any further updates regarding Goodale Estates. The Board has not received any formal communication from the developer, but indications of potential financial hardships of the developer have been presented. There is no bond held by the City at this point, and there is none required until lots are released. The subdivision’s approval expires on November 14, 2018.

**11. Correspondence (None)**

**12. Public Notices of other Cities & Towns**

**A. City of Framingham 2 notices (Planning Board)**

On a motion by Ms. Hughes, seconded by Mr. LaVenture, the board voted to accept and file item 12A. Motion carried.

Adjournment: On a motion made by Mr. Gallagher, seconded by Mr. LaVenture, it was voted to adjourn at 8:30 pm. Motion carried.

/kih

Respectfully submitted,



Colleen Hughes  
Clerk



RECEIVED  
CITY CLERK'S OFFICE  
CITY OF MARLBOROUGH  
2018 AUG 14 P 12:30

## BOH MEETING MINUTES -7/16/18

### Attending

Robin Williams, Chairwoman  
James Griffin, Vice Chair  
Joseph Tennyson, MD, Member

Also in attendance: Cathleen Liberty, Director of Public Health

**Meeting called to order 6:30 pm**

### REVIEW OF MEETING MINUTES

Review of March meeting minutes, accepted by Vice Chair Griffin, Chair and Member Tennyson abstained.

### ADMINISTRATIVE

#### **Marlboro Shell-Tobacco Violation**

Director Liberty spoke to the owner of the Marlboro Shell regarding their second tobacco violation within 36 months. The owner stated that they have has a zero-strike tobacco policy and police themselves. After much discussion, the Board voted to forgo the fine as long as they stay in compliance with the tobacco regulations for six months from today and also strike the removal of tobacco products.

Motion-Vice Chair Griffin

Second-Member Tennyson

Board approval 3-0 Chairwoman Williams: yes; Vice Chair Griffin: yes; Member Tennyson: yes.

#### **Sperry's Liquors-Tobacco Violations**

Director Liberty spoke to the representative for the owner of Sperry's Liquors regarding their three tobacco violations from both stores within 36 months. After much discussion, the board noted that the stores should have a policy to card all customers and have signage in different languages. The board voted to enforce the fine of \$300.00 and pull the tobacco products from the stores located on 15-17 E Main Street and 531 Lincoln Street because the owner is permitted for both stores through the board of health and violations for both stores have happened over the past 36 months effective 7/18/18.

Motion-Vice Chair Griffin

Second-Member Tennyson

Board approval 3-0, Chairwoman Williams: yes; Vice Chair Griffin: yes; Member Tennyson: yes.

**BOARD BUSINESS**

Director Liberty noted that the Bodyworks regulation that is in the packet was drafted in 2015 by the legal department. The board read through the regulations and had a few questions. Director Liberty agreed to get their questions answered and post it on the next agenda.

Director Liberty handed out the draft regulation to ensure the sanitary and safe operation of marijuana establishments. The board had much discussion on the subject matter and would like to have a solo meeting to discuss the draft regulation. Also, they would like the regulations to cover both medicinal and adult use. Director Liberty noted the city has an ordinance for both medicinal and adult use that she will e-mail to the board members.

**PUBLIC HEALTH ISSUES****MONTHLY REPORTS**

- **Nurse's Report**

Director Liberty submitted the Public Health Nurse's report and accepted to be placed on file.

- **Sanitarians' Reports**

Presented by Director Liberty - reports were submitted and accepted to be placed on file.

**OTHER BUSINESS UNKNOWN AT TIME OF POSTING****ADJOURN**

Motion – to adjourn meeting at 7:30 PM – Chair Williams

Second – Vice Chair- Griffin

3-0 vote to adjourn Board of Health Meeting at 7:30 PM, Chairwoman Williams: yes; Vice Chair Griffin: yes; Member Tennyson: yes.

**Next Board of Health meeting will be on Monday, August 13, 2018**



Respectfully submitted,

8/13/2018

Dated \_\_\_\_\_

Cc: Board of Health Members  
City Council  
City Clerk  
City of Marlborough Website