

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Finance Committee

Date: January 30, 2017

Time: 7:00 PM

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

Agenda Items to be addressed:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2017 JAN 25 P 1:14

1. 12-19-2016 – **Order No. 16-1006771**: *Police OT Transfers*; The Police Department transfer request in the amount of \$192,300.00 which moves funds from and to various accounts to continue funding overtime costs.
2. 12-19-2016 – **Order No. 16-1006772**: *Transfer to purchase land adjacent to Sasseville Way*; The Assabet Valley Property Acquisition which includes a transfer request in the amount of \$1,600.00 which moves funds from Stabilization – Open Space to Open Space Acquisition for the purpose of depositing funds on any negotiated purchase and sale.
3. 01-23-2017 – **Order Nos. 17-1006795A, 17-1006795B, and 17-1006795C**: *Fire Department Contract Transfer, Salary Ordinance Changes and City Code Changes*; Transfer Request – Marlborough Firefighters Association, Local 1714, I.A.F.F., Memorandum of Agreement which includes several provisions that require City Council approval.

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.

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.



IN CITY COUNCIL

DECEMBER 19, 2016

Marlborough, Mass., _____

ORDERED:

That the Police Department transfer request in the amount of \$192,300.00 which moves funds from and to various accounts as noted below to continue funding overtime costs, be and is herewith refer to **FINANCE COMMITTEE**.

CITY OF MARLBOROUGH BUDGET TRANSFERS --												
DEPT:	Police										FY:	2017
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance			
\$1,732,925	\$170,000.00	12100001	50420	Police Officers	\$170,000.00	12100003	51310	Overtime - Regular	\$66,527			
	Reason:	Surplus due to vacancy and injuries				Vacancies and injuries requiring OT to fill shifts						
\$2,325	\$2,300.00	12100003	51370	Overtime - Celebrations	\$2,300	12100003	51310	Overtime - Regular	\$66,527			
	Reason:	Surplus from Labor Day OT needs				As above						
\$141,968	\$20,000.00	12100003	51320	Overtime - Court	\$20,000	12100003	51310	Overtime - Regular	\$66,527			
	Reason:	Less court OT needed thus far				As above						
	\$192,300.00	Total			\$192,300.00	Total						

ADOPTED

ORDER NO. 16-1006771



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

2016 DEC 15 A 11:44
 140 Main Street
 Marlborough, Massachusetts 01752
 Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
 MAYOR

Nicholas J. Milano
 EXECUTIVE AIDE

Patricia Bernard
 EXECUTIVE SECRETARY

December 15, 2016

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

Re: Transfer Request – Marlborough Police Department

Honorable President Clancy and Councilors:

Please find enclosed for your review and approval a transfer request in the amount of \$192,300.00 for the Marlborough Police Department Overtime Account. Pending City Council approval, these funds will be transferred from three accounts within the Police Department's budget.

I am requesting the transfer of \$170,000.00 from the Police Officers account, \$2,300.00 from the Overtime-Celebrations account, and \$20,000.00 Overtime – Court account. These transfers are necessary to fund expected overtime costs for the rest of the fiscal year to fill shifts due to vacancies or injuries.

I look forward to discussing these transfers with you further. If you have any questions, please do not hesitate to contact me or Chief Leonard.

Sincerely,

Arthur G. Vigeant
 Mayor

Enclosures



MARK F. LEONARD
Chief of Police

City of Marlborough POLICE DEPARTMENT

508-485-1212 • FAX 508-624-6849
355 BOLTON STREET • MARLBOROUGH, MA • 01752

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

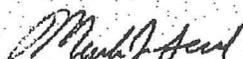
December 14, 2016

Dear Mayor Vigeant:

Per the attached transfer request form, I am requesting three Internal transfers to allow for sufficient funds to be transferred to the police department overtime account for the balance of the current fiscal year. The attached request forms contain a brief reason for each transfer request. All transfer requests are from within the existing police department budget, and I do not anticipate any other significant surpluses or deficits.

Please let me know if you have any questions.

Sincerely,


Mark F. Leonard
Chief of Police

Cc: D. Smith; B. Doheny

12/14/2016

CITY OF MARLBOROUGH
BUDGET TRANSFERS -

DEPT: Police

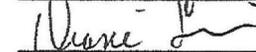
FY: 2017

Available Balance	FROM ACCOUNT:				TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	
<u>\$1,732,925</u>	<u>\$170,000.00</u>	<u>12100001</u>	<u>50420</u>	<u>Police Officers</u>	<u>\$170,000.00</u>	<u>12100003</u>	<u>51310</u>	<u>Overtime - Regular</u>	<u>\$66,527</u>
	Reason:	<u>Surplus due to vacancy and injuries</u>				<u>Vacancies and injuries requiring OT to fill shifts</u>			
<u>\$2,325</u>	<u>\$2,300.00</u>	<u>12100003</u>	<u>51370</u>	<u>Overtime - Celebrations</u>	<u>\$2,300</u>	<u>12100003</u>	<u>51310</u>	<u>Overtime - Regular</u>	<u>\$66,527</u>
	Reason:	<u>Surplus from Labor Day OT needs</u>				<u>As above</u>			
<u>\$141,968</u>	<u>\$20,000.00</u>	<u>12100003</u>	<u>51320</u>	<u>Overtime - Court</u>	<u>\$20,000</u>	<u>12100003</u>	<u>51310</u>	<u>Overtime - Regular</u>	<u>\$66,527</u>
	Reason:	<u>Less court OT needed thus far</u>				<u>As above</u>			
	Reason:	_____				_____			
	Reason:	_____				_____			
	Reason:	_____				_____			
	<u>\$192,300.00</u>	Total			<u>\$192,300.00</u>	Total			

Department Head signature:



Auditor signature:



Comptroller signature:





IN CITY COUNCIL

DECEMBER 19, 2016

Marlborough, Mass.,

ORDERED:

That the Assabet Valley Property Acquisition which includes a transfer request in the amount of \$1,600.00 which moves funds from Stabilization-Open Space to Open Space Acquisition for the purpose of depositing funds on any negotiated purchase and sale, be and is herewith refer to **FINANCE COMMITTEE**.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:		Mayor				FISCAL YEAR:		2017	
FROM ACCOUNT:					TO ACCOUNT:				
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available
Balance									Balance
\$1,018,295.78	\$1,600.00	83600	32918	Stabilization-Open Space	\$1,600.00	19300006	58170	Open Space Acquisition	\$0.00
Reason:					For deposit on purchase and sale				
	\$1,600.00	Total			\$1,600.00	Total			

ADOPTED

ORDER NO. 16-1006772



City of Marlborough
Office of the Mayor

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

Arthur J. Vigean
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Nicholas J. Milano
2016 DEC 15 AM 11 54
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

December 15, 2016

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

Re: Assabet Valley Property Acquisition

Honorable President Clancy and Councilors:

On the December 19, 2016, City Council agenda, there is an item regarding Assabet Valley Regional Vocational High School's intention to purchase a parcel adjacent to their property. It is my recommendation that the City Council not approve the proposed acquisition.

This past week, on Tuesday, December 13, I had the opportunity to meet with Superintendent-Director Ernie Houle, President Clancy, Finance Committee Chair Ossing, as well as Assabet Valley and City staff to discuss a different proposal: Assabet Valley's desire to build a multimillion dollar athletic stadium with a turf field.

We met to discuss the City's concerns that the Assabet Valley assessment continues to grow each year and their continued expensive capital projects. It was a productive meeting, but we still have questions regarding Assabet Valley's finances.

The parcel of land that Assabet Valley proposes to purchase, identified on the Assessor's Map as Map 16 Parcel 16, is comprised mostly of wetlands that feeds directly into Fort Meadow. I recommend that the Council not approve Assabet Valley's acquisition, but instead approve the attached order authorizing me to enter into negotiations with the property owner to purchase it for the City. This property's unique location makes it important for the City to own for watershed protection. It was identified in the City's 2011-2018 Open Space and Recreation Plan to preserve and protect watersheds to all wetland and water resource areas, including rivers, streams, and ponds.

The attached order also authorizes me to negotiate an easement on a parcel under the same ownership across Sasseville Way. This parcel is identified on the Assessors Map as Map 29 Parcel 27.

Please also find enclosed a letter from Chief Procurement Officer Beverly Sleeper that further outlines why this proposed purchase is a unique acquisition under the proper procurement laws.

In addition, I have enclosed an order to transfer \$1,600 out of Open Space Stabilization in order to make a deposit on any negotiated purchase and sale. As with the proposed purchases associated with the Library project, final approval to purchase this parcel must come from City Council. This order does not authorize me to purchase the parcel without your approval.

I am available to discuss this proposal with you further. In the meantime, if you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur G. Vigeant". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Arthur G. Vigeant
Mayor

Enclosures

ORDERED:

Pursuant to M.G.L. c. 30B, § 16(e)(2), the City Council of the City of Marlborough hereby determines that advertising for the proposed purchase of a parcel of land in fee simple interest and of an easement interest in another parcel of land will not benefit the City's interest because of the unique qualities and location of the properties as hereinafter defined:

Land of proposed purchase of fee simple interest: The parcel identified on the Assessors Map of the City of Marlborough as Map 16 Parcel 16, containing 5.11 acres, more or less, located on Fitchburg Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 203441, Page 412. The persons having a beneficial interest in this parcel are Alexander A. Staniunas and Annette Crossen;

Land of proposed purchase of easement interest: The parcel identified on the Assessors Map of the City of Marlborough as Map 29 Parcel 27, containing 0.35 acres, more or less, located at on Fitchburg Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 20344, Page 412. The persons having a beneficial interest in this parcel are Alexander A. Staniunas and Annette Crossen.

The above-identified parcels satisfy the requirements of said M.G.L. c. 30B, § 16(e)(2), because: (i) the parcels are uniquely situated because they abut and are located within close proximity to the Assabet River Rail Trail; (ii) include wetlands and seasonal wetlands which fall within the City's 2011-1018 Open Space and Recreation Plan to preserve and protect watershed to wetland and water resource areas; and (iii) abut the Fort Meadow Reservoir, the City's recreational lake, which will be protected and preserved by the acquisition.

It is further ordered that the Mayor is authorized to negotiate and enter into a purchase and sales agreement for the above-identified parcels subject to the following conditions: (i) that, in accordance with M.G.L. c. 43, § 30, the purchase price of any parcel shall not exceed more than 25% of the average assessed value of the parcel during the previous three years; and (ii) that the City's performance under any purchase and sales agreement will be contingent upon a favorable vote of the City Council authorizing the appropriation of sufficient funds for the purchase of the parcel.

ADOPTED
In City Council
Order No. 16-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

City of Marlborough

**PROCUREMENT OFFICE**

140 Main Street, 3RD Floor, Marlborough, MA 01752
DIRECT DIAL (508) 460-3707 FACSIMILE (508) 460-3747 TDD (508) 460-3610
BSLEEPER@MARLBOROUGH-MA.GOV

December 15, 2016

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

RE: Unique Acquisition of Real Property – Watershed Protection Off Fitchburg Street

Dear Mayor Vigeant:

Pursuant to the provisions of M.G.L. c. 30B, § 16, the City is interested in acquiring a parcel of land off Fitchburg Street and identified on Assessors' Map 16, Parcel 16 (the "Land") containing approximately 5.11 acres which has been appraised at \$16,700 as an unbuildable parcel of land. It is my understanding that the City is also interested in acquiring an easement area identified on Assessors' Map 29, Parcel 27 (the "Easement") containing approximately 0.35 acres which has been appraised at \$2,100 and is located across from Map 16, Parcel 16 Off Sasseville Way. As the cost to acquire both the Land and Easement by purchase is less than \$35,000, no advertised proposal process is required by Chapter 30B. However, because the proposed acquisition of real property involves more than 2,500 square feet, an advertisement must be published at least 30 days prior to executing a binding agreement to acquire the property.

For the City Council's deliberation and approval, I have determined that the location and qualities of the Land satisfy the unique requirements of the City pursuant to M.G.L. c. 30B, § 16. Specifically, the Land consists of a detention basin and topography unsuitable for building but would protect and preserve Fort Meadow Reservoir which is the City's recreational lake. Acquisition of this Land falls within the City's 2011 - 2018 Open Space and Recreation Plan to preserve and protect watershed to all wetland and water resource areas including rivers, streams and ponds. This acquisition contains tributaries and surface waters to the Fort Meadow Reservoir and close by the Assabet Valley Rail Trail to enable future passive recreational opportunities in conjunction with existing and proposed public recreational amenities.

Page 2
December 15, 2016
Letter to Mayor RE Fitchburg Street

In light of the foregoing, it is my opinion that it is proper to acquire this Land by unique acquisition due to its unique location and for protection and preservation of the Fort Meadow Reservoir and the Easement close by the Assabet Valley Rail Trail. I will publish this determination along with the names of parties having a beneficial interest in the property as required under M.G.L. c. 7C, § 38, the location and size of the property, and the proposed purchase price in the Commonwealth's Central Register not less than thirty (30) days before the City enters into a binding agreement with the current owners to purchase real property identified above under a unique acquisition determination.

If you have any questions or require further information, please let me know.

Sincerely,



Beverly J. Sleeper
Chief Procurement Officer

cc: Cynthia Panagore-Griffin, Assistant City Solicitor/Legal Department

12/15/2016

CITY OF MARLBOROUGH
BUDGET TRANSFERS -

DEPT: Mayor

FISCAL YEAR: 2017

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$1,018,295.76</u>	<u>\$1,600.00</u>	<u>83600</u>	<u>32918</u>	<u>Stabilization-Open Space</u>	<u>\$1,600.00</u>	<u>19300006</u>	<u>58170</u>	<u>Open Space Acquisition</u>	<u>\$0.00</u>
	Reason:	_____				For deposit on purchase and sale			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____				_____			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____				_____			
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____				_____			
	\$1,600.00	Total			\$1,600.00	Total			

Department Head signature:

Auditor signature:

Comptroller signature:

Deone S.

CURRENT OWNER		TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT				228 MARLBOROUGH, MA
STANIUNAS ALEXANDER A C/O ANNETTE CROSSEN 4646 E DARTMOUTH ST MESA, AZ 85205 Additional Owners:						Description	Code	Appraised Value	Assessed Value	
						IND LAND	4420	16,700	16,700	VISION
SUPPLEMENTAL DATA										
Other ID: 16/16// Deed Ref # 65913A Aff Housing Schedule ID LCD CERT GIS ID: 16-16						PROBATE ASSOC PID#				
						Total		16,700	16,700	

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	q/u	v/i	SALE PRICE	V.C.	PREVIOUS ASSESSMENTS (HISTORY)								
STANIUNAS ALEXANDER A		20344/ 412	01/26/1990	U	V	90,000	1L	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
								2017	4420	16,700	2016	4420	16,700	2015	4420	16,700
								Total:		16,700	Total:		16,700	Total:		16,700

EXEMPTIONS				OTHER ASSESSMENTS				APPRAISED VALUE SUMMARY								
Year	Type	Description	Amount	Code	Description	Number	Amount	Comm. Int.	This signature acknowledges a visit by a Data Collector or Assessor							
Total:																
ASSESSING NEIGHBORHOOD																
NBHD/ SUB		NBHD Name		Street Index Name		Tracing		Batch								
0001/A																
NOTES																
												Appraised Bldg. Value (Card)				0
												Appraised XF (B) Value (Bldg)				0
												Appraised OB (L) Value (Bldg)				0
												Appraised Land Value (Bldg)				16,700
												Special Land Value				0
												Total Appraised Parcel Value				16,700
												Valuation Method:				C
												Adjustment:				0
												Net Total Appraised Parcel Value				16,700

BUILDING PERMIT RECORD										VISIT/ CHANGE HISTORY					
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments		Date	Type	IS	ID	Cd.	Purpose/Result

LAND LINE VALUATION SECTION																							
B #	Use Code	Use Description	Zone	D	Front	Depth	Units	Unit Price	I. Factor	S.A.	Acre Disc	C. Factor	ST. Idx	Adj.	Notes- Adj	Special Pricing	S Adj Fact	Adj. Unit Price	Land Value				
1	4420	Industr Land Unbuildabl	LI				2.00 AC	6,000.00	1.0000	0	1.0000	1.00	C000	1.00	LIMITED UTILITY DUE TO		1.00	6,000.00	12,000				
1	4420	Industr Land Unbuildabl	LI				3.11 AC	1,500.00	1.0000	0	1.0000	1.00		0.00	STEEP TOPOGRAPHY & WI		1.00	1,500.00	4,700				
Total Card Land Units:							5.11 AC	Parcel Total Land Area:							5.11 AC	Total Land Value:							16,700

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)								
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description					
Model	00		Vacant									
MIXED USE												
	Code		Description				Percentage					
	4420		Industr Land Unbuildable				100					
COST/MARKET VALUATION												
	Adj. Base Rate:						0.00					
							0					
	Net Other Adj:						0.00					
	Replace Cost						0					
	AYB											
	EYB						0					
	Dep Code											
	Remodel Rating											
	Year Remodeled											
	Dep %											
	Functional Obslnc											
	External Obslnc											
	Cost Trend Factor						1					
	Condition											
	% Complete											
	Overall % Cond											
	Apprais Val											
	Dep % Ovr						0					
	Dep Ovr Comment											
	Misc Imp Ovr						0					
	Misc Imp Ovr Comment											
	Cost to Cure Ovr						0					
	Cost to Cure Ovr Comment											
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value
BUILDING SUB-AREA SUMMARY SECTION												
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value						
Ttl. Gross Liv/Lease Area:		0	0	0								

No Photo On Record

Property Location: FITCHBURG ST
 Vision ID: 1946

Account #00122329

MAP ID: 29/ 27/11

Bldg #: 1 of 1

Bldg Name:

Sec #: 1 of 1 Card 1 of 1

State Use: 4420

Print Date: 01/25/2017 09:36

CURRENT OWNER		TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT				228 MARLBOROUGH, MA VISION
MARLBORO LODGE # 1129 LOYAL ORDER OF MOOSE INC 67 FITCHBURG ST						Description	Code	Appraised Value	Assessed Value	
MARLBOROUGH, MA 01752 Additional Owners:						IND LAND	4420	2,100	2,100	
SUPPLEMENTAL DATA										
Other ID: 29/27//		PROBATE								
Deed Ref #										
Aff Housing Schedule ID										
LCD										
CERT										
GIS ID: 29-27		ASSOC PID#								
						Total		2,100	2,100	

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	q/u	w/i	SALE PRICE	V.C.	PREVIOUS ASSESSMENTS (HISTORY)								
MARLBORO LODGE # 1129 STANIUNAS ALEXANDER A		68647/ 008 20344/ 412	12/22/2016 01/26/1990	U U	V V		0 1F 0 1L	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
								2017	4420	2,100	2016	4420	2,100	2015	4420	2,400
								Total:		2,100	Total:		2,100	Total:		2,400

EXEMPTIONS				OTHER ASSESSMENTS			
Year	Type	Description	Amount	Code	Description	Number	Amount
Total:							

This signature acknowledges a visit by a Data Collector or Assessor

ASSESSING NEIGHBORHOOD				
NBHD/ SUB	NBHD Name	Street Index Name	Tracing	Batch
0001/A				

NOTES														

APPRAISED VALUE SUMMARY	
Appraised Bldg. Value (Card)	0
Appraised XF (B) Value (Bldg)	0
Appraised OB (L) Value (Bldg)	0
Appraised Land Value (Bldg)	2,100
Special Land Value	0
Total Appraised Parcel Value	2,100
Valuation Method:	C
Adjustment:	0
Net Total Appraised Parcel Value	2,100

BUILDING PERMIT RECORD										VISIT/ CHANGE HISTORY					
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments		Date	Type	IS	ID	Cd.	Purpose/Result

LAND LINE VALUATION SECTION																				
B #	Use Code	Use Description	Zone	D	Front	Depth	Units	Unit Price	I. Factor	S.A.	Acre Disc	C. Factor	ST. Idx	Adj.	Notes- Adj	Special Pricing	S Adj Fact	Adj. Unit Price	Land Value	
1	4420	Industr Land Unbuildabl	LI				0.35 AC	6,000.00	1.0000	0	1.0000	1.00	C010	1.00	TOPO-LOW		1.00	6,000.00	2,100	
Total Card Land Units:							0.35 AC	Parcel Total Land Area: 0.35 AC							Total Land Value: 2,100					

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)								
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description					
Model	00		Vacant									
MIXED USE												
	Code		Description				Percentage					
	4420		Industr Land Unbuildable				100					
COST/MARKET VALUATION												
	Adj. Base Rate:		0.00									
			0									
	Net Other Adj:		0.00									
	Replace Cost		0									
	AYB											
	EYB		0									
	Dep Code											
	Remodel Rating											
	Year Remodeled											
	Dep %											
	Functional Obslnc											
	External Obslnc											
	Cost Trend Factor		1									
	Condition											
	% Complete											
	Overall % Cond											
	Apprais Val											
	Dep % Ovr		0									
	Dep Ovr Comment											
	Misc Imp Ovr		0									
	Misc Imp Ovr Comment											
	Cost to Cure Ovr		0									
	Cost to Cure Ovr Comment											
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value
BUILDING SUB-AREA SUMMARY SECTION												
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value						
Ttl. Gross Liv/Lease Area:		0	0	0								

No Photo On Record



IN CITY COUNCIL

Marlborough, Mass., JANUARY 23, 2017

PAGE 1

ORDERED:

That the Fire Department transfer request in the amount of \$615,629.11 which moves funds from Reserve for Salaries and Deputy Fire Chief to various accounts as noted below to fund the Memorandum of Agreement and reorganization of the Fire Department, be and is herewith refer to **FINANCE COMMITTEE**.

BUDGET TRANSFERS –											
	DEPT:	FIRE					FISCAL YEAR:	2017			
		FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance		
\$733,779.70	\$341,817.75	11990006	57820	Reserve for Salaries	\$128,735.47	12200001	50450	Firefighter	\$1,419,381.08		
	Reason:	Calculated amounts for contractual obligations									
					\$146,150.36	12200001	50334	Battalion Chief	\$0.00		
	Reason:										
					\$23,596.92	12200001	50800	Fire Captain	\$151,170.01		
	Reason:										
					\$43,335.00	12200001	50330	Assistant Chief	\$0.00		
	Reason:										
	\$341,817.75	Total			\$341,817.75	Total					

CITY OF MARLBOROUGH BUDGET TRANSFERS –											
	DEPT:	FIRE					FISCAL YEAR:	2017			
		FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance		
\$733,779.70	\$92,803.72	11990006	57820	Reserve for Salaries	\$44,276.42	12200001	50810	Fire Lieutenant	\$591,276.47		
	Reason:	Calculated amounts for contractual obligations									
					\$18,940.40	12200003	51920	Sick Leave Buy Back	\$28,881.18		
	Reason:										
					\$20,166.57	12200003	51490	Holiday	\$182,255.69		
	Reason:										
					\$488.30	12200003	51481	Training Special Services	\$1,758.20		
	Reason:										
					\$8,932.03	12200003	51480	EMT	\$79,183.55		
	Reason:										
	\$92,803.72	Total			\$92,803.72	Total					



IN CITY COUNCIL

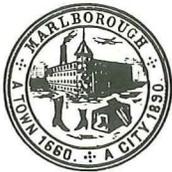
Marlborough, Mass., JANUARY 23, 2017

ORDERED:

PAGE 2

CITY OF MARLBOROUGH BUDGET TRANSFERS -											
	DEPT:	FIRE					FISCAL YEAR:		2017		
		FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Available Balance	
\$733,779.70	\$82,538.96	11990006	57820	Reserve for Salaries	\$6,531.22	12200003	51450	Night Shift		\$42,489.82	
	Reason:	Calculated amounts for contractual obligations									
					\$13,530.40	12200003	51440	Educational Incentive		\$107,686.57	
	Reason:										
					\$55,953.53	12200003	51430	Longevity		\$54,492.14	
	Reason:										
					\$4,471.24	12200003	51226	First Responder		\$29,333.78	
	Reason:										
					\$2,052.57	12200003	51328	Call Fire Overtime		\$73,692.95	
	Reason:										
	\$82,538.96	Total			\$82,538.96	Total					
CITY OF MARLBOROUGH BUDGET TRANSFERS -											
	DEPT:	FIRE					FISCAL YEAR:		2017		
		FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Available Balance	
\$733,779.70	\$29,809.73	11990006	57820	Reserve for Salaries	\$29,809.73	12200003	51300	Overtime		\$120,733.91	
	Reason:	Calculated amounts for contractual obligations									
\$733,779.70	\$1,748.95	11990006	57820	Reserve for Salaries	\$1,748.95	12200003	51324	Overtime Vehicle Maint.		\$16,692.54	
	Reason:	Calculated amounts for contractual obligations									
\$733,779.70	\$1,910.00	11990006	57820	Reserve for Salaries	\$1,910.00	29022501	51420	Hazmat Overtime		\$18,723.95	
	Reason:	Calculated amounts for contractual obligations									
\$74,428.32	\$65,000.00	12200001	50335	Deputy Fire Chief	\$65,000.00	12200001	50330	Assistant Chief		\$0.00	
	Reason:	Calculated amounts for contractual obligations									
	\$98,468.68	Total			\$98,468.68	Total					

ADOPTED
ORDER NO. 17-1006795A



IN CITY COUNCIL

Marlborough, Mass., ~~JANUARY 23, 2017~~

ORDERED:

At a regular meeting of the Marlborough City Council on JANUARY 23, 2017, the following proposed amendment to the Code of the City of Marlborough, be further amended as follows:

Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough as amended, be further amended in Chapter 125, Section 6 "Salary Schedule" as follows:

Non Union Employees								
Position	Effective Date	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
		Start	6 months of service	1 year of service	2 years of service	3 yrs. of service	4 yrs. of service	5 yrs. of service
Assistant Chief	January 23, 2017							\$140,000.00
	July 1, 2017							\$142,800.00

Marlborough Fire Department		
Position	Effective Date	Base Salary
Battalion Chief	January 23, 2017	\$86,190.22
	July 1, 2017	\$87,914.02

Be and is herewith ordered **ADVERTISED AS INDICATED ABOVE AND TABLE UNTIL THE FEBRUARY 27, 2017 AS THE TEN DAY PERIOD WILL NOT BE MET FOLLOWING THE ADVERTISEMENT DATE OF JANUARY 28, 2017.**

ADOPTED

ORDER NO. 17-1006795B



IN CITY COUNCIL

Marlborough, Mass., ~~JANUARY 23, 2017~~

ORDERED:
ORDERED:

Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough (hereinafter, the "City Code"), as amended, be further amended as follows:

- A. The City Code is hereby amended in its entirety by deleting the words "Chief Engineer" as said words appear throughout the City Code, , and inserting in place thereof, throughout the entirety of the City Code, the words "Fire Chief."
- B. Chapter 74 is hereby amended by deleting the words "Assistant Engineer" as said words appear throughout the City Code, and inserting in place thereof, , throughout the entirety of the City Code, the words "Assistant Chief."
- C. Section 125-17, entitled "Overtime Pay," is hereby amended in its entirety by deleting the words "First Assistant Engineer and Second Assistant Engineer in the Fire Department" and inserting in place thereof the following words: "Assistant Chiefs."
- D. Section 74-5, entitled "Permanent Department Force," is hereby amended as follows:

§ 74-5 Permanent Department Force

- A. The permanent force of the Fire Department shall consist of a Fire Chief; Assistant Chiefs; Battalion Chiefs; Captains; Lieutenants; and as many firefighters as the Mayor and City Council may from time to time order.

Be and is herewith refer to **FINANCE COMMITTEE**.

ADOPTED

ORDER NO. 17-1006795C



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2017 JAN 19

City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Nicholas J. Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

January 19, 2017

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

**Re: Transfer Request – Marlborough Fire Fighters Association, Local 1714, I.A.F.F.
Memorandum of Agreement**

Honorable President Clancy and Councilors:

I am pleased to inform you that the City of Marlborough and the Marlborough Fire Fighters Association, Local 1714, I.A.F.F. recently ratified a Memorandum of Agreement (“MOA”) to cover the period between July 1, 2015 through June 30, 2018.

The MOA is extensive and contains several provisions that need City Council approval; thus, I have enclosed for your approval the following:

- A transfer request in the amount of \$615,629.11 from the Reserve for Salaries account and the internal Deputy Fire Chief account to various accounts in the Marlborough Fire Department budget to fund the MOA and reorganization.
- Salary ordinances and job descriptions for the two newly created positions of Assistant Chief and Battalion Chief
- An order to update the City Code which outlines the Fire Department’s permanent force

I am very pleased that the MOA that both parties ratified also includes the revocation of civil service by the members of the Fire Department. I will request your approval of a home rule petition to exempt the Fire Department from Civil Service in a separate letter to the City Council.

Reorganization of the Marlborough Fire Department

Since Chief Kevin Breen joined the MFD, he has been working closely with MFD staff and union representatives to reorganize the Department to improve operations. The MOA contains the result of those discussions and hard work.

First, the City and union agreed to remove the two Deputy Chief positions which were within the union and create two Assistant Chief positions that are out of the union. Having high ranking fire officers and line fire personnel in the same union creates certain managerial challenges, but creating two Assistant Chief positions outside of the union and part of a senior management team will help improve the managerial system in the Marlborough Fire Department.

The fire departments in comparable cities and towns are generally both civil service and union departments making it difficult to create a salary ordinance based on a salary survey. The ordinance I have proposed for the Assistant Chief salary limits it to no more than \$140,000.00. This amount takes into consideration the overtime, hazard pay, and the various other payments union firefighters receive while also considering the union protections employees give up by moving into a nonunion, appointed position.

Second, the City and union agreed to create four new Battalion Chief positions. Battalion Chiefs oversee each working tour and these positions will be filled immediately from the existing officer corps.

This reorganization is beneficial because it ensures a command presence on each working tour in terms of fulfilling the need for an on-scene incident commander at all significant emergencies. Additionally, the reorganization creates a management team that will create and maintain a strong progressive vision to continue to deliver high-quality services to the citizens of Marlborough.

Update to the City Code

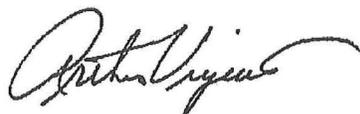
Section 74-5 of the Marlborough City Code outlines the permanent department force for the Marlborough Fire Department. I have enclosed an order to revise that section to reflect what the new MFD force will be comprised of moving forward. This proposed order also updates the City Code to reflect the position titles we now use, rather than the outdated terminology the City previously used.

While the negotiations may have taken longer than we hoped to complete, I am pleased at the final product and believe that the benefits, including the reorganization, the exemption of civil service, and the two nonunion leadership positions will help improve MFD operations for the long term.

I want to also thank two individuals whose years of experience and strong leadership was crucial to moving this MOA forward one step at a time. Local 1714 president Bill Taylor and Fire Chief Kevin Breen devoted numerous hours to negotiations and debate about the best way forward for the Department. This MOA is the product of their hard work and I thank them for their efforts.

Again, thank you for your consideration of the enclosed transfer request. Chief Breen and I will be available to discuss the MOA with you in detail. In the meantime, if you have any questions, please do not hesitate to contact me or Chief Breen.

Sincerely,



Arthur G. Vigeant
Mayor

Enclosures

December 30, 2016
DRAFT FOR REVIEW
OFF-THE-RECORD
MEMORANDUM OF AGREEMENT
Between
CITY OF MARLBOROUGH (the City)
And
LOCAL 1714, I.A.F.F. (The Union)

The Marlborough Fire Fighters Association, Local 1714, International Association of Firefighters, AFL-CIO ("Union") and the City of Marlborough ("City") tentatively agree to a successor collective bargaining agreement covering the period July 1, 2015 to June 30, 2018 ("2015-2018 CBA") as follows:

1. **Procedure to consummate as final agreement.** The Union's agreement is subject to ratification by the collective bargaining unit and the City's agreement is subject to City Council vote funding of all financial terms of this tentative agreement in accordance with Chapter 150E. Assuming this tentative agreement is ratified by the collective bargaining unit and funded by City Council, the parties shall collaborate thereafter to draft and execute an integrated 2015-2018 CBA incorporating the terms and conditions set forth herein. Failing such ratification or affirmative vote of the City Council funding the cost items, this Memorandum shall not be admissible in any proceeding between the parties, and both parties will be free to revert to bargaining positions prior to the off-the-record discussions that produced this agreement.
2. **Incorporation of terms of prior agreement.** All terms and conditions of the collective bargaining agreement covering the period July 1, 2012 to June 30, 2015 shall continue as terms and conditions of the 2015-2018 CBA, except as amended by the express terms of this memorandum of agreement.

3. **Salary Schedule (Article XII) shall be amended as follows:**
- a. Retroactive to July 1, 2015 the salaries of fire fighters and fire officers (lieutenant, captain, and deputy chief) shall be increased by 2.0% across-the-board.
 - b. Retroactive to July 1, 2016, the salaries of all unit positions shall be further increased by 2.0%.
 - c. Effective January 1, 2017, \$1,000 shall be added to all fire fighter base salary steps, and the base salaries of fire officers above that new maximum base salary shall on the same date be adjusted as follows: Fire fighter to Lieutenant, 16.0%; Lieutenant to Captain, 9.0%; Captain to Battalion Chief, 9.0%.
 - d. Effective July 1, 2017 base salaries shall be further increased by 2.0% for all ranks.
 - e. Based on the foregoing changes, the Wage Scale in Article XII shall be amended as per Attachment A.
4. A new Article [TBD] shall be added to the 2015-2018 CBA entitled "**Fire Officer and Command Staff Reorganization**" that shall read as follows:
- a. Effective as soon as practicable after the signing and funding of the Agreement, the City may proceed to implement a management reorganization in which the upper ranks of the department will be structured as follows:
 - i. First, two assistant chiefs, excluded from the bargaining unit, whose selection will first be determined by the option set forth in section 3d below.
 - ii. Then, four Battalion Chiefs, assigned from the ranks of Captain (or Lieutenant) to perform within the fire suppression division as shift commanders and incident commanders. Such Battalion Chiefs shall be appointed provisionally to the Civil Service position of District Chief.
 - iii. Then, to the extent of any vacancies in the position of Captain, such vacancies shall be filled from an existing Civil Service list, and then provisionally, from the positions of lieutenants and, if necessary, from the ranks of fire fighters.
 - iv. Then, to the extent of any vacancies in the position of lieutenant, such vacancies shall be filled provisionally from the position of fire fighter.

- b. Inasmuch as there are Civil Service examinations for the positions of Fire Lieutenant and Fire Captain scheduled for November 19, 2016, and eleven (11) unit members have applied to take one (or more) of said examinations, it is agreed that upon the establishment of a promotional list for said positions the City shall make permanent appointments, based on vacancies, in the following order of preference:
- i. First, employees who passed the examination for one or both positions and were provisionally appointed pending the results of the examination;
 - ii. Second, employees who passed the examination for one or both positions;
 - iii. Third, employees provisionally appointed to the position; and
 - iv. Fourth, other interested applicants, as the City shall determine.
- c. After the initial vacancies are filled by permanent appointments under Section 3b, the City and the Union agree that the replacement promotion policy, effective after the Legislature's revocation of Civil Service, shall govern promotional appointments for subsequent vacancies.
- d. The two incumbent Deputy Chiefs assigned to day shifts shall first be offered the Assistant Chief positions referred to below. If such positions are not accepted, the incumbent Deputy Chiefs shall each have the option of dropping back to the position of Battalion Chief, such option to be exercised within 7 calendar days of the funding of this Agreement. If that option is not exercised, it is agreed that the two incumbent deputy chiefs shall be appointed to serve as Assistant Chiefs; that such position shall be added as a specific exclusion from the bargaining unit as described in Article I, Section I; and that the salaries, hours, benefits and other terms and conditions of employment for such positions shall be determined by the City.

5. Civil Service Revocation —TWO PARTS:

PART I: NEW ARTICLE

A new Article [TBD] shall be added to the 2015-2018 CBA entitled "Revocation of Civil Service" that shall read as follows:

Revocation/Promotion Policy

The parties agree as an essential element of this Agreement to sponsor and support the City Council's adoption and the Legislature's expeditious approval of a Home Rule Amendment to revoke the acceptance of G.L. c.31 as it relates to the Marlborough Fire Department. The effective date of such revocation shall be the date the legislation is passed and signed by the Governor. The following terms and conditions shall come into effect upon revocation:

SECTION 1. EFFECT OF REVOCATION

The revocation of the Civil Service statute shall not affect any contractual or civil service rights which have come into existence between the City and any person employed as of the date of revocation, as a result of the original acceptance of such law pursuant to G.L. c.4, Section 4B, clause (e).

SECTION 2. LAYOFF AND RECALL

- a. Employees appointed prior to the City's revocation of the Civil Service statute shall maintain all rights regarding layoffs, recall, inclusion on the re-employment list, and lateral transfers, and the procedures under M.G.L. c. 31 governing such matters and any appeal shall continue to apply.
- b. For employees appointed after the removal of the department from Civil Service, the term "layoff" means a reduction in the number of employees due to a lack of work, lack of funds or abolition of position. In the event of a layoff, the least senior employee or employees shall be laid off first. In any case, a thirty (30) days'

advance notice of the contemplated layoff shall be given to the employee in writing; a copy of such notice shall also be given to the Union.

- c. A laid-off employee shall have recall rights for a maximum period of seven (7) years. Recall shall be in order of seniority with the employee with the highest level of seniority having first right of recall. Notice of recall shall be via certified mail and by email to the employee's last known address and email address, with a copy to the Union President. A recalled employee shall notify the Mayor within twenty-one (21) calendar days of receipt of the recall notice of his or her intention to return to the Marlborough Fire Department. Any person refusing or failing to exercise such recall opportunity within such twenty-one (21) day period shall be deemed to have waived his or her right of recall permanently and absolutely. Employees must be available to work within twenty-one (21) calendar days of receiving notice in order to be eligible for recall, except as follows in the next paragraph.
- d. Any person refusing or failing to exercise such recall opportunity within such twenty-one-day period shall be deemed to have waived his or her right of recall permanently and absolutely except as follows:
- (1) An employee who is on active duty in the military for an enlistment period, or an employee who is obligated by contract to continue in the employ of another employer, shall have the right to maintain eligibility for recall for the next vacancy, or
 - (2) The recalled employee may within the twenty-one-day period request the Mayor in writing an extension of time to return to work in Marlborough for exigent reasons which shall be specified. In considering any such request the Mayor shall weigh specific exigent circumstances justifying an extension and the City's need to fill a vacancy.

The exceptions listed above shall not include situations where the employee being recalled has alternative employment with another City or with a private ambulance company, unless obligated by contract to continue for a term in the employ of another employer.

- e. Prior to returning the laid off employee to work the City shall have the right to obtain a CORI report for determining whether any actions reflected on such report, after the date of the layoff, affect the employee's qualifications for re-employment. Prior to returning to work a recalled employee may be required to undergo a physical examination, and such other background investigation of conduct occurring after the layoff as the Fire Chief deems necessary and appropriate. The City shall bear the cost of any physical examination it requires under this section. If, based on the results of such examination or investigation, the Mayor rescinds the offer of recall he shall provide the employee with a written statement of his reasons for the rescission. This rescission may be subject to the grievance and arbitration provisions of the contract.
- f. In the event of a layoff in the rank of lieutenant, captain, or battalion chief, the incumbent with the least length of service in grade shall have the option to bump into a position in the next lower grade of the Department. If two employees have equal length of service in grade, the employee with less total service with the Department shall be affected by the layoff.
- g. Laid off employees will be responsible for maintaining any required licenses or certifications, provided that laid off employees are allowed to attend department training sessions, if available, at no cost to the employee or the City. Laid off employees will be allowed to attend courses which involve a cost provided they pay their portion of the costs. Laid off employees who attend such City-sponsored training sessions and/or courses, shall as a condition of attendance, sign a Release of All Claims on a form provided by the City indicating that they are participating on a voluntary basis and not as employees of the City and, except in instances

involving gross negligence on the part of the City, they accept all risks associated with participation in the program. To facilitate maintenance of required licenses or certifications, the City agrees to continue to affiliate laid off firefighters, with the Office of Emergency Medical Services, if they do not otherwise have employment with such affiliation.

SECTION 3. PROMOTIONS.

Section 1. Promotion Process.

The purpose of this process is to identify the best-qualified individual for promotion without regard to personal preference, prejudice or unsubstantiated opinions.

- a. The initial component of the promotional process shall be an examination administered by a professional testing firm hired by the City. The written examination will be provided for eligible employees at no cost.
- b. At least ninety (90) calendar days prior to any written promotional exam for Lieutenant, Captain, or Battalion Chief, the department will announce by posting a notice including:
 - (1) The title of the position;
 - (2) The eligibility requirements
 - (3) Description of the duties of the position
 - (4) The date, time and location of the written examination;
 - (5) The reading list of resource and reference materials upon which the test and the assessment center will be based.

Such notice will be posted conspicuously at all fire stations. Eligible employees who are out of work due to illness, injury, active military leave or other long term absence shall be mailed and/or emailed a copy of the examination notice at their last known address or email address.

A reference book list for the ranks of Lieutenant, Captain, and Battalion Chief will be posted and maintained at all times. No changes to the book list will be made once notification of an exam has been announced.

While there may be exam questions for positions which overlap, the exam shall contain questions specifically designed to measure qualifications for each rank

The passing score, established by the City, to the written examination is 70. The written examination will be scored by the testing firm. The release of the written marks will be made in a timely manner, the contemplated timeframe to be announced with the notice of the exam. (The City will request that the release of the written marks occur within fifteen (15) days of the exam date.) Upon receiving written exam scores,

candidates shall then have five (5) business days to review the promotional examination in accordance with the review policy in place by the testing firm.

- c. To be eligible for promotion to a Lieutenant or Captain, a candidate must be a permanent member of the department with a minimum of three (3) years of continuous service. To be eligible for promotion to a Battalion Chief, a candidate must be a permanent member of the department with a minimum of five (5) years of continuous service with at least two years as a fire officer.
- d. All candidates must notify the Chief in writing of their interest in taking the exam by submitting a resume and a cover letter of intent and documentation of qualification for the posted position at least thirty (30) calendar days prior to the test date.
- e. Only candidates who pass the written examination as defined in paragraph (g) below will be included in subsequent phases of the promotional process.
- f. Examinations for Lieutenant, Captain, and Battalion Chief will be conducted every two (2) years, or sooner if necessary. If no promotion has been made within the two (2) year period, the examination will be administered in the third (3rd) year, and the list will remain in effect until superseded by a new list. The Chief may make provisional appointments in the absence of a certified list.
- g. In the event that fewer than two (2) applicants achieve a minimum passing score, the Chief shall have the option to proceed with the remaining testing portions or schedule another examination after posting as outlined in letter (b) above. Eligibility of this second exam will be in accordance with letter (c) above, EXCEPT, in-grade requirements for the position of Captain and/or Battalion Chief will be waived depending on the test given not having at least two candidates achieve a minimum passing score.

If another exam is held because fewer than two (2) applicants achieved a score of seventy (70) or above, the applicant who passed the original exam shall have the option of "holding" their examination score and will not be required to take the next written examination. Their score shall remain valid until the next subsequent examination is given. Candidates who choose to "hold" their score shall notify Human Resources in writing at least fourteen (14) calendar days before the date of the next exam. The candidate electing to "hold" their score on the written examination will then be required to complete all other aspects of the promotional process.

- h. A candidate may appeal a question from the written examination. Such appeal must be made in writing to the Chief within five (5) business days of the close of the candidate's promotional testing review period. The Human Resources Director will then transmit the appeal to the testing firm. If there is a question that gets overturned as the result of the appeal process, the following is applied:
 - No correct answer to the question, all candidates receive credit.

- If multiple answers are correct, only those candidates who answered either correct answer will receive credit.
- If candidate chose neither correct answer, then no credit allowed.

No questions will be thrown out. The written test will be based upon a 100% score. The candidate shall be advised of the result of the appeal within ten (10) business days of the City's receipt of an appeal, which decision shall be final.

- i. Examination scores will remain valid until a new examination is administered and results are available.
- j. Candidates who achieve a passing score on the written examination will be eligible to participate in an assessment center, which may include, but not be limited to a fire simulator component. The exercise(s) which comprise the assessment center shall be professionally designed and administered, and an orientation session shall be held to assist candidates in knowing the areas to be assessed. The goal of the assessment center is to evaluate the candidate's knowledge, skills, abilities and personal characteristics that are directly related to the essential functions of the roles of Lieutenant, Captain, and Battalion Chief. The consultants who develop and administer the assessment center will be responsible for the scoring system for the assessment and for establishing the passing score for the assessment center. The dates, times, and locations of the orientation session and assessment center shall be posted conspicuously at all fire stations. The City will be responsible for the cost of the assessment center.
- k. A candidate may appeal any component of the assessment center. Such appeal must be made in writing to the Chief, who will transmit such to the consultant administering the center, within five (5) business days of the completion of all components of the assessment center for all candidates. The candidate shall be advised of the result of the appeal within ten (10) business days of the City's receipt of an appeal, which decision shall be final.
- l. Candidates who achieve a passing score on the assessment center shall be eligible for inclusion on the promotional list. The third component of the promotional process shall consist of an oral interview conducted by a panel selected by the Chief. The panel shall include: Fire Officers from municipalities who hold a rank equal to or higher than the position being tested.
- m. The promotional list shall be established based on the following weighted components:
 - (1) Score on the written examination: 50%
 - (2) Score on the assessment center: 40%
 - (3) Oral Interview: 10%

The promotional list shall be established no later than fifteen (15) business days following the completion of the last and third component of the promotional process, oral interview, for all candidates. Each candidate at that time shall be mailed/emailed

their final scores and ranking. Once established, the list shall remain valid until a new promotional process is administered and a new list is established.

- n. The Fire Chief shall select from the highest three candidates on the list to recommend to the Mayor. In the event candidates have the exact same score after applying the weighted criteria, within the top three scores, such tied candidates shall be considered as one candidate for purposes of selecting from the top three candidates eligible for promotion. [For example, if candidates A and B tied with a score of 90, and candidates C and D had scores of 88 and 86, respectively, all four candidates would be eligible for promotion. The same standard would apply for candidates tied with the second highest and third highest scores].

The Fire Chief shall evaluate each candidate's record of service using the following criteria:

- i. Job related experience;
- ii. Performance evaluation in his/her present position (including contributions to the department);
- iii. Attendance record;
- iv. Sick leave record;
- v. Formal education;
- vi. Fire & EMS certification;
- vii. Training and education through career and self-initiated development;
- viii. Disciplinary record of the employee; and
- ix. Work ethic and initiative.
- x. Military service

Candidates may submit materials relating to the above criteria for the Fire Chief's review to supplement the Department's personnel record.

- o. Prior to presenting his recommendation, the Fire Chief will notify the eligible candidates of which candidate he intends to recommend. This notification shall include a general statement summarizing his/her recommendation.
- p. Candidates not recommended for promotion may, at their discretion, arrange a meeting with the Fire Chief to review the candidate's performance within the promotional process to identify how the candidate may be more successful in future promotional efforts.

Section 2. Selection.

- a. The parties agree that the Union shall have the right to grieve alleged violations of certain sections of the Promotion Process [sub-sections (a) through (o)] provided that any grievance filed by the Union involving sub-sections (i), (l), (m) and (o) of Section 1 cannot involve the substance of the written exam, assessment center (or oral

interview) or the Fire Chief's evaluation of the service record, only the procedures by which they are administered.

- b. If, after all dimensions are scored, two or more bargaining unit employees appear equally qualified, the employee having the greater seniority shall be given preference.
- c. Union grievances shall be filed at the Mayor's level (level III of the grievance and arbitration procedure outlined in Article VIII) within seven (7) calendar days of the Union learning of the act or omission and a copy shall be provided to the Fire Chief.
- d. The promotional process will not be delayed or held in abeyance pending any employee appeal or pending any Union grievance.
- e. Under no circumstances will an arbitrator have the right to rescind a promotional decision.

**PART II:
AMENDMENTS RELATED TO
ANTICIPATED REVOCATION OF CIVIL SERVICE**

In anticipation of revocation of the Civil Service law by the Commonwealth, the following provisions in the CBA that reference Civil Service in the 2015-2018 CBA shall be amended to read, as follows:

- (a) Article I, Recognition, Union Dues and Union Rights, shall be amended at Section I and III (paragraph D), to read as follows:**

Section I: The City of Marlborough recognizes Local 1714, International Association of Fire Fighters, AFL-CIO, CLC, as the sole and exclusive bargaining agent for all uniformed, full time, permanent members of the Marlborough Fire Department and all other members of said department, excluding the Chief, Assistant Chief, for the purposes of collective bargaining with respect to wages, hours and other conditions of employment.

“Permanent” firefighters include all provisional firefighters and firefighters hired to fill permanent positions who have not completed their Civil Service probationary period (one year). as well as any such uniformed, full time firefighters hired after revocation of Civil Service.

Section III.

- A) [no change]**
- B) Time off for members of the union's grievance committee, which shall not exceed two (2) members, without pay or benefit loss and without required make up time, shall be provided for the investigation and processing of contract grievances and problems relative to the wages, hours and working conditions of bargaining unit personnel, for the processing of arbitration cases and for the processing of matters before the Civil Service Commission (before and after any revocation of Civil Service where a permanent civil service bargaining unit member or the Union has business**

at the Civil Service Commission). Every effort will be made to conduct such business within a reasonable time.

(b) Article III, Section III and shall be amended to read, and a new Section IV shall be added that shall read:

Section III. All permanent promotions within the department through the rank of Battalion Chief shall be made as a result of a competitive promotion process, provided however, that all firefighters must have a minimum of three years of permanent full time service to be deemed entitled for permanent promotion.

Section IV.

(c) Article IV, first paragraph shall be amended to read: "The duties of the members of the Fire Department shall consist of prevention, control, and extinguishing of fire, and all related work, including light maintenance of equipment and quarters and implied work necessary to secure the carrying out of the aforementioned duties, all such duties as set forth in each individual employee's job description (job description shall be as set forth in Civil Service law, regardless of any revocation of Civil Service during pendency of this Agreement), and the rules and regulations of the Marlborough Fire Department as adopted by the City. Such duties shall also include cleaning snow and ice from pedestrian walkways of the fire stations."

(d) Article XVI, Seniority Roster, shall be amended to read:

SECTION I: For employees appointed pursuant to Civil Service Law the following shall apply regarding seniority (before and after any revocation of Civil Service Law (G.L. c.4, Section 4B, clause (e)):

The City will maintain a seniority roster based upon Civil Service standards until _____ and thereafter based upon the employee's departmental hiring date as a permanent firefighter. The seniority roster shall be used for all selections involving layoffs whereby the last person hired is the first person laid off. The seniority roster shall also be used for matters involving conditions of employment, such as vacation availability and selection and longevity. Updated seniority lists shall be posted immediately after January 1 of each year on the bulletin boards at central station and all sub-stations, and a copy shall be mailed to the Secretary of the Union. The City will also maintain a list of department officers (lieutenants, captains and battalion chiefs) which will reflect time in grade held for each position.

(e) Article XXX, Miscellaneous, Paragraph "D" shall be amended to read:

"D) No permanent employee who has completed his/her Civil Service probationary (or contractual one-year probationary period for those hired after revocation of Civil Service)—shall be dismissed or otherwise disciplined without just cause. Any suspension or dismissal shall not be subject to the grievance and arbitration procedure unless the employee elects arbitration as his exclusive remedy, as provided in Chapter 150E, Section 8 of the Massachusetts General Laws. This section does not apply to provisional employees or other firefighters who have not completed their Civil Service or contractual probationary period."

7. Master Firefighter (Article XII, Section III) shall be amended to read as follows:

- a. An employee covered by this agreement with ten (10) years of service shall be paid as a Master Firefighter and as such, shall receive a weekly differential equal to 5% of his/her annual base salary in addition to his/her weekly compensation and any other differential to which he/she may be entitled. Such differential shall be included in base

pay for the purpose of computing overtime, vacation, holiday, sick and injured pay, and/or retirement/pension programs to the extent allowed by law.

- b. [Reserve – pending confirmation of deletion]
- c. [Reserve – pending confirmation of deletion]
- d. Effective January 1, 2017 the Master Fire Fighter pay in sub-section (a) above shall be increased from 5.0% to 5.0%, plus \$500. Effective January 1, 2017, the Master Fire Fighter pay in sub-section (a) above shall be increased from 5.0% plus \$500 to 5% plus \$1,000 after twenty (20) years' service; and effective that same date the Master Fire Fighter pay shall be increase to 5% plus \$1500 after twenty-five years' service.
- e. In addition to the Master Fire Fighter pay as enhanced in sub-section (d) above, employees in their 11th through 19th year of service, 21st through 24th year of service, and 26th year of service and thereafter shall receive an annual payment, not included in base pay for any purpose, of \$500, payable in June of such fiscal year to employees on the payroll at that time.

8. Effective on ratification of this Agreement, Article XVII shall be amended to read as follows:

SECTION I

Employees covered by this agreement shall be entitled to a plan of group life insurance, group accidental death, and dismemberment insurance, and group general or blanket hospital, surgical and medical insurance, governed by Chapter 100, acts of 1968 and Chapter 32B of the General Laws of Massachusetts, if same is adopted by the City Council.

SECTION II

The City shall contribute 60%, the employee 40% to the PPO option, the City shall contribute 70%, the employee 30%, to the HMO option.

The following provision shall be suspended in light of the Supreme Judicial Court decision in Somerville v. Commonwealth Employment Relations Board, 470 Mass. 563 (Mass. 2015) holding

that such provisions are not enforceable: "The City shall contribute 70% to the senior and retiree's health insurance plans and the senior or retiree shall contribute 30%. The City will split co-pay actual costs 90/10 for out of service area seniors and retirees." This provision will take effect only upon judicial or legislative action establishing that the future retirement benefits of current bargaining unit members is a mandatory subject of bargaining." Non-mandatory subject should be deleted. If it becomes negotiable, the parties can deal with this subject at that time.

SECTION III

The Union will cooperate through its designee to participate in an employee's group advisory committee on group insurance as may be established by the City under State law.

SECTION IV

A dental plan as agreed upon by the City and the Union shall be offered to bargaining unit employees. The premium cost for such dental plan shall be a fifty-percent/fifty-percent (50% - 50%) share as between the employee and the City.

SECTION V

The City shall make available to bargaining unit employees a so-called I.R.S. - section 125 plan, through which all employee medical and dental plan premium costs can be paid by employees on a "pre-tax" basis.

9. **Code of Conduct/Discipline For Just Cause.** Adopt revised Code of Conduct as a policy, and add to Article II the following sentence: Notwithstanding any prior policy or practice adopted by prior fire chiefs under the administration of prior Mayors, the City's exercise of its rights to discipline employees will be governed by decisions interpreting M.G.L. c. 31 and by applicable arbitral precedent under a just cause standard.

Attached is a Code of Conduct that shall be incorporated as an ADDENDUM of the CBA

10. **Article VI ("Clothing"), Section II shall be amended to read as follows:**

The clothing allowance for permanent members of the department, as of the first day of each fiscal year, shall be as follows:

July 1, 2015 - \$1,050

July 1, 2017 - \$1,250

All receipts for clothing must be received no later than June 1st of each year. All remaining balances shall be paid by check to the employee. Applicable taxes will be withheld by the city.

The City and the Union agree to return to the previous system of direct payment to vendors.

A permanent member of the Marlborough Fire Department entering service of the department in the first half of the fiscal year shall be entitled to full benefits of this section. A permanent member of the department entering service in the second half of the year shall be entitled to one-half of the benefits of this section.

11. Overtime Meals. Delete Article XIV, effective July 1, 2017.

12. Arbitration Settlements. In consideration of the resolution of issues relating to the reorganization of the department and associated changes in rank differentials the Union agrees, upon funding of this Agreement by the Marlborough City Council to withdraw with prejudice (but without precedent) the following pending arbitration cases: Failure to Fill Deputies positions (AAA #01-16-0002-3126); Transfer grievance (AAA #01-16-0002-6559); Deputies' Schedule grievance (AAA #01-16-0003-8570); and Disputed Contract Provisions Grievance (AAA Case #01-15-0004-6069). The following more expansive language added in the Union's draft about non-precedential withdrawals, is acceptable. The withdrawal of the above referenced matters and the underlying events shall be without precedent to the meaning of the parties' collective bargaining agreements and past practices. Accordingly evidence of this settlement, the events that formed the basis of each such grievance/arbitration, and the grievance procedural and withdrawal of arbitration shall not be admissible in any forum except for one to enforce this paragraph.

Agreed to this _____ date of December, 2016:

FOR THE MARLBOROUGH FIREFIGHTERS ASSOCIATION, LOCAL 1714
I.A.F.F.,

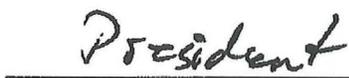
By its Executive Board:



William S. Taylor, President



Brian Lacroix, Treasurer



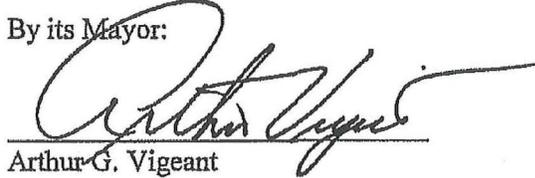
[title]



[title]

Dated: 1/4/17

FOR THE CITY OF MARLBOROUGH,

By its Mayor:


Arthur G. Vigeant

Dated: 1/4/17

ORDERED:

Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough as amended, be further amended in Chapter 125, Section 6 "Salary Schedule" as follows:

Non Union Employees								
Position	Effective Date	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
		Start	6 months of service	1 year of service	2 years of service	3 yrs. of service	4 yrs. of service	5 yrs. of service
Assistant Chief	January 23, 2017							\$140,000.00
	July 1, 2017							\$142,800.00

Marlborough Fire Department		
Position	Effective Date	Base Salary
Battalion Chief	January 23, 2017	\$86,190.22
	July 1, 2017	\$87,914.02

ADOPTED
In City Council
Order No. 17-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

JOB TITLE: ASSISTANT FIRE CHIEF**DUTIES AND RESPONSIBILITIES:**

ASSIGNMENT: Assistant Chief - Fire Department

SUMMARY: Performs highly responsible work assisting the Fire Chief in managing the delivery Fire Suppression, Fire Prevention, Rescue, Hazardous Materials and disaster management services. Assumes complete operational control of the department, under direction of the fire chief, on an assigned, rotating basis. Assistant Chiefs are members of the department's executive team and serve as second in command under the fire chief. They strive to continuously improve the department's efficiency and operational effectiveness in all customer service delivery.

Assistant Fire Chiefs are members of Department's Senior Management team and classified as confidential employees, exhibiting a strong, continuing commitment to the organization's mission, philosophy, goals and objectives.

ACCOUNTABILITY: Reports directly to and is accountable to the Fire Chief.

Supervises all paid fire department staff below the rank of Assistant Chief (Battalion Chiefs, Captains, Lieutenants, Firefighters), either directly or through other subordinate officers.

Administers the department's health and safety program.

Administers the department's training and personnel program. Develops training programs and courses. Delivers training programs to fire department personnel and other internal as well as external customers.

Acts as the department's curriculum specialist by seeking, reviewing and recommending selection of appropriate training materials, consultants and supplies.

Assists in managing facilities, equipment, communications, fire alarm, information systems, fire prevention, emergency medical services, and hazardous materials programs/services.

May act as Fire Chief during absence of the Fire Chief, as assigned.

Directs and participates in major departmental programs.

Responds to alarms as needed; assumes Incident Command and control on an assigned, rotating basis.

Carries out duties in conformance with Federal, State, County and City laws and ordinances.

Assists in the planning and implementation of Fire, EMS and disaster management programs for the City in order to better carry out the policies and goals of the Town.

Directs the operation of departmental in-service training activities.

Investigates grievances from officers and firefighters, maintains Departmental discipline and the conduct and general behavior of personnel by enforcing and complying with general orders, standard operating procedures, collective bargaining agreements and other operating policies and procedures. Issues verbal and written warnings to subordinates. Recommends suspension and/termination of subordinates to the Fire Chief.

Embraces and promotes the department mission, vision and philosophy and rules and regulations.

Researches and recommends material for general orders, rules, regulations and manuals of operations and procedures.

Plans schedules for subordinates, evaluates subordinate performance. Reviews evaluations to monitor evaluators and employees.

Prepares and presents reports of new equipment, methods and procedures to the Chief of Department for evaluation.

Prepares and submits periodic reports to the Fire Chief regarding the Department's activities.

Assigns personnel and equipment to such duties and uses as the service requires.

Recommends employee action in accordance with personnel evaluations.

Assigns work, monitors resources.

Assures staffing at authorized levels.

Serves as an assistant to Fire Chief and Emergency Management Director during emergencies.

Peripheral Duties:

Meets with elected or appointed officials, other Fire/EMS officials, community and business representatives and the public on all aspects of the Department's activities.

Attends conferences and meetings to keep abreast of current trends in the field; represents the Department in a variety of local, county, state and other meetings.

Performs the duties of command personnel as needed and fulfills obligations during duty days or duty weeks.

Serves as a member of various employee committees.

SPECIFIC REQUIREMENTS FOR THE POSITION:

Associates Degree in Fire Science or related field.

Seven (7) years of full time Firefighting and EMS experience. Three (3) years of supervisory experience.

Fire Instructor I, Firefighter II, ICS, NIMS, and Haz-Mat operations level certification.

Valid motor vehicle license.

Enrollment in and completion of the National Fire Academy Executive Fire Officer Program is an ongoing job requirement.

OTHER CONSIDERATIONS AND REQUIREMENTS:

Considerable knowledge of modern fire suppression and prevention and emergency medical services principles, procedures, techniques, and equipment; working knowledge of first aid and resuscitation techniques and their application; considerable knowledge of applicable laws, ordinances, departmental standard operating procedures and regulations.

Skill in the operation of following tools and equipment: Emergency medical aid unit, fire apparatus, fire pumps, hoses, and other standard firefighting equipment, ladders, first aid equipment, radio, pager, personal computer, phone.

Ability to train and supervise subordinate personnel; ability to perform work requiring good physical condition; ability to communicate effectively orally and in writing; ability to exercise sound judgment in evaluating situations and in making decisions.

No felony convictions or disqualifying criminal histories within the past seven years.

Ability to read and write the English language.

Ability to meet Departmental physical standards.

Job Title: Assistant Fire Chief	Date Submitted:	Revision Date:
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JOB TITLE: ASSISTANT FIRE CHIEF

Physical Activity Requirements

PRIMARY PHYSICAL REQUIREMENTS

LIFT up to 10 lbs: Regularly Required
 LIFT 11 to 25 lbs: Occasionally Required
 LIFT 26 to 50 lbs: Occasionally Required
 LIFT over 50 lbs: Occasionally Required

CARRY up to 10 lbs: Regularly Required
 CARRY 11 to 25 lbs: Occasionally Required
 CARRY 26 to 50 lbs: Occasionally Required
 CARRY over 50 lbs: Occasionally Required

REACH above shoulder height: Occasionally Required
 REACH at shoulder height: Regularly Required
 REACH below shoulder height: Regularly Required

PUSH/PULL: Occasionally Required

OTHER PHYSICAL CONSIDERATIONS

Twisting: Occasionally Required
 Bending: Occasionally Required
 Crawling: Occasionally Required
 Squatting: Occasionally Required
 Kneeling: Occasionally Required
 Crouching: Occasionally Required
 Climbing: Occasionally Required
 Balancing: Occasionally Required

WORK SURFACE(S)

Counter tops and desks 
 Flooring (various types) 
 Uneven surfaces 
 Sloped Surfaces 
 Snow or icy surfaces 
 Grass/Pavement 
 Vehicle Interiors 

HAND MANIPULATION

Grasping: Regularly Required
 Handling: Regularly Required
 Torquing: Occasionally Required
 Fingering: Occasionally Required
 Controls and Equipment: Regularly Required

**DURING AN 8 HOUR DAY,
EMPLOYEE IS REQUIRED TO:**

	<u>Consecutive Hours</u>								<u>Total Hours</u>							
Sit	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8
Stand	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8
Walk	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8

Job Title: Assistant Fire Chief	Date Submitted:	Revision Date:
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PRIMARY PHYSICAL REQUIREMENTS

Environment: Inside 70% Outside 30%

OTHER PHYSICAL CONSIDERATIONS

(Percentage spent daily)

JOB TITLE: BATTALION CHIEF

ASSIGNMENT: Battalion Chief - Fire Department

SUMMARY: Protects life and property by supervising and performing firefighting, emergency aid, hazardous materials, and fire prevention duties. Maintains fire equipment, apparatus, and facilities. Monitors all shift activity, personnel, equipment and fire alarm/communications. Embraces and promotes the department mission, vision and philosophy.

ACCOUNTABILITY: Reports directly to and is accountable to the Assistant Fire Chiefs

DUTIES AND RESPONSIBILITIES:

Exercises supervision over all on-duty firefighting personnel, including subordinate Company Officers.

Supervises firefighting activities including driving fire apparatus, operating pumps and related equipment.

Supervises and performs fire combat, containment and extinguishment tasks.

Supervises and performs Emergency Medical, Disaster Management and Hazardous Material mitigation tasks.

Participates in fire drills, attends classes in firefighting, emergency medical, hazardous materials, and related subjects.

Instructs and drills subordinates in the duties consistent with their positions.

Receives and relays fire calls and alarms. Operates radio and other communication equipment.

Participates in the inspection of buildings, hydrants, and other structures in fire prevention programs.

Supervises and performs general maintenance work in the upkeep of fire facilities and equipment; cleans and washes walls and floors; cares for grounds around station; makes minor repairs; washes, hangs and dries hose; washes, cleans, polishes, maintains and tests apparatus and equipment.

Assists in special assignments such as emergency preparedness, hazardous communications, training programs, firefighting, hazardous materials, and emergency aid activities.

Presents programs to the community on safety, medical, and fire prevention topics.

All other related duties as assigned

Peripheral Duties:

Assists in department supervisory and administrative duties.

Assists in training new employees.

Job Title: Battalion Chief - Fire Department	Date Submitted:	Revision Date:
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SPECIFIC REQUIREMENTS FOR THE POSITION:

High School Diploma or GED equivalent.

Valid Motor Vehicle License.

Experience as a Company Officer with Marlborough Fire Department

Certification as an Emergency Medical Technician (EMT) is preferred

Certification as a Fire Level II is required

Must be in good health and capable of conducting the duties and responsibilities of the position.

Desired Minimum Qualifications:

Associate Degree in Fire Science or related field.

Five years' experience as a full time firefighter.

Certified Fire Officer I.

Certified Fire Instructor, ICS, Haz-Mat Operations.

OTHER CONSIDERATIONS AND REQUIREMENTS:

Considerable knowledge of modern fire prevention, suppression, hazardous materials, and emergency medical principles, procedures, techniques and equipment; considerable knowledge of building, electrical, mechanical and fire codes; considerable knowledge of inspection techniques.

Skill in the operation of the tools and equipment listed below:

Ability to train and supervise subordinate personnel in the duties of their position; ability to apply standard firefighting, emergency medical aid, hazardous materials, and fire prevention techniques; ability to perform strenuous or peak physical effort during emergency, training or station maintenance activities for prolonged periods of time under conditions of extreme heights, intense heat, cold or smoke; ability to act effectively in emergency and stressful situations; ability to follow verbal and written instructions; ability to communicate effectively orally and in writing; ability to establish effective working relationships with employees, other agencies, and the general public; ability to meet special requirements.

Special Requirements:

Must be 21 years or older; must possess, or be able to obtain by time of hire, a valid State driver's license without record of suspension or revocation in any State; no felony convictions or disqualifying criminal histories; U.S. citizen; must be able to read and write the English language

Tools and Equipment Used:

Emergency medical aid unit, fire apparatus, fire pumps, hoses, and other standard firefighting equipment, ladders, first aid equipment, radio, pager, personal computer, phone.

Job Title: Battalion Chief - Fire Department	Date Submitted:	Revision Date:
--	-----------------	----------------

JOB TITLE: BATTALION CHIEF - FIRE

Physical Activity Requirements

PRIMARY PHYSICAL REOUREMENTS

LIFT up to 10 lbs: Regularly Required
 LIFT 11 to 25 lbs: Regularly Required
 LIFT 26 to50 lbs: Regularly Required
 LIFT over 50 lbs: Regularly Required

CARRY up to 10 lbs: Regularly Required
 CARRY 11 to 25 lbs: Regularly Required
 CARRY 26 to50 lbs: Regularly Required
 CARRY over 50 lbs: Regularly Required

REACH above shoulder height: Regularly Required
 REACH at shoulder height: Regularly Required
 REACH below shoulder height: Regularly Required

PUSH/PULL: Regularly Required

OTHER PHYSICAL CONSIDERATIONS

Twisting: Regularly Required
 Bending: Regularly Required
 Crawling Regularly Required
 Squatting Regularly Required
 Kneeling: Regularly Required
 Crouching: Regularly Required
 Climbing: Regularly Required
 Balancing: Regularly Required

WORK SURFACE(S)

Counter tops and desks 
 Flooring (various types) 
 Uneven surfaces 
 Sloped Surfaces 
 Snow or icy surfaces 
 Grass/Pavement 
 Vehicle Interiors 

HAND MANIPULATION

Grasping: Regularly Required
 Handling: Regularly Required
 Torquing: Occasionally Required
 Fingering: Occasionally Required
 Controls and Equipment: Regularly Required

Environment: Inside 60% Outside 40%

**DURING AN 8 HOUR DAY,
EMPLOYEE IS REQUIRED TO:**

	<u>Consecutive Hours</u>								<u>Total Hours</u>							
Sit	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8
Stand	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8
Walk	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8

(Percentage spent daily)

ORDERED:

Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough (hereinafter, the "City Code"), as amended, be further amended as follows:

- A. The City Code is hereby amended in its entirety by deleting the words "Chief Engineer" as said words appear throughout the City Code, , and inserting in place thereof, throughout the entirety of the City Code, the words "Fire Chief."
- B. Chapter 74 is hereby amended by deleting the words "Assistant Engineer" as said words appear throughout the City Code, and inserting in place thereof, , throughout the entirety of the City Code, the words "Assistant Chief."
- C. Section 125-17, entitled "Overtime Pay," is hereby amended in its entirety by deleting the words "First Assistant Engineer and Second Assistant Engineer in the Fire Department" and inserting in place thereof the following words: "Assistant Chiefs."
- D. Section 74-5, entitled "Permanent Department Force," is hereby amended as follows:

§ 74-5 Permanent Department Force

- A. The permanent force of the Fire Department shall consist of a Fire Chief; Assistant Chiefs; Battalion Chiefs; Captains; Lieutenants; and as many firefighters as the Mayor and City Council may from time to time order.

ADOPTED
In City Council
Order No. 17-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

1/19/2017

CITY OF MARLBOROUGH
BUDGET TRANSFERS -

DEPT: FIRE FISCAL YEAR: 2017

FROM ACCOUNT: TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$733,779.70</u>	\$341,817.75	11990006	57820	Reserve for Salaries	\$128,735.47	12200001	50450	Firefighter	<u>\$1,419,381.08</u>
	Reason:	<u>Calculated amounts for contractual obligations</u>							
					\$146,150.36	12200001	50334	Battalion Chief	<u>\$0.00</u>
	Reason:								
					\$23,596.92	12200001	50800	Fire Captain	<u>\$151,170.01</u>
	Reason:								
					\$43,335.00	12200001	50330	Assistant Chief	<u>\$0.00</u>
	Reason:								
	Reason:								
	\$341,817.75	Total			\$341,817.75	Total			

Department Head signature: Kevin Green

Auditor signature: _____

Comptroller signature: Brian Kelly

1/19/2017

CITY OF MARLBOROUGH
BUDGET TRANSFERS -

DEPT: FIRE		FISCAL YEAR: 2017							
FROM ACCOUNT:				TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$733,779.70	\$92,803.72	11990006	57820	Reserve for Salaries	\$44,276.42	12200001	50810	Fire Lieutenant	\$591,276.47
	Reason:	<u>Calculated amounts for contractual obligations</u>							
					\$18,940.40	12200003	51920	Sick Leave Buy Back	\$28,881.18
	Reason:								
					\$20,166.57	12200003	51490	Holiday	\$182,255.69
	Reason:								
					\$488.30	12200003	51481	Training Special Services	\$1,758.20
	Reason:								
					\$8,932.03	12200003	51480	EMT	\$79,183.55
	Reason:								
	\$92,803.72	Total			\$92,803.72	Total			

Department Head signature: Kevin Green

Auditor signature: _____

Comptroller signature: [Signature]

1/19/2017

CITY OF MARLBOROUGH
BUDGET TRANSFERS -

DEPT: FIRE		FISCAL YEAR: 2017							
FROM ACCOUNT:				TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$733,779.70</u>	\$82,538.96	11990006	57820	Reserve for Salaries	\$6,531.22	12200003	51450	Night Shift	<u>\$42,489.82</u>
	Reason:	<u>Calculated amounts for contractual obligations</u>							
					\$13,530.40	12200003	51440	Educational Incentive	<u>\$107,686.57</u>
	Reason:								
					\$55,953.53	12200003	51430	Longevity	<u>\$54,492.14</u>
	Reason:								
					\$4,471.24	12200003	51226	First Responder	<u>\$29,333.78</u>
	Reason:								
					\$2,052.57	12200003	51328	Call Fire Overtime	<u>\$73,692.95</u>
	Reason:								
	\$82,538.96	Total			\$82,538.96	Total			

Department Head signature: Kevin Green
 Auditor signature: _____
 Comptroller signature: [Signature]

