

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Legislative and Legal Affairs Committee

Date: July 20, 2015

Time: 6:30 PM

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 JUL 15 A 11: 15

Agenda Items to be addressed:

07-13-2015 – **Order No. 15-10066260A:** That pursuant to Section 14 of Chapter 40 of the General Laws of Massachusetts, the City does hereby accept title, by gift of deed of conveyance from Anne P. Mercer to a certain parcel of vacant land, located at 704 Robin Hill Street, also known and numbered as Map 39, Parcel 30 on the Assessors' Map of the City of Marlborough, said parcel containing .663 acres or 28,883 square feet, more or less, said deed to be recorded at the Middlesex County South Registry of Deeds.

-REFER TO LEGISLATIVE AND LEGAL AFFAIRS

07-13-2015 – **Order No. 15-1006260B:** That the City Council of the City of Marlborough, by two-thirds vote pursuant to Mass. Gen. Laws c. 40, § 1 SA, hereby transfers to the Conservation Commission of the City of Marlborough for conservation purposes, including increasing open space, preserving vistas, providing wildlife habitat, and enabling future passive and active recreational opportunities, the care, custody, management, and control of to a certain parcel of vacant land, located at 704 Robin Hill Street, also known and numbered as Map 39, Parcel 30 on the Assessors' Map of the City of Marlborough, said parcel containing .663 acres or 28,883 square feet, more or less, pursuant to Mass. Gen. Laws c. 40, § 8C.

-REFER TO LEGISLATIVE AND LEGAL AFFAIRS

06-15-2015 – **Order No. 15-1006251:** The City Council obtain a decision from the City Solicitor, as the best way to legally proceed, as to the vacated City Council seat caused by the June 5th resignation of Councilor-at-Large Trish Pope.

Some of the suggested recommendations that the Council might wish to explore are as follows:

- 1) To continue with the seat vacant for the remainder of the legislative session that would expire on December 31, 2015.
- 2) To fill the vacant seat, by majority vote of the present City Council, with a former City Councilor or Marlborough resident, who has expressed a desire to assist the Council for the interim period and is not a candidate for election to any position in the upcoming Biennial City Election to be held on November 3, 2015.
- 3) To wait until after the completion of the November 3, 2015, election and fill the seat with a newly elected Councilor-at-Large, who is not a present City Councilor.

If another solution is available the Council would appreciate suggestions for the “best way” so they may legally proceed.

-REFER TO LEGISLATIVE AND LEGAL AFFAIRS

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

Marlborough, Mass., JULY 13, 2015

ORDERED:

That pursuant to Section 14 of Chapter 40 of the General Laws of Massachusetts, the City does hereby accept title, by gift of deed of conveyance from Anne P. Mercer to a certain parcel of vacant land, located at 704 Robin Hill Street, also known and numbered as Map 39, Parcel 30 on the Assessors' Map of the City of Marlborough, said parcel containing .663 acres or 28,883 square feet, more or less, said deed to be recorded at the Middlesex County South Registry of Deeds, be and is herewith refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 15-1006260A



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2015 JUL -9 A 11:45

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

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Arthur G. Vigeant
MAYOR

Nicholas Milano
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

July 9, 2015

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

Re: Acceptance of Gift of Land and Transference to the Conservation Commission

Honorable President Clancy and Councilors:

I am pleased to inform you that the City of Marlborough has received a gift of land from Anne P. Mercer; I propose it be transferred to the Conservation Commission. City Council approval is needed to first accept the land, and subsequently transfer it to the Conservation Commission.

The parcel, located at 704 Robin Hill Street and known and numbered as Map 39, Parcel 30 on the Assessor's Map, is approximately 28,883 square feet of vacant land.

Enclosed please find two proposed orders. The first is an Order of Acceptance of Deed. The second is an Order Transferring Care, Management and Control of the parcel to the Conservation Commission for the purposes of increasing open space, preserving vistas, providing wildlife habitat, and enabling future passive and active recreational opportunities.

The Conservation Commissioner, Priscilla Ryder, and the Legal Department will be available to answer any specific questions you may have. In the meantime, if you have any immediate questions, please do not hesitate to contact me.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

Cc: Priscilla Ryder, Conservation Commissioner
Donald V. Rider, Jr., City Solicitor
Cynthia Panagore Griffin, Assistant City Solicitor
Deborah Fox, Tax Collector
David Manzello, Assessors' Office

ORDERED:

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ADOPTED

In City Council
Order No. 15-
Adopted

Approved By Mayor
Arthur G. Vigeant
Date:

A TRUE COPY

ATTEST:

QUITCLAIM DEED

I, Anne P. Mercer, of Rutherfordton, NC, for consideration less than \$100 (One Hundred Dollars) paid, the receipt and sufficiency which is hereby acknowledged,

hereby grant to the City of Marlborough, a municipal corporation having a principal address of City Hall, 140 Main Street, Marlborough, MA, ("Grantee") with

Quitclaim Covenants, the property described as follows:

all of the right, title and interest in and to the fee in a lot located at 704 Robin Hill Street, which lot is also known and numbered as Map 39, Parcel 30 on the Assessors' Map of the City of Marlborough, and being shown as Lot No. 3 on a "Plan of Land in Marlborough, Mass. (Middlesex County); For: Richard; Scale: 1"=40'; July 14, 1978; Joseph W. Moore Co., Land Surveyors, Civil Engineers, 16 Railroad Ave., Bedford, Mass." said plan being recorded in the Middlesex South Registry of Deeds at Book 13547, 552 (Plan No. 1107 of 1978).

Being the same premises conveyed to the Grantor herein by deed with the Middlesex District Registry of Deeds in Book 14412, Page 233.

I, the Grantor named herein, do hereby voluntarily release all my rights of Homestead, if any, as set forth in M.G.L. Chapter 188 and state there are no other persons entitled to any homestead rights.

Witness my hand and seal on this 30th day of June, 2015.


Anne P. Mercer

(Cont. Quitclaim Deed)

Rutherford County, North Carolina

On this 30th day of June, 2015, before me, the undersigned notary public, personally appeared Anne P. Mercer, proved to me through satisfactory evidence of identification, which was a NC Driver License to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

CHRISTINA L SHAHAN
NOTARY PUBLIC
RUTHERFORD COUNTY, NC
My Commission Expires 2/17/18

Christina L. Shahan
Notary Public:
My Commission Expires:



IN CITY COUNCIL

Marlborough, Mass., JULY 13, 2015

ORDERED:

That the City Council of the City of Marlborough, by two-thirds vote pursuant to Mass. Gen. Laws c. 40, § 15A, hereby transfers to the Conservation Commission of the City of Marlborough for conservation purposes, including increasing open space, preserving vistas, providing wildlife habitat, and enabling future passive and active recreational opportunities, the care, custody, management, and control of to a certain parcel of vacant land, located at 704 Robin Hill Street, also known and numbered as Map 39, Parcel 30 on the Assessors' Map of the City of Marlborough, said parcel containing .663 acres or 28,883 square feet, more or less, pursuant to Mass. Gen. Laws c. 40, § 8C., be and is herewith refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 15-1006260B



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July 9, 2015

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Arthur G. Vigeant
Mayor

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ADOPTED

In City Council
Order No. 15-
Adopted

Approved By Mayor
Arthur G. Vigeant
Date:

A TRUE COPY

ATTEST:



IN CITY COUNCIL

Marlborough, Mass., JUNE 15, 2015

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ADOPTED

ORDER NO. 15-1006251