

REGULAR MEETING
NOVEMBER 2, 2020
TIME: 8:00 PM

IN CITY COUNCIL
ABSENT
LOCATION: CITY HALL, 140 MAIN STREET, 2ND FLOOR

CONVENED:
ADJOURNED:

RECEIVED
CITY CLERK'S OFFICE
NOV 2 2020

2020 OCT 29 P 2:40

This meeting of the City Council will be held virtually on Monday, November 2, 2020 at 8:00 PM with Councilors attending in person and/or remotely. **NO PUBLIC ATTENDANCE WILL BE PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34) or you can view the meeting using the link under the Meeting Videos tab on the city website (www.marlborough-ma.gov).

1. Minutes, City Council Meeting, October 19, 2020.
2. Communication from the Mayor, re: Grant Acceptance in the amount of \$154,964.00 from the Executive Office of Public Safety & Security awarded to the Police Department to be used to offset personnel overtime costs in the Public Safety Dispatching Center.
3. Communication from the Mayor, re: Grant Acceptance in the amount of \$36,869.20 from the Executive Office of Public Safety & Security awarded to the Police Department to fund all mandatory trainings for Dispatch personnel.
4. Communication from the Mayor, re: Grant Acceptance in the amount of \$27,841.74 from the Executive Office of Public Safety & Security awarded to the Police Department to fund the purchase of equipment, conduct quality assurance reviews and offset overtime costs for Dispatch personnel.
5. Communication from the Mayor, re: Grant Acceptance in the amount of \$5,663.00 from the Executive Office of Public Safety & Security awarded to the Fire Department to fund annual Student Awareness of Fire Safety Programs (SAFE) for the students in Marlborough.
6. Communication from the Mayor, re: Grant Acceptance in the amount of \$2,730.00 from the Executive Office of Public Safety & Security awarded to the Fire Department to fund annual Senior Awareness of Fire Safety Programs (SAFE) for the senior population in Marlborough.
7. Communication from the Mayor, re: Appointment of Patrick Jones as Finance Director/Treasurer, for a 3-year term effective from date of Council confirmation.
8. Communication from the Mayor, re: Appointment of Barbara Pellegrini Allen to the Commission on Disabilities for a 3-year term from date of Council confirmation.
9. Communication from the Mayor, re: Reappointments of James Confrey and Judy Kane to the Council on Aging Board for 4-year terms respectively to expire on the first Monday in May 2024 (May 6, 2024).
10. Communication from the Mayor, re: Proposed Ordinance Amendment to Chapter 270 Building and Site Development §9 "Fees" as recommended by the Mayor and Building Commissioner.

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.

11. Communication from the Mayor, re: Proposed Tax Increment Financing (TIF) Agreement with Revance Therapeutics, Inc. and BH GRP TCAM Owner LLC for a 79,000 square foot facility and parking facilities to be constructed at 100, 110, 250 & 350 Campus Drive.
12. Petition from Eversource Energy to install approximately 465' of 8" Intermediate Pressure gas main as part of a system improvement on South Street between 417 South Street and Maple Street.
(Plans are available in the City Clerk's Office).
13. Minutes of Boards, Commissions and Committees:
 - a) Conservation Commission, October 1, 2020 & October 6, 2020.
 - b) Planning Board, September 21, 2020 & October 5, 2020.
 - c) Traffic Commission, August 26, 2020 & September 30, 2020.
 - d) Zoning Board of Appeals, October 20, 2020.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:



CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
Steven W. Kerrigan
140 Main St.
Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723

2020 OCT 28 A 10:55

OCTOBER 19, 2020

Regular meeting of the City Council was held on Monday, October 19, 2020 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Robey, Wagner, Doucette, Dumais, Irish, Navin & Landers. Councilors Participating Remotely: Oram & Perlman. Councilors Absent: Tunnera. Meeting adjourned at 8:39 PM.

Council President Ossing explained that this meeting is being held under the Emergency Order of the Governor allowing relief from the Open Meeting Law (MGL c. 30A §20). The Emergency Order allows for remote participation by public bodies. President Ossing further stated that all votes of the City Council will be taken by roll call vote pursuant to 940 CMR 29.10.

The City Council President asked for a roll call to confirm attendance of all City Councilors.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: That the Minutes of the City Council meeting, October 19, 2020, **FILE**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: That the Communication from the Mayor, re: Certification of Free Cash in the amount of \$15,047,854.00, **FILE**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$29,484.00 from the Metropolitan Area Planning Council (MAPC) awarded to MEDC to fund the city shuttle three days per week for on demand meal deliveries, groceries and medical appointments booked through the Senior Center through March 31, 2021; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$17,328.50 from the Center for Tech and Civic Life awarded to the City Clerk's Office to fund election workers, additional cleaning and temporary help for elections due to COVID-19; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: That the Reappointment of Eileen Bristol as City Collector, for a 2-year term effective from date of Council confirmation, refer to **PERSONNEL COMMITTEE**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: That the Appointment of Mary Watson Avery to the Cultural Council for a 3-year term from date of Council confirmation, refer to **PERSONNEL COMMITTEE**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: That the Communication from the Mayor, re: LED Streetlight Retrofit Project Update, **FILE**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: That the Communication from City Solicitor Jason Grossfield, re: Proposed Ordinance Amendment to Chapter 328 of the Code, "Fire Department Fees", in proper legal form, Order No. 20-1008095, **FILE**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: That the Communication from City Clerk Steven Kerrigan, re: Election Information, **FILE**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: That the Applications for three (3) previously installed signs, Evviva Trattoria, 142 Apex Drive, within the HRMUOD, refer to **URBAN AFFAIRS COMMITTEE**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED: That the Minutes of following Boards, Commissions and Committees, **FILE**; adopted.

- a) School Committee, August 25, 2020, September 22, 2020 & October 2, 2020.
- b) Conservation Commission, September 17, 2020.
- c) Fort Meadow Commission, June 18, 2020, July 16, 2020 & August 20, 2020.
- d) Library Trustees, September 1, 2020.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

Reports of Committees:

THERE WERE NO REPORTS OF COMMITTEE.

ORDERED: That the Application for a Livery License from Eduard Zholudev d/b/a Easy Airport Limo Services, to operate at 15 Indian Lane, with one vehicle, **APPROVED**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED "PERSONNEL," AS FOLLOWS:

I. By adding to the salary schedule referenced in Section 125-6, the following:

Position	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 years of service	4 years of service	5 years of service
Veterans' Director	\$63,933.94	\$65,212.62	\$66,516.87	\$67,847.21	\$69,204.15	\$70,588.24	\$72,000.00

II. This ordinance shall supersede and replace any existing rate for said position (if applicable) in the current salary schedule. The mayor is authorized to waive a maximum of two (2) steps on the salary schedule for this position, subject to available appropriation.

III. The effective date of these amendments shall be September 28, 2020.

Suspend First Reading; Adopt Second Reading; APPROVED.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

Passage to Enroll; APPROVED.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

Passage to Ordain; APPROVED.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

No objection to passage in one evening.

ORDERED That the Job Description as updated for the Director of Veterans Services position as submitted by the Mayor, **APPROVED**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED "PERSONNEL," AS FOLLOWS:

I. By adding to the salary schedule referenced in Section 125-6, the following:

Position	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 years of service	4 years of service	5 years of service
Paralegal	\$51,200.33	\$52,224.34	\$53,268.82	\$54,334.20	\$55,420.88	\$56,529.30	\$57,659.89

II. This ordinance shall supersede and replace any existing rate for said position (if applicable) in the current salary schedule. The mayor is authorized to waive a maximum of two (2) steps on the salary schedule for this position, subject to available appropriation.

III. The effective date of these amendments shall be September 28, 2020.

Suspend First Reading; Adopt Second Reading; APPROVED.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

Passage to Enroll; APPROVED.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

Passage to Ordain; APPROVED.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

No objection to passage in one evening.

ORDERED That the Job Description as updated for the Paralegal position as submitted by the Mayor, **APPROVED**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

ORDERED BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 328, ENTITLED "FEES," AS FOLLOWS:

- A. Chapter 328, Section 328-2 entitled "Fire Department Fee Schedule" is hereby amended as follows:

TYPE	FEE
Home fire/smoke	\$100
Sprinkler	\$50
Blasting	\$100
Alarm installation/replacement	\$50
Home occupancy	\$50
Insurance reports	\$0
LPG storage	\$100
Reinspections	\$50
Oil burners	\$100
Temporary permits	\$50
Wet systems	\$50
Site assessment	\$250
Underground tank storage	\$100
Tank truck inspections	\$50
Underground tank removal	\$100
Cutting/welding	\$100
Aboveground tank storage	\$50
Flammable liquid storage	\$100
Miscellaneous	\$50
Black powder storage	\$25
Smokeless powder storage	\$25
Burning permits	\$0
Installation and maintenance of Fire Department and Police Department Communications system	\$50

- B. Effective Date. These amendments shall take effect on January 1, 2021.

Suspend First Reading; Adopt Second Reading; APPROVED.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

Passage to Enroll; APPROVED.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

Passage to Ordain; APPROVED.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.

No objection to passage in one evening.

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 8:39 PM; adopted.

Yea: 10 – Nay: 0 – Absent: 1

Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.

Absent: Tunnera.



City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

2020 OCT 29 AM 11:15
Patricia M. Bernard
EXECUTIVE AIDE

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

Michele A. O'Brien
EXECUTIVE SECRETARY

October 29, 2020

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Grant Acceptance for State 911 Emergency Medical Dispatch

Honorable President Ossing and Councilors:

Please find enclosed for your review and acceptance a grant in the amount of \$154,964.00 awarded to the Marlborough Police Department from the Commonwealth of Massachusetts Executive office of Public Safety and Security.

This grant will be used to reimburse the city offsetting personnel overtime costs in the public safety dispatching center as described in the enclosed information.

We thank the MA Department of Public Safety and Security for their support.

Please do not hesitate to contact me or Chief Giorgi with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

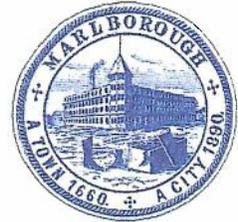
Enclosures



City of Marlborough

Police Department

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



October 23, 2020

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

Dear Mayor Vigeant:

The Marlborough Police Department has been awarded a grant in the amount of \$154,964.00 from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, FY2021 State 911 Department Support and Incentive Grant Program. The grant is a reimbursement grant which will be used to offset personnel overtime costs in the Public Safety Dispatching center.

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

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Giorgi".

David A. Giorgi
Chief of Police

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Police Department DATE: October 23, 2020

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: FY 2021 State 911 Department Support and Incentive Grant

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: \$154,964.00

GRANT PERIOD: October 22, 2020 to June 30, 2021

SCOPE OF GRANT/
ITEMS FUNDED To offset personnel overtime costs in the Public Safety Dispatching Center

IS A POSITION BEING
CREATED: N/A

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

ARE MATCHING CITY
FUNDS REQUIRED? N/A

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

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

ANY OTHER EXPOSURE TO CITY?
N/A

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: Approval requested ASAP to begin use of grant

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



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



CHARLES D. BAKER
Governor

THOMAS A. TURCO, III
Secretary

KARYN E. POLITO
Lieutenant Governor

FRANK POZNIAK
Executive Director

October 22, 2020

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

Dear Chief Giorgi:

The Commonwealth of Massachusetts, State 911 Department would like to thank you for participating in the **FY 2021 State 911 Department Support and Incentive Grant** program.

For your files, attached please find a copy of the executed contract and the final approved Appendix A: Personnel Costs form for your grant. Please note your contract start date is **October 22, 2020** and will run through June 30, 2021. Please keep in mind that there shall be no reimbursement for costs incurred prior to the effective date of the contract and all goods and services **MUST** be received on or before June 30, 2021.

Reimbursement requests should be submitted to the Department within **thirty (30) days** of the date on which the cost is incurred. We have made the request for payment forms available on our website www.mass.gov/E911. For any questions related to this process, please contact Michelle Hallahan at 508-821-7216. Please note that funding of reimbursement requests received more than one (1) month after the close of the fiscal year under which costs were incurred cannot be guaranteed.

If, in the future, you would like to make any changes to the authorized signatory, the contract manager, and/or the budget worksheet, please e-mail those proposed changes to 911DeptGrants@mass.gov. Grantees are strongly encouraged to submit final, year-end budget modification requests on or before March 26, 2021.

Sincerely,

Frank P. Pozniak
Executive Director

cc: FY 2021 Support and Incentive Grant File

FY 2021 SUPPORT AND INCENTIVE GRANT

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the [Standard Contract Form Instructions](#), [Contractor Certifications](#) and [Commonwealth Terms and Conditions](#) which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.ma.comptroller.com/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/site/osd-forms>.

CONTRACTOR LEGAL NAME: City of Marlborough (and d/b/a): <u>Marlborough Police Department</u>		COMMONWEALTH DEPARTMENT NAME: State 911 Department MMARS Department Code: EP8	
Legal Address: (W-8, W-4): 140 Main Street, Marlborough, MA 01752		Business Mailing Address: 181 Campanelli Drive, Suite A, Middleborough, MA 02346	
Contract Manager: David A. Giorgi	Phone: 508-485-1212	Billing Address (if different):	
E-Mail: dgiorgi@marlborough-ma.gov	Fax:	Contract Manager: Cindy Reynolds	Phone: 508-821-7299
Contractor Vendor Code: VC <u>600019211</u>		E-Mail: 911DeptGrants@mass.gov	Fax: 508-847-1482
Vendor Code Address ID (e.g. "AD001"): AD <u>001</u> (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): CT EP8 SUPG	
<input checked="" type="checkbox"/> NEW CONTRACT		CONTRACT AMENDMENT	
PROCUREMENT OR EXCEPTION TYPE: (Check one option only) ___ Statewide Contract (OSD or an OSD-designated Department) ___ Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes all Grants - <u>815 CMR 2.00</u>) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) ___ Emergency Contract (Attach justification for emergency, scope, budget) ___ Contract Employee (Attach Employment Status Form, scope, budget) ___ Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$ _____, (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) ___ Amendment to Date, Scope or Budget (Attach updated scope and budget) ___ Interim Contract (Attach justification for Interim Contract and updated scope/budget) ___ Contract Employee (Attach any updates to scope or budget) ___ Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> <u>Commonwealth Terms and Conditions</u> ___ <u>Commonwealth Terms and Conditions For Human and Social Services</u>			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under <u>815 CMR 9.00</u> . ___ Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or new total if Contract is being amended). \$ <u>154,964.00</u>			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___ % PPD; Payment issued within 15 days ___ % PPD; Payment issued within 20 days ___ % PPD; Payment issued within 30 days ___ % PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle ___ statutory/legal or Ready Payments (<u>M.G.L. c. 29, § 23A</u>); ___ only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Contract is for the reimbursement of funds under the State 911 Department FY 2021 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant as authorized and awarded in compliance with the grant guidelines and the grantee's approved application.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. ___ 2. may be incurred as of _____, 20____, a date LATER than the Effective Date below and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. ___ 3. were incurred as of _____, 20____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2021</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>[Signature]</u> Date: <u>7-22-2020</u> (Signature and Date Must Be Handwritten at Time of Signature)		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: <u>[Signature]</u> Date: <u>10/22/20</u> (Signature and Date Must Be Handwritten at Time of Signature)	
Print Name: <u>David A. Giorgi</u>		Print Name: <u>Frank Puzniak</u>	
Print Title: <u>Chief of Police</u>		Print Title: <u>Executive Director</u>	



City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

2020 OCT 29
Patricia M. Bernard
EXECUTIVE AIDE

Michele A. O'Brien
EXECUTIVE SECRETARY

October 29, 2020

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Grant Acceptance for State 911 Emergency Medical Dispatch

Honorable President Ossing and Councilors:

Please find enclosed for your review and acceptance a grant in the amount of \$36,869.20 awarded to the Marlborough Police Department from the Commonwealth of Massachusetts Executive office of Public Safety and Security.

This grant will be used to reimburse the city for all mandated trainings for dispatch personnel as described in the enclosed information.

We thank the MA Department of Public Safety and Security for their support with this initiative.

Please do not hesitate to contact me or Chief Giorgi with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough

Police Department

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



David A. Giorgi
Chief of Police



October 23, 2020

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

Dear Mayor Vigeant:

The Marlborough Police Department has been awarded a grant in the amount of \$36,869.20 from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, FY2021 State 911 Department Training Grant Program. The grant is intended to reimburse the funding for all mandated trainings for Dispatch personnel.

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

Sincerely,

David A. Giorgi
Chief of Police

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Police Department DATE: October 23, 2020

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: FY 2021 State 911 Department Training Grant Program

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: \$36,869.20

GRANT PERIOD: October 20, 2020 to June 30, 2021

SCOPE OF GRANT/
ITEMS FUNDED To reimburse funding for all mandated trainings for Dispatch personnel

IS A POSITION BEING
CREATED: N/A

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

ARE MATCHING CITY
FUNDS REQUIRED? N/A

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

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

ANY OTHER EXPOSURE TO CITY?
N/A

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: Approval requested ASAP to begin use of grant

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



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



CHARLES D. BAKER
Governor

THOMAS A. TURCO, III
Secretary

KARYN E. POLITO
Lieutenant Governor

FRANK POZNIAK
Executive Director

October 20, 2020

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

Dear Chief Giorgi:

The Commonwealth of Massachusetts, State 911 Department would like to thank you for participating in the **FY2021 State 911 Department Training Grant Program**.

For your files, attached please find a copy of the executed contract and the final approved Personnel Cost Worksheet for your grant. Please note your contract start date is **October 20, 2020** and will run through June 30, 2021. Please keep in mind that there shall be no reimbursement for costs incurred prior to the effective date of the contract and all goods and services **MUST** be received on or before June 30, 2021.

Reimbursement requests should be submitted to the Department within **thirty (30) days** of the date on which the cost is incurred. We have made the request for payment forms available on our website www.mass.gov/e911. For any questions related to this process, please contact Michelle Hallahan at 508-821-7216. Please note that funding of reimbursement requests received more than one (1) month after the close of the fiscal year under which costs were incurred cannot be guaranteed.

If, in the future, you would like to make any changes to the authorized signatory, the contract manager, add personnel, or to request approval for trainings, please e-mail those proposed changes to 911DeptGrants@mass.gov. Grantees are strongly encouraged to submit final, year-end budget modification requests on or before March 26, 2021.

Sincerely,

Frank P. Pozniak
Executive Director

cc: FY2021 Training Grant File

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the [Standard Contract Form Instructions](#), [Contractor Certifications](#) and [Commonwealth Terms and Conditions](#) which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.macomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

CONTRACTOR LEGAL NAME: City of Marlborough (and d/b/a): <u>Marlborough Police Department</u>		COMMONWEALTH DEPARTMENT NAME: State 911 Department MMARS Department Code: EPS	
Legal Address: (W-9, W-4): <u>140 Main</u> Street, Marlborough, MA 01752		Business Mailing Address: 151 Campanelli Drive, Suite A, Middleborough, MA 02346	
Contract Manager: David A. Giorgi	Phone: 508-485-1212	Billing Address (if different):	
E-Mail: dgiorgi@marlborough-ma.gov	Fax:	Contract Manager: Cindy Reynolds	Phone: 508-821-7299
Contractor Vendor Code: VC <u>600019211</u>		E-Mail: 911DeptGrants@mass.gov	
Vendor Code Address ID (e.g. "AD001"): AD <u>001</u> . (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): CT EPS GRNT	
<input checked="" type="checkbox"/> NEW CONTRACT		<input type="checkbox"/> CONTRACT AMENDMENT	
PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (Includes all Grants - <u>815 CMR 2.00</u>) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20 ____. Enter Amendment Amount: \$ _____ (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> <u>Commonwealth Terms and Conditions</u> <input type="checkbox"/> <u>Commonwealth Terms and Conditions For Human and Social Services</u>			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under <u>815 CMR 9.00</u> . <input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or <u>new</u> total if Contract is being amended). \$ <u>36,869.20</u>			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle ___ statutory/legal or Ready Payments (<u>M.G.L. c. 29, § 23A</u>); ___ only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Contract is for the reimbursement of funds under the State 911 Department FY 2021 Training Grant as authorized and awarded in compliance with the grant guidelines and the grantee's approved application.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. <input type="checkbox"/> 2. may be incurred as of _____, 20 ____, a date LATER than the Effective Date below and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. <input type="checkbox"/> 3. were incurred as of _____, 20 ____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2021</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>[Signature]</u> Date: <u>8-3-2020</u> (Signature and Date Must Be Handwritten at Time of Signature) Print Name: <u>David A. Giorgi</u> Print Title: <u>Chief of Police</u>		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: <u>[Signature]</u> Date: <u>7/20/2020</u> (Signature and Date Must Be Handwritten at Time of Signature) Print Name: <u>Frank Pozniak</u> Print Title: <u>Executive Director</u>	



RECEIVED
CITY OF MARLBOROUGH OFFICE
2020 OCT 29 A 11:15

City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Michele A. O'Brien
EXECUTIVE SECRETARY

October 29, 2020

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Grant Acceptance for State 911 Emergency Medical Dispatch

Honorable President Ossing and Councilors:

Please find enclosed for your review and acceptance a grant in the amount of \$27,841.74 awarded to the Marlborough Police Department from the Commonwealth of Massachusetts Executive office of Public Safety and Security.

This grant will be used for needed equipment and quality assurance reviews for the dispatch personnel.

We thank the MA Department of Public Safety and Security for their support with this initiative.

Please do not hesitate to contact me or Chief Giorgi with any questions.

Sincerely,


Arthur G. Vigeant
Mayor



City of Marlborough

Police Department

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



David A. Giorgi
Chief of Police



October 23, 2020

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

Dear Mayor Vigeant:

The Marlborough Police Department has been awarded a grant in the amount of \$27,841.74 from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, FY2021 State 911 Department Emergency Medical Dispatch (EMD) Grant Program. The grant is to purchase any needed equipment, conduct quality assurance reviews of dispatch personnel and offset any overtime costs for personnel.

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

Sincerely,

David A. Giorgi
Chief of Police

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Police Department DATE: October 23, 2020

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: FY 2021 State 911 Department Emergency Medical Dispatch Grant

GRANTOR: Commonwealth of Massachusetts

GRANT AMOUNT: \$27,841.74

GRANT PERIOD: October 20, 2020 to June 30, 2021

SCOPE OF GRANT/ To purchase any needed equipment

ITEMS FUNDED To conduct quality assurance reviews of dispatch personnel

IS A POSITION BEING
CREATED: N/A

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

ARE MATCHING CITY
FUNDS REQUIRED? N/A

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

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

ANY OTHER EXPOSURE TO CITY?
N/A

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: Approval requested ASAP to begin use of grant

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



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



CHARLES D. BAKER
Governor

THOMAS A. TURCO, III
Secretary

KARYN E. POLITO
Lieutenant Governor

FRANK POZNIAK
Executive Director

October 20, 2020

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

Dear Chief Giorgi:

The Commonwealth of Massachusetts, State 911 Department would like to thank you for participating in the **FY2021 State 911 Department Emergency Medical Dispatch Grant Program**.

For your files, attached please find a copy of the executed contract for your grant. Please note your contract start date is **October 20, 2020** and will run through June 30, 2021. Please keep in mind that there shall be no reimbursement for costs incurred prior to the effective date of the contract and all goods and services **MUST** be received on or before June 30, 2021.

Please note personnel costs related to EMD quality assurance must be for overtime hours only. Reimbursement requests for should be submitted to the Department within **thirty (30) days** of the date on which the cost is incurred. We have made the request for payment forms available on our website www.mass.gov/e911. For any questions related to this process, please contact Michelle Hallahan at 508-821-7216. Please note that funding of reimbursement requests received more than one (1) month after the close of the fiscal year under which costs were incurred cannot be guaranteed.

If, in the future, you would like to make any changes to the authorized signatory, the contract manager and/or the budget worksheet, please e-mail those proposed changes to 911DeptGrants@mass.gov. Grantees are strongly encouraged to submit final, year-end budget modification requests on or before March 26, 2021.

Sincerely,

Frank P. Pozniak
Executive Director

cc: FY2021 Emergency Medical Dispatch Grant File

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the [Standard Contract Form Instructions](#), [Contractor Certifications](#) and [Commonwealth Terms and Conditions](#) which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.macomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

CONTRACTOR LEGAL NAME: City of Marlborough (and d/b/a): <u>Marlborough Police Department</u>		COMMONWEALTH DEPARTMENT NAME: State 911 Department MMARS Department Code: EPS	
Legal Address: (W-9, W-4): <u>140 Main</u> Street, <u>Marlborough, MA</u>		Business Mailing Address: 151 Campanelli Drive, Suite A, Middleborough, MA 02346	
Contract Manager: Chief David A. Giorgi	Phone: 508-485-1212	Billing Address (if different):	
E-Mail: dgiorgi@marlborough-ma.gov	Fax:	Contract Manager: Cindy Reynolds	Phone: 508-821-7299
Contractor Vendor Code: VC <u>6000192111</u>	E-Mail: 911DeptGrants@mass.gov		Fax: 508-947-1452
Vendor Code Address ID (e.g. "AD001"): AD <u>001</u> (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): CT EPS EMDG	
		RFR/Procurement or Other ID Number: FY21 EMDG	
<u>X</u> NEW CONTRACT		— CONTRACT AMENDMENT	
PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes all Grants - <u>815 CMR 2.00</u>) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$ _____. (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option): <u>X</u> Commonwealth Terms and Conditions — Commonwealth Terms and Conditions For Human and Social Services			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under <u>815 CMR 9.00</u> . <input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or new total if Contract is being amended). \$ <u>27,841.74</u> .			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: <u>X</u> agree to standard 45 day cycle ___ statutory/legal or Ready Payments (<u>M.G.L. c. 29, § 23A</u>); ___ only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) <u>Contract is for the reimbursement of funds under the State 911 Department FY 2021 Emergency Medical Dispatch Grant as authorized and awarded in compliance with the grant guidelines and the grantee's approved application.</u>			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. <input type="checkbox"/> 2. may be incurred as of _____, 20____, a date LATER than the Effective Date below and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. <input type="checkbox"/> 3. were incurred as of _____, 20____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2021</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>[Signature]</u> Date: <u>7-22-2020</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>David A. Giorgi</u> Print Title: <u>Chief of Police</u>		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: <u>[Signature]</u> Date: <u>12/20/2020</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Frank Pozniak</u> Print Title: <u>Executive Director</u>	



City of Marlborough
Office of the Mayor

RECEIVED
CITY OF MARLBOROUGH
Arthur G. Vigeant
MAYOR

2020 OCT 29 AM 11:15
Patricia M. Bernard
EXECUTIVE AIDE

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

Michele A. O'Brien
EXECUTIVE SECRETARY

October 29, 2020

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Acceptance of S.A.F.E. Grant for the Marlborough Fire Dept.

Honorable President Ossing and Councilors:

Please find enclosed for your review and acceptance a grant in the amount of \$5,663.00 awarded to the Marlborough Fire Department from the Commonwealth of Massachusetts Executive office of Public Safety and Security.

This grant will be expended on fire education programming for the student population as described in the enclosed information.

We thank the MA Department of Public Safety and Security for their annual support with this initiative.

Please do not hesitate to contact me or Chief Breen with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



**CITY OF MARLBOROUGH
FIRE DEPARTMENT**

215 Maple Street, Marlborough, MA 01752
Business (508) 624-6986 Facsimile (508) 460-3795

October 8, 2020

The Honorable Arthur G. Vigeant, Mayor
City of Marlborough
140 Main Street
Marlborough, Ma. 01752



RE: FY20 S.A.F.E. Grant

Dear Mayor Vigeant,

The FY20 S.A.F.E. Grant has been approved for funding and granted to the Marlborough Fire Department in order to provide student awareness of fire education programs. \$5,663.00 has been awarded to the Fire Department through The Commonwealth of Massachusetts Executive Office of Public Safety and Security.

In accordance with Massachusetts General Laws, Chapter 44 Section 53A this grant was applied for and accepted by the Fire Department but in order for it to be expended for the purposes of the grant, the Mayor must recommend and the City Council must vote to approve the expenditure.

I would ask that this information be placed on the next available council agenda, and that you recommend and ask the City Council to approve the expenditure of these funds for the purposes of the grant by the Fire Department.

Sincerely,

A handwritten signature in black ink that reads "Kevin J. Breen".

Kevin J. Breen
Fire Chief

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: FIRE DATE: 10/8/2020

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: KEVIN J. BREEN, FIRE CHIEF

NAME OF GRANT: FY20 STUDENT AWARENESS OF FIRE EDUCATION (S.A.F.E.)

GRANTOR: COMMONWEALTH OF MASSACHUSETTS

GRANT AMOUNT: \$5,663.00

GRANT PERIOD: 12 MONTHS

SCOPE OF GRANT/
ITEMS FUNDED ANNUAL STUDENT AWARENESS OF FIRE SAFETY PROGRAMS
EDUCATIONAL MATERIALS FOR VARIOUS FIRE SAFETY PROGRAMS,
LECTURES, SCHOOL VISITS, OPEN HOUSE,
SEASONAL SAFETY AWARENESS PROGRAMS.

IS A POSITION BEING
CREATED: NO

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

ARE MATCHING CITY
FUNDS REQUIRED? NO

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

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

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: GRANT EXPIRATION 12 MONTHS

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



The Commonwealth of Massachusetts
 Executive Office of Public Safety and
 Security
 Department of Fire Services



CHARLES D. BAKER
 GOVERNOR

KARYN E. POLITO
 LT. GOVERNOR

THOMAS A. TURCO, III
 SECRETARY

P.O. Box 1025 ~State Road

Stow, Massachusetts 01775

(978) 567~3100 Fax: (978) 567~3121

PETER J. OSTROSKEY
 STATE FIRE MARSHAL

January 17, 2020

Chief Kevin J. Breen
 Marlborough Fire Department
 215 Maple Street
 Marlborough, MA 01752

Ok to pay
 7/30/2020
 Cynthia Ouellette

Dear Chief Breen:

I am pleased to inform you that your FY 2020 Student Awareness of Fire Education (S.A.F.E.) and Senior SAFE grant applications have been approved for funding. The Marlborough Fire Department has been awarded \$5,663.00 for your S.A.F.E. grant and \$2,730.00 for Senior SAFE.

Be sure to alert your treasurer and to check with them to ensure receipt of the funds. We expect the funds to be electronically distributed within the next few weeks.

All grantees are required to submit the FY 2019 year-end report to DFS by January 31, 2020. If there are any unexpended funds, the grantee may apply for a one-time 6-month extension, which will be part of the year-end report form. At the close of the single 6-month extension, all unexpended funds must be returned to the Commonwealth. At this time, any prior year remaining funds must be returned to the Commonwealth.

Twenty-five years ago, the Administration advocated for the creation of the S.A.F.E. Program. Since that time average annual child fire deaths have been reduced by 76%. Six years ago, the S.A.F.E. program was expanded to offer funds to local communities in support of senior fire prevention training. Seniors are the most vulnerable of populations at risk of fire related deaths. Senior SAFE is aimed at educating seniors on fire prevention, general home safety and how to be better prepared in the event of a fire. It is our hope that with this opportunity we can recreate the success with our older population that we have had with children.

I thank you for your commitment to the S.A.F.E. program and for your continuing efforts to promote fire prevention for all citizens. If you have any questions, please feel free to contact Cynthia Ouellette at (978) 567-3381 or the S.A.F.E. staff at (978) 567-3388.

Sincerely,

Peter J. Ostroskey
 State Fire Marshal



City of Marlborough
Office of the Mayor

RECEIVED
CITY OF MARLBOROUGH
2020 OCT 29 A 11:15

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Michele A. O'Brien
EXECUTIVE SECRETARY

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

October 29, 2020

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Acceptance of S.A.F.E. Grant for the Marlborough Fire Dept.

Honorable President Ossing and Councilors:

Please find enclosed for your review and acceptance a grant in the amount of \$2,730.00 awarded to the Marlborough Fire Department from the Commonwealth of Massachusetts Executive office of Public Safety and Security.

This grant will be expended on fire education awareness programming for the senior population as described in the enclosed information.

We thank the MA Department of Public Safety and Security for their annual support with this initiative.

Please do not hesitate to contact me or Chief Breen with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



**CITY OF MARLBOROUGH
FIRE DEPARTMENT**

215 Maple Street, Marlborough, MA 01752
Business (508) 624-6986 Facsimile (508) 460-3795

October 8, 2020

The Honorable Arthur G. Vigeant, Mayor
City of Marlborough
140 Main Street
Marlborough, Ma. 01752



RE: FY20 Senior S.A.F.E. Grant

Dear Mayor Vigeant,

The FY20 Senior S.A.F.E. Grant has been approved for funding and granted to the Marlborough Fire Department in order to provide awareness to our senior population for fire education programs. \$2,730.00 has been awarded to the Fire Department through The Commonwealth of Massachusetts Executive Office of Public Safety and Security.

In accordance with Massachusetts General Laws, Chapter 44 Section 53A this grant was applied for and accepted by the Fire Department but in order for it to be expended for the purposes of the grant, the Mayor must recommend and the City Council must vote to approve the expenditure.

I would ask that this information be placed on the next available council agenda, and that you recommend and ask the City Council to approve the expenditure of these funds for the purposes of the grant by the Fire Department.

Sincerely,

Kevin J. Breen
Fire Chief

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: FIRE DATE: 10/8/2020

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: KEVIN J. BREEN, FIRE CHIEF

NAME OF GRANT: FY20 SENIOR SAFE

GRANTOR: COMMONWEALTH OF MASSACHUSETTS

GRANT AMOUNT: \$2,730.00

GRANT PERIOD: 12 MONTHS

SCOPE OF GRANT/
ITEMS FUNDED ANNUAL SENIOR AWARENESS OF FIRE SAFETY PROGRAMS
EDUCATIONAL MATERIALS FOR VARIOUS FIRE SAFETY PROGRAMS,
LECTURES, SEASONAL SAFETY AWARENESS PROGRAMS.

IS A POSITION BEING
CREATED: NO

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

ARE MATCHING CITY
FUNDS REQUIRED? NO

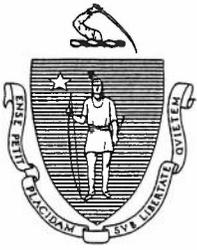
IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

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

ANY OTHER EXPOSURE TO CITY?
NO

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: GRANT EXPIRATION 12 MONTHS

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The Commonwealth of Massachusetts
 Executive Office of Public Safety and
 Security
 Department of Fire Services



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PETER J. OSTROSKY
 STATE FIRE MARSHAL

January 17, 2020

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 Marlborough Fire Department
 215 Maple Street
 Marlborough, MA 01752

Ok to pay
 7/30/2020
 Cynthia Ouellette

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Sincerely,

Peter J. Ostroskey
 State Fire Marshal



City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

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October 29, 2020

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Appointment of Finance Director

Honorable President Ossing and Councilors:

I am pleased to submit for your confirmation the appointment of Finance Director Patrick Jones for a term of three years from the date of City Council confirmation.

I am confident that Mr. Jones will bring a fresh set of eyes to this position and evaluate methods to become more efficient while managing the Treasurer and Payroll offices and overseeing the Assessor's and Collector's offices on my behalf. We have made improvements to our tax collecting methods over the years and continue to look for ways to advance processes.

We continue to fund our pension obligations and are on track to be fully funded by 2029, ahead of most of the State's retirement funds. Finance Director Jones will work with Auditor Diane Smith, myself and the Finance team on our set goals while also making the necessary investments in our infrastructure to keep Marlborough moving forward.

Thank you for your consideration of this appointment. Enclosed is Patrick Jones's resume for your review.

Please do not hesitate to contact me with any questions.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosures

September 17, 2020

City of Marlborough
Human Resources Department
140 Main Street
Marlborough, MA 01752

To whom this may concern:

At the recommendation of Mr. Robert Recore, former chairman of the Town of Auburn's Finance Committee and presently Chairman of the Town of Sutton's Finance Committee and Mr. Edward Kazanovicz, Auburn's CFO and Assistant Town Manager: I am applying for the position of Comptroller / Treasurer for the City of Marlborough.

As you see from my resume, I have five years of practical experience in town government as a former appointed member of The Town of Auburn's Finance Committee. I am confident that I can apply my 25 years plus of progressively responsible accounting experience to municipal government as it relates to maintaining internal controls, reconciliation of cash balances, monitoring departmental expenditures and appropriations. As a former Finance Committee member for the Town of Auburn, I am knowledgeable with the formulation of annual town budgets while being cognizant of maintaining financial integrity and financial solvency for the town. I am an advocate for long term financial planning forecasting for the general fund revenues and expenditures; as well as the strategic planning for a 5 year Capital Program so that the local officials understand the financial parameters within which they should operate. Successful implementation of these programs will ensure long-term financial stability for the town.

I was instrumental in the coordination of a cash management system under the Auburn Town Treasurer. I believe towns must manage their cash efficiently as possible and invest in an instrument that is safe and produces maximum return. I will ensure that the city meets its requirements mandated under Statement No. 34 of the Governmental Accounting Standards Boards (GASB). An inventory of all fixed assets including infrastructure is imperative in compliance with this statement. I will work closely with all department heads to ascertain a value for these assets.

Working independently with general direction, while simultaneously being an intricate part of a team, has always been one of my strongest assets. I believe that my background and experience makes' me a viable candidate for the Comptroller / Treasurer position. I would welcome the opportunity to meet with the City Council and Mayor to discuss how I could be of value to the City of Marlborough.

Very truly,

Patrick Jones

Patrick Jones

Auburn, MA 01501

SUMMARY

Independent and well-organized Accountant and Human Resources Professional with over 25 years of experience in Accounting, Finance and Human Resources Management. Seasoned Professional with experience communicating with all levels of the Organization.

PROFESSIONAL EXPERIENCE

Architectural Electronics, Inc. – Westwood, MA

2004 – Present

(Residential Audio Video Company)

Controller – Reporting directly to owner

- Conduct monthly closings, reporting, & year-end consolidated financial reports, Fiduciary AEI 401k plan
- Manage & oversee Finance, Accounting, Payroll, Billing, Purchasing, HR, all company insurances
- Process \$3.5 Million Annual payroll, review sales commission calculations and 1099 process
- Manage Cash flow planning inclusive of company American Express accounts, budgets, revenue recognition, expense allocation
- Design and ensure financial policies, procedures, systems & controls are followed
- Provide timely financial reports to management; inclusive of AIA, WIP, project budgets & cost analysis
- Interact & worked with various external audit firms

Achievements

- Transitioned company from Spectrum Operational software to QBO and Connectwise
- Facilitated and coordinated the plan transfer between vendors for company Qualified 401(k) plan; Plan Administrator for 401(k) plan; Processor of Form 5500 filing, authorized signer; Chairman of Investment Committee
- Created Companies first Human Resources Department including company handbook & managed all aspects of employee benefits, manage all employment functions, new hire orientation, performance and salary review, promotions and terminations, represented company at Massachusetts Dept of Unemployment and MCAD hearings
- Initiated, systemized and manage company acceptance of all customer related credit card transactions as well as initiated, develop and instituted company Personal Information Policy
- Enhanced employee benefit program observing cost containment of company to meet employees growing needs.

R&R Battista Services, Inc. – Brighton, MA

1998 – 2003

Controller/Human Resources Administrator

- Managed all aspects of financial operations for a 40 employee mid-size contracting and plumbing company with \$4 Million in annual revenue
- Established and maintained fiscal policies and procedures for all company operations
- Modified a single user PC system to a multi-user five person network; garnered MIS tech support knowledge and experience
- Administered an annual complex payroll in excess of \$1.3 million
- Mentored, motivated, trained and directly supervised staff of five
- Added value by providing additional internal services and initiated cost saving measures
- Team leader for MB7 software conversion
- Established, implemented and supported all Human Resource functions

Phoenix Corporate Services LLC – Cambridge, MA

1997 – 1998

Senior Accountant

- Requisitioned cash disbursements for 25 commercial properties
- Managed financial statements for 11 of the 25 portfolio properties
- Resolved vendor account discrepancies (ranging from \$5,000 to \$300,00)

M B Management Company – Boston, MA

1994 – 1997

Accountant

- Managed financial statements for 19 portfolio residential/HUD properties
- Accounted for cash management, budget preparation/analysis, yearend audits, weekly disbursements of payables, quarterly escrow and accrual analysis
- Stayed within budget for debt service cash flow payments to lenders

Beth Israel Hospital – Boston, MA

1989 - 1994

Receivable Coordinator

- Monitored, reported and reconciled multiple hospital-wide accounts
- Incorporated receivables, payables, grants and recoveries in excess of \$9 Million (malpractice, paper chase, miscellaneous, parking, COBRA)
- Recouped over \$100,000 in paper chase bad debt over 9 months
- Implemented a suspense account to track all cash receipts not readily applicable
- Formulated and implemented modifications to Paper chase billing system resulting in reduced department work load and turn-around time

EDUCATION BS Business Administration – Northeastern University

1993

ADDITIONAL EXPERIENCE / RECOGNITIONS

Member of NEHRA	2004 – 2014
• Small Group SIG Co Chair	2013
Employee of the Year Award	2006, 2017
Notary	Present
Appointed to Town of Auburn Finance Committee	1996 – 2001
Initiated, Appointed, and served on Ambulance Review Sub-Committee	1997
Appointed to Town of Auburn Charter Review Committee	1997
Served on Martin Luther King Celebration Planning Committee, Beth Israel Hospital	1989 – 1994
Nominated for the "Spirit of Prepare 21" Award – Beth Israel Hospital	1993

IT & SOFTWARE KNOWLEDGE

Cloud Base and drop box applications	Paychex Flex & Preview
Windows 10 Excel, Word Office 365, Outlook, Power Point	Mass DUI
Spectrum	FedEx
Connectwise, QBO, Mobius	Eastern Bank Connect
Adobe	BCBS, Principal Financial
Remote Desktop Applications Logmein	American Express
Timberline	Bank of America
Mass DOR	Intuit

References available upon request



City of Marlborough
Office of the Mayor

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Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Michele W. O'Brien
EXECUTIVE SECRETARY

2020 OCT 29 A 11:15

October 29, 2020

Council President Michael Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

RE: Appointment to Disabilities Commission

Honorable President Ossing and Councilors:

Please find enclosed for your review and confirmation the appointment of Barbara Pellegrini Allen to the Commission on Disabilities for a term of 3 years from confirmation date. Ms. Allen has over 35 years of experience working with the disabled and advocating for her clients. She is a retired vocational rehabilitation counselor and spent many years in private practice. With her experience, she'll bring value added resources and contribute to the commission.

Enclosed is her resume and letter of interest. Thank you for your consideration and do not hesitate to contact my office with any further questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

August 14, 2020

Nathan Boudreau

Nathan.Boudreau@marlborough-ma.gov

Office of Mayor Arthur G. Vigeant
City of Marlborough |
140 Main Street
Marlborough, MA 01752

Dear Mr. Boudreau,

I am responding to the Press Release dated 08/12/2020, regarding the Mayor's request to fill Board and Commission Vacancies.

Upon review of the release, as well as, the website of the Commission on Disabilities, I am very interested in filling a vacancy on that commission. Per the request of the Press Release, I have attached my current CVE which describes my related skills and abilities. My career has been focused not only upon assisting persons with disabilities, but also resolving disability related issues between such persons and businesses.

Since 1989, I have lived in Marlborough and raised our daughter here. In 2018, I retired. I am very interested in giving back to my community, using my skills and knowledge regarding the disabled.

I look forward to discussing this matter with you.

Sincerely,

Barbara Pellegrini Allen, LRC, CRC, CDMS

124 Second Road
Marlborough, MA 01752

Enclosure: CVE

Barbara Pellegrini Allen, LRC, CRC, CDMS

124 Second Road
Marlborough, MA 01752

MEMBERSHIPS/CREDENTIALS:

Licensed Rehabilitation Counselor (L.R.C.), #43, since 1991.
Certified Rehabilitation Counselor (C.R.C.), #16622, since 1983.
Certified Disability Management Specialist (C.D.M.S.), #00958, since 1984.
Qualified Rehabilitation Counselor, State of RI, # 93-45P.
Approved Provider, Department of Industrial Accidents, Mass., 1992 to 2008.
Certified Rehabilitation Counselor, U.S. Dept. of Labor, Office of Workers' Compensation Programs (OWCP) (FECA and LHWC) until 2007.

Subcommittee Member, Massachusetts Workers' Compensation Advisory Council, Dept. of Industrial Accidents, Boston, MA, 1996 - 2004.

Mass. Rehabilitation Association (M.R.A), President, 1995 and 1996.
Board Member, 1991-2002.

Mass. Rehabilitation Counseling Association (M.R.C.A), Board Member.
Mass. Association of Service Providers in Private Rehab. (NASPPR), Board Member, 1993, 1994.

Northeast Rehabilitation Association, Treasurer 1996 to 2002.
International Association of Rehabilitation Professionals, Member
National Association of Service Providers in the Private Sector (NARPPS), member, 1996.

Michigan Rehabilitation Counseling Association, President, 1989
Michigan Rehabilitation Association, Board Member, 1988
National Rehabilitation Counseling Association (N.R.C.A)
National Rehabilitation Association (N.R.A.)

The Resource Partnership Metrowest Advisory Committee, 1992 to 1998.
Employment Options, Inc., Industrial Advisory Board, 1992 to 1996.
The Return to Work Center, Inc., Industrial Advisory Board, 1992 & 1993.
Marlborough Chamber of Commerce, 1991-1997
Authorized Representative, Subcouncil Certification Maintenance, NRCA.
Licensure Task Force Chair, 1988 and 1989, Michigan Rehabilitation Counseling Association

EDUCATION:

WAYNE STATE UNIVERSITY, Detroit, MI

Degree: Master of Arts
Major: Vocational Rehabilitation Counseling

MARQUETTE UNIVERSITY, Milwaukee, WI

Degree: Bachelor of Arts
Major: Sociology

Barbara Pellegrini Allen, LRC, CRC, CDMS
124 Second Road
Marlborough, MA 01752

EMPLOYMENT:

WINDHAM GROUP, West Springfield, MA

June, 2008 to April, 2018

Vocational Case Manager. Telephonic and on-site counseling and vocational case management for RTW of LTD and WC cases. Forensic rehabilitation.

ASSUMPTION COLLEGE, Worcester, MA

Adjunct Professor, January, 2010 to June, 2011.

CONCENTRA, Lynn, MA

March, 2006 to March, 2008

CARE Case Manager at GE Aviation, GE Lynn Medical Center. Telephonic and onsite counseling and medical case management for RTW of LTD, STD and WC cases for GE employees.

ALLEN VOCATIONAL & DISABILITY MANAGEMENT, Marlborough, MA

April, 1991 to August, 2005

Self-employed: Case Management; Expert Testimony; Disability Evaluations; Return to Work Programs; Disability services.

UNUMPROVIDENT INSURANCE, Worcester, MA

August, 2005 to January, 2006

Vocational Consultant: Individual Disability Insurance LTD claims.

CONSERVCO (The Travelers Insurance), Swansea, MA

April 1989 to April, 1991

Positions: Rehabilitation Consultant, Senior Case Manager, and Supervisor. Workers' Compensation and LTD claims.

From 1981 to 1989, worked as Vocational Rehabilitation Counselor at additional private sector agencies.

AWARDS:

1997	Mass. Rehabilitation Association	The Meritorious Award
1994	The Resource Partnership	Certificate of Appreciation
1993	Employment Options, Inc.	Certificate of Appreciation
1993	Quinsigamond Community College	Certificate of Appreciation
1988	Michigan Rehabilitation Association	Recognition of Service
1986	Michigan Rehab. Counseling Assoc.	Recognition of Service
1987	National Distinguished Service Registry: Medical and Vocational Rehabilitation,	



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Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Michele N. O'Brien
EXECUTIVE SECRETARY

October 29, 2020

Council President Mike Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Council on Aging Reappointments

Honorable President Ossing and Councilors:

I am submitting for your approval two reappointments to the Council on Aging. James Confrey and Judy Kane both have expressed their interest in continuing their service on the board for a term of four years upon date of confirmation to expire the first Monday in May, 2024.

I would like to take this opportunity to thank Mr. Confrey and Ms. Kane for their continued dedication and support to Marlborough's senior community.

Thank you for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor



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CITY OF MARLBOROUGH
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City of Marlborough
Office of the Mayor

Arthur G. Vigeant
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October 29, 2020

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

Re: Request to Amend Article III, Sec. 270-9 Permit Fees

Honorable President Ossing and Councilors,

Enclosed for consideration is a request to amend Article III, Sec. 270-9 Permit Fees. Commissioner Cooke is recommending aligning our fee schedule with the state guidelines, therefore we will see an increase in the fees charged.

I'd like to thank Commissioner Cooke and our Legal office for the time spent on examining each line item and reviewing the recommended changes. Our Legal office has put together a comprehensive list that reflects the updates and includes the prior fee schedule. It is not an "apples to apples" comparison because some fee items are omitted, added, increased or condensed.

Please note this change will be effective July 1, 2021.

Commissioner Cooke looks forward to discussing this matter in greater depth with the Finance Committee in the future. In the meantime, please do not hesitate to let me know if you have any questions.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosures

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

I. Chapter 270, Section 270-9(A), is hereby amended as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

Construction costs for all new buildings and structures will be determined from values as listed in the Building Valuation Data Report published by Marshall and Swift Publication Company, Los Angeles, California. most current ICC Building Valuation Data. ICC Building Valuation Data is updated every six months. Permit fee is based on entire "Estimate Cost of Construction". Proof of costs is a signed contract.

II. Chapter 270, Section 270-9(E), entitled "Fees", is hereby amended as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

Type of Permit	Fee
<u>New buildings</u> Building Residential	
<u>Residential 1 of 2 Family Residential Construction</u>	\$10 per \$1,000; minimum \$40 <u>050</u>
<u>Renewable Energy (PV, Wind, Hydro) Storage Excluded Residential, 3 or more units</u>	\$10 per \$1,000; minimum \$300 <u>\$0.03 per watt Direct Current, \$50 Minimum</u>
<u>Commercial</u>	\$10 per \$1,000; minimum \$150
<u>Accessory structure</u>	<u>\$10 per \$1,000</u>
<u>Additions and alterations</u> Building Commercial	
<u>Residential</u>	<u>\$10 per \$1,000; minimum \$25</u>
<u>All Commercial Construction</u>	\$10 per \$1,000; minimum \$10 <u>50</u>
<u>Suppression Fire Alarm, HVAC, Sheet Metal, and/or Mechanical</u>	<u>\$10 per \$1,000, \$100 minimum. If Permit Application is associated with active building permit, \$50</u>
<u>Renewable Energy (PV, Wind, Hydro) Storage Excluded</u>	<u>\$0.03 per watt Direct Current, \$100 Minimum</u>
Building Miscellaneous fixed fees	
<u>Demolition, residential</u>	<u>\$10 per Thousand of Total Construction Cost, \$50.00 Minimum. Accessory structures less than 200 SF, \$25.00</u> \$150
<u>Demolition, commercial</u>	<u>\$10 per Thousand of Total Construction Cost, \$100.00 Minimum</u> \$250
<u>Moving building</u>	<u>\$250</u>
<u>Solid Fuel/Wood/Coal Wood Stoves/Fireplaces</u>	<u>\$50</u> 25

Siding/reroofing	\$20
Tents	<u>\$50 Residential, \$100 per year</u> Non-residential\$25
Pools, above ground <u>and in ground</u>	<u>\$50.00 Above Ground, \$100.00 In Ground</u> \$25
Pools, inground	\$40
Amusements	<u>\$15.00 per booth and or ride, \$100</u> Minimum\$100
Fences	\$2510
Fences, <u>appeals hearing</u> <u>Sign Structure</u>	\$7 per Fence Viewer <u>\$10 per Thousand, \$50.00 Minimum</u>
<u>Work/Jobsite Trailer</u>	<u>\$100.00 per trailer.</u>

Occupancy

<u>Occupancy and Use Certificate to Application-</u> <u>to occupy existing space</u>	<u>\$50.00 when no building permit is</u> <u>required\$40</u>
<u>Occupancy and Use Certificate to occupy new</u> <u>space</u>	<u>Included in Building Permits for</u> <u>New Buildings</u>
<u>Occupancy permit, residentialTemp CO</u> <u>Residential</u>	<u>\$50.00 PER 30 DAYS, MAX 90 DAYS.\$50</u>
<u>Occupancy permit,Temp CO eCommercial</u>	<u>\$200.00 PER 30 DAYS, MAX 90 DAYS.\$50</u>

Gas Residential gas

<u>Single-family residence (new)New</u> <u>Construction 1-2 Family</u>	<u>\$1500 per unit</u>
<u>Residential,New Construction 3+ or moreper</u> <u>units</u>	<u>\$10065 per residential-unit</u>
<u>Appliance replacement or addition (1-2-</u> <u>appliances)</u>	<u>\$40 + \$15 per unit after the 1st.</u> <u>\$25 base and \$5 per appliance</u>

Gas Commercial and industrial gas

<u>New buildingAll Commercial Gas Work</u>	<u>\$10 per Thousand, \$100.00 Minimum</u> <u>\$10 per \$1,000 of cost; minimum \$50</u>
<u>Change or addition</u>	<u>\$50, plus \$5 each fixture</u>
<u>Propane gas service installation</u>	<u>\$50</u>
<u>Propane appliance replacement or addition</u>	<u>\$15 each</u>

Plumbing Residential plumbing

<u>Residential 1 or—and 2-family residence</u>	<u>\$1500 per residential-unit</u>
<u>Residential 3± or more units</u>	<u>\$10065 per residential-unit</u>
<u>Residential Alterations (new or replacements)-</u> <u>residential</u>	<u>\$40 + \$8 per unit after the 1st.</u> <u>\$20, plus \$5 per fixture</u>
<u>Residential single-unit replacementTrailer</u> <u>Water or Sewer</u>	<u>\$4025</u>

Single fixture alterations \$25
 Trailer, water or sewer \$25

Plumbing Commercial plumbing

All Commercial Plumbing (new) \$10 per Thousand, \$100.00 Minimum
 \$50 plus \$10 per \$1,000 of cost
 Commercial (alterations) \$50, plus \$5 per fixture
 Commercial single unit (replacement) \$25
 Commercial backflow preventors \$25 each

Wiring Residential

New house construction 1 or 2 Family \$1500 per unit
 New house with electric heat \$125
 Each additional dwelling unit \$100
 Service change, residential \$50.00 per 100 AMP, +\$25.00 per additional
100 AMPS\$25
Renewable Permit Fee \$0.03 per watt Direct Current, \$50.00 Minimum
Minimum Permit Fee \$10.00/\$1000 of contract cost, minimum \$75
 Oil or gas burner, Appliances, Swimming Pool \$2575 each

Wiring Commercial

Appliances (up to 2 same inspection) New Construction or Addition The greater of \$100.00 OR \$10.00/\$1000 of wiring job cost \$25
 0-10 outlets (switches, plugs, thermostat, lights, electric heaters, etc.) \$25
 Each additional 10 outlets \$25
 Christmas lights, 0 to 10 lights \$25
 Swimming pools \$35
 Carnivals and amusement events \$250400
 Signs and billboards \$7525
 Temporary service \$10050
Renewable Energy (Not Storage) Fire-alarms/low voltage wiring \$0.03 per watt Direct Current, \$100.00 Minimum \$20
 Commercial and industrial (any new or addition) \$50 plus \$10 per \$1,000 of contract cost
Institutional (Maintenance Permit) industrial maintenance, annual \$100250 annually
 Replacement equipment (refrigerator, water heater) \$25 each
 New service (service change, new meter) \$50, per meter socket
 Temporary service \$50

<u>Inspections</u>	
Work Beginning before obtaining a Permit	DOUBLE PERMIT FEE
Reinspection FEE (ALL TRADES), each inspector	\$50.00 Minimum
After Hours Inspection - Detail	\$400.00 Minimum
Gas Test	\$40.00
<u>Administrative Related Fees</u>	
Commercial Plan Review Fee	2 cents per SF over 5,000 SF, 1st 5,000 SF included in base fee
Permit Extension	\$50.00
Permit Revision with no added construction costs.	\$50.00
Administrative Fee (Replacement Building Card, Zoning Letter, Change of Use Letter)	\$25.00

<u>110 ANNUAL INSPECTIONS - Fee Schedule</u>					
<u>Use Group</u>	<u>Use Group</u>	<u>Use Group Descriptions</u>	<u>Minimum Inspections</u>	<u>Maximum Certification Period</u>	<u>Fees for Maximum Certification Period</u>
<u>A-1</u>	<u>Assembly - Theaters over 400 Capacity</u>	<u>With Stage and Scenery Movie Theater</u>	<u>Semi-Annual</u>	<u>One Year</u>	<u>\$150.00</u>
		<u>Movie Theater</u>	<u>Semi-Annual</u>	<u>One Year</u>	<u>\$150.00</u>
<u>A-1</u>	<u>Assembly - Theaters 400 or less Capacity</u>	<u>With Stage and Scenery Movie Theater</u>	<u>Annual</u>	<u>One Year</u>	<u>\$75.00</u>
		<u>Movie Theater</u>	<u>Annual</u>	<u>One Year</u>	<u>\$75.00</u>
<u>A-2</u>	<u>Restaurants, Assembly Night Clubs or similar uses</u>	<u>Over 400 Capacity</u>	<u>Semi-Annual</u>	<u>One Year</u>	<u>\$150.00</u>
<u>A-3</u>	<u>Assembly Lecture Halls, Recreation Centers, Terminals, Locations of Worship.</u>	<u>Over 400 Capacity</u>	<u>Semi-Annual</u>	<u>One Year</u>	<u>\$125.00</u>
		<u>400 or Less Capacity</u>	<u>Annual</u>	<u>One Year</u>	<u>\$50.00</u>
<u>A-4</u>	<u>Assembly</u>	<u>Low Density, Recreation & Similar Uses</u>	<u>Prior to Issuance of each new Certificate</u>	<u>Five Years</u>	<u>\$40.00</u>
<u>A-5</u>	<u>Assembly</u>	<u>Stadiums, Bleachers, Places of outdoor assembly</u>	<u>Prior to Issuance of each new Certificate</u>	<u>One Year</u>	<u>\$40+\$15/1000 over 5000.</u>

<u>E</u>	<u>Educational</u>	<u>Educational</u>	<u>Prior to Issuance of each new Certificate</u>	<u>One Year</u>	<u>\$50.00</u>
<u>E</u>	<u>Day Care</u>	<u>Child Day Care Centers</u>	<u>Prior to Issuance of each new Certificate</u>	<u>One Year</u>	<u>\$50.00</u>
<u>I-1</u>	<u>Group Home</u>		<u>Prior to Issuance of each new Certificate</u>	<u>One Year</u>	<u>\$50.00</u>
<u>I-2</u>	<u>Residents incapable of self-preservation: hospitals, nursing homes, mental hospitals, certain day care facilities</u>		<u>Prior to Issuance of each new Certificate</u>	<u>Two Years</u>	<u>\$75/100 beds, +\$2/10 beds over 100.</u>
<u>I-3</u>	<u>Residents Restrained: prisons, jails, detention centers, etc.</u>		<u>Prior to Issuance of each new Certificate</u>	<u>Two Years</u>	<u>\$75/100 beds, +\$2/10 beds over 100.</u>
<u>I-4</u>	<u>Adult and/or child day care facilities.</u>		<u>Prior to Issuance of each new Certificate</u>	<u>One Year</u>	<u>\$50.00</u>
<u>R-1</u>	<u>Hotels, Motels, Boarding Houses, etc.</u>		<u>Prior to Issuance of each new Certificate</u>	<u>One Year</u>	<u>\$40/10 rooms, +\$1/room over 10 rooms, Minimum \$100.</u>
<u>R-1</u>	<u>Detoxification Facilities</u>		<u>Prior to Issuance of each new Certificate</u>	<u>Two Years</u>	<u>\$75.00</u>
<u>R-2</u>	<u>Multi-Family (note g)</u>		<u>Prior to Issuance of each new Certificate</u>	<u>Five Years</u>	<u>\$75/3 dwelling units, +\$2/dwelling after 3.</u>
<u>R-2</u>	<u>Dormitories and R-2 Congregate Living</u>		<u>Prior to Issuance of each new Certificate</u>	<u>One Year</u>	<u>\$40/10 rooms, +\$1/room over 10 rooms, Minimum \$100.</u>
<u>R-2</u>	<u>Summer Camps for Children</u>		<u>Annual</u>	<u>One Year</u>	<u>\$15/100 beds, +\$8/100 beds after the first 100 beds, +\$15 for each assembly building</u>
<u>R-3</u>	<u>Residential Care facilities licensed by DDS or DMH</u>		<u>Annual</u>	<u>One Year</u>	<u>\$75/100 beds, +\$2/10 beds over 100.</u>

<u>R-4</u>	<u>Residential care/assisted living facilities (≤ 16 persons)</u>		<u>Annual</u>	<u>One Year</u>	<u>\$75/100 beds. +\$2/10 beds over 100.</u>
<u>R-5</u>	<u>Residential Special Occupancy</u>	<u>Limited Group Residence</u>	<u>Annual</u>	<u>One Year</u>	<u>\$75/100 beds. +\$2/10 beds over 100.</u>
<u>Any</u>	<u>Facilities licensed by the Alcohol Beverage Control Commission where alcoholic beverages are served and consumed.</u>		<u>Annual as per M.G.L. c. 10, §74</u>	<u>One Year as per M.G.L. c. 10, § 74</u>	<u>\$75.00</u>
<u>Any</u>	<u>House Museums (as recognized by Massachusetts Historical Commission)</u>		<u>Annual</u>	<u>One Year</u>	<u>\$50.00</u>
<u>Any</u>	<u>Fire Escapes, etc. per 780 CMR 10.00: Means of Egress</u>		<u>Five Years</u>	<u>Five Years</u>	<u>\$50.00</u>

III. Effective Date. These amendments shall take effect on July 1, 2021.

ADOPTED
 In City Council
 Order No. 20-
 Adopted

Approved by Mayor
 Arthur G. Vigeant
 Date:

A TRUE COPY
 ATTEST:



City of Marlborough
Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Michele A. O'Brien
EXECUTIVE SECRETARY

October 29, 2020

Council President Ossing
Marlborough City Council
140 Main Street
Marlborough, MA 01752

**Re: Tax Increment Financing Agreement – Revance Therapeutics, Inc.
& BH GRP TCAM Owner LLC**

Honorable President Ossing and Councilors:

Please find enclosed for your review a tax-increment financing ("TIF") agreement with Revance Therapeutics, Inc. and BH GRP TCAM Owner LLC. Revance, a biotech company based in Newark California is leasing a 79,000 square foot single tenant building and parking facilities to be constructed by the owner, located at 100, 110, 250 and 350 Campus Drive in Marlborough.

Revance Therapeutics, Inc. will create and maintain 76 permanent, full time jobs available to qualified residents of Marlborough at the projected area. Additionally, improvements to the Project Area are estimated in an initial capital investment of approximately \$115 million in combined soft, real property and personal property costs. They are also applying for Certified Project status from the Economic Assistance Coordinating Council.

Due to its strong and growing commitment to the life sciences industry, Marlborough is rated a *Platinum BioReady™ Community* by the Massachusetts Biotechnology Council (MassBio). This puts the city among the most favorable biotech destinations in the state—just 7% of Massachusetts communities have achieved “Platinum” status. This investment equates to new job opportunities in our community and additional tax revenue ensuring the tax burden does not fall solely on our residents.

All active TIF agreements are monitored and tracked by the MEDC on a continual basis to ensure job numbers and other commitments surrounding annual reporting and investment are

being met. Enclosed for your review are the following: 1) preliminary application from the Commonwealth of Mass; 2) intent to apply; 3) resolution; and 4) the TIF.

I look forward to discussing with you further. Please do not hesitate to contact me with any questions.

Sincerely,

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

Arthur G. Vigeant
Mayor

Enclosures



COMMONWEALTH OF MASSACHUSETTS
 ECONOMIC ASSISTANCE COORDINATING COUNCIL
 MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

Economic Development Incentive Program (EDIP)
LOCAL INCENTIVE-ONLY APPLICATION

A complete application with all required attachments must be submitted in electronic form to your MOBD Regional Director by 5:00 P.M. on the application deadline date. A hardcopy with original signatures and attachments must be postmarked no later than 1 day after the submission deadline and mailed to: EDIP Manager, MOBD, 136 Blackstone Street, 5th Floor, Boston, MA 02109. **Applications that are incomplete or submitted after the deadline will not be considered at the scheduled EACC meeting, without exception.**

For assistance with this application please work with your MOBD Regional Director, local municipal officials and refer to the EDIP Guidelines and 402 CMR 2.00.

PART I. COMPANY OVERVIEW					
1. COMPANY INFORMATION					
Company Name:	Revance Therapeutics, Inc.				
Project Location Address:	Street Address:	The Campus at Marlborough			
	City:	Marlborough	MA	Zip Code:	01752
FEIN # (Federal Employer Identification Number):					
DUA # (Dept. of Unemployment Assistance Number):					
2. COMPANY CONTACT					
Executive Officer/ Company Designee:	Full Name:	Brian Blagg		Title:	VP of Engineering, Facilities, EH&S, & Supply Chain
Contact (if different from above)	Full Name:			Title:	
Contact Address:	Street Address:	7555 Gateway Boulevard			
	City:	Newark	State:	CA	Zip Code: 94560
Telephone Number:	510-742-3400				
Email Address:					

3. COMPANY DESCRIPTION & HISTORY

Please provide a brief description and history of the company.

Revance Therapeutics is a biotechnology company, developing new innovations in neuromodulators for aesthetic and therapeutic indications. The company has approximately 450 employees and is headquartered in Newark, CA. For further information please refer to the following:

Company's website:
www.revance.com

Most recent 10-K:
<https://www.sec.gov/ix?doc=/Archives/edgar/data/1479290/000147929020000042/rvnc1231201910-k.htm>

PART II. ECONOMIC DEVELOPMENT PROJECT

1. NATURE & PURPOSE OF PROPOSED PROJECT

Please provide a description of the proposed expansion project. Additionally, please explain why the local incentives are necessary for this project to move forward.

Revance is evaluating locations for a new facility to accommodate the commercial aseptic fill operations for their injectable RT-002 product along with additional research and development space. The Company is currently assuming that the final assembly and packaging of finished product is out-sourced to a distributor, but it is possible that in the future a Packaging and Assembly Facility could be required as either a separate facility or as part of the new Commercial Aseptic Filling Facility.

Revance's primary objectives for this project are as follows:

- 1) Finding a facility that meets all operational requirements and that the Company is proud of, similar to their HQ.
- 2) Select a location where the Company can hire and retain exceptional talent
- 3) Lower operating costs as much as possible (real estate, labor, tax, incentives and other operating costs)
- 4) Operate in a stable and business-friendly environment with an improved tax structure
- 5) Provide flexibility for future growth

The Company will be investing significant capital spend into this project (forecasted to be \$115 million). Local incentives will help offset the upfront cost of this project and allow the Company to keep this project competitive with lower international cost landscape.

2. PROJECT TIMELINE

(a) Please indicate the date a Letter of Intent was sent to the municipality and cc: MOBD Regional Director:	(b) Date the applicant expects to begin the project:	(c) Date the applicant expects to complete the project:	(d) Date the applicant expects to open the facility:
10/7/2020	3/1/2021	8/1/2023	4/1/2025

Additional Information (if necessary) on Project Timeline: Expected to begin project Q1'21. Project forecasted to be completed 30 months after start date. The Company expects the facility to be fully approved and operational 48-51 months after the start date. Numbers above represent best estimates at this time.

3. PRIVATE INVESTMENT

Total Projected Private Investment:	\$115 million
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Additional Information (if necessary) on Investment:

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

4. MASSACHUSETTS EMPLOYMENT					
(a) Is the applicant new to Massachusetts?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
(i) If no, where are the existing Massachusetts facilities?					N/A <input type="checkbox"/>
(b) Will the proposed economic development project require and/or trigger the closing or consolidation of any Massachusetts facilities or the elimination of any other jobs currently in Massachusetts? If yes, please give location of facility and explain.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please explain:			
5. EMPLOYMENT & JOB CREATION					
(a) COMPANY NAME EXISTING EMPLOYMENT AT PROJECT LOCATION					
Please indicate the number of Permanent Full-Time Jobs to be created in total and by year. If job creation timeline exceeds five years, please complete the "Extended Job Creation Schedule" and attach as an addendum.					
(i) Permanent Full-Time Employment at Project Location at Date of Application:	(ii) Permanent Full-Time Employees to be Transferred from other Massachusetts Site to Project Location:	(iii) Total Permanent Full-Time Existing Jobs to be Retained at Project Location (sum of questions 5 (a) i. & ii.):			
0	0	0			
Notes (if necessary) on Current Project Location Employment:					
(b) COMPANY NAME JOB CREATION SCHEDULE AT PROJECT LOCATION					
Permanent Full-Time Jobs to be Created (net new to facility and Massachusetts):	2022	2023	2024	2025	2026
76	0	25	25	26	0
Notes (if necessary) on Job Creation:					
6. FACILITY					
(a) Will the applicant own or lease/rent the facility where the business expansion/relocation will occur?		Lease <input checked="" type="checkbox"/> Own <input type="checkbox"/>			
(i) If leasing/renting, identify the developer/landlord and state who will be the taxpayer of record for purpose of paying local real estate taxes?		Greatland Realty Partners, Massachusetts			N/A <input type="checkbox"/>
(b) Is the site of the facility a 43D Preferred Development Site?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, name site:			N/A <input type="checkbox"/>

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

<p>(c) Does the applicant intend to utilize the Commonwealth's Abandoned Building Deduction? Please note: To be eligible for the deduction the building the applicant plans to inhabit must have been at least 75% vacant or unused for 24 months or more.</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, name vacancy percentage and duration: % Vacant for _____ months</p>	<p>N/A <input type="checkbox"/></p>
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PART III. LOCAL INCENTIVE AGREEMENT INFORMATION

Please work with the local municipality and your MOBD Regional Director in completing the below section.

1. MUNICIPAL CONTACT

Municipal Contact:	Full Name:	Meredith Harris	Title:	Executive Director
Contact Address:	Street Address:	91 Main Street, Suite 204		
	City:	Marlborough	MA	Zip Code: 01752
Telephone Number:	508-229-2010			
Email Address:	MHarris@marlboroughedc.com			

2. LOCAL INCENTIVE AGREEMENT

(a) Type of Local Incentive:	<input checked="" type="checkbox"/> Tax Increment Financing (TIF) Agreement <input type="checkbox"/> Special Tax Assessment (STA)	
i) Duration of Local Incentive:	15 Year Local Incentive	
ii) Exemption Schedule of Local Incentive:	100-100-90-90-85-80-75-70-65-60-50-40-30-25-10%	
iii) Start & Expiration Date of Local Incentive:	<p>Start Date: 7/1/2021</p> <p>Expiration Date: 6/30/2036</p> <p>If Agreement commences upon certificate of occupancy please check box:</p> <input type="checkbox"/> Local Incentive Agreement commences upon certificate of occupancy and the dates represent best projections of the start & expiration of the local incentive based on the project timeline.	
iv) Date Municipality Approved Local Tax Incentive or Date of Scheduled Vote:	11/16/2020	
(b) Attachment A: Local Incentive Agreement Please attach a signed copy of the TIF or STA Agreement.		Attached <input type="checkbox"/>
(c) Attachment B: Municipal Vote by Authoritative Body Approving Incentive Please attach a copy of the vote approving the local incentive.		Attached <input type="checkbox"/>
(d) Attachment C: Municipal Vote by Authoritative Body Approving submission of application of the Economic Assistance Coordinating Council (EACC)		Attached <input type="checkbox"/>

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

<p>(e) Exhibit 1: Local Incentive Valuation Please complete the attached exhibit detailing the estimated property tax exemption over the life of the agreement.</p>	<p>Complete <input checked="" type="checkbox"/></p>
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PART IV. LABOR AFFIRMATION & DISCLOSURES

1. CERTIFICATION OF STATE & FEDERAL EMPLOYMENT LAWS

- As an applicant requesting Certified Project approval, REVANCE THERAPEUTICS, INC., affirms **(check box)** that this business will not unlawfully misclassify workers as self-employed or as independent contractors, and certifies compliance with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.
- As an applicant requesting Certified Project approval, REVANCE THERAPEUTICS, INC., affirms **(check box)** that this business will not knowingly employ developers, subcontractors, or other third parties that unlawfully misclassify workers as self-employed or as independent contractors, or that fail to comply with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.

2. COMPANY DISCLOSURE

Within the past five years, has the applicant or any of its officers, directors, employees, agents, or subcontractors of which the applicant has knowledge, been the subject of (if yes, please provide details):

<p>(a) an indictment, judgment, conviction, or grant of immunity, including pending actions, for any business-related conduct constituting a crime under state or federal law;</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details:</p>
<p>(b) a government suspension or debarment, rejection of any bid or disapproval of any proposed contract subcontract, including pending actions, for lack of responsibility, denial or revocation of prequalification or a voluntary exclusion agreement; or</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details:</p>
<p>(c) any governmental determination of a violation of any public works law or regulation, or labor law or regulation or any OSHA violation deemed "serious or willful?"</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details:</p>

COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

V. AUTHORIZATION & CERTIFICATIONS

1. CERTIFICATE OF GOOD STANDING

Provide proof of good tax standing in the Commonwealth of Massachusetts via a Massachusetts Department of Revenue Certificate of Good Standing for each of the businesses intending to take advantage of the state tax incentives.

*Applications will not be reviewed by the Economic Assistance Coordinating Council until a Certificate of Good Standing has been received.

To obtain a Certificate of Good Standing visit: <https://www.mass.gov/how-to/request-a-certificate-of-good-standing-tax-compliance-or-a-corporate-tax-lien-waiver>

Attached

Date of DOR Application for Certificate of Good Standing: 10/26/2020

Notes:

2. APPLICATION AUTHORIZATION, CERTIFICATION & ACKNOWLEDGEMENT

I/We, Brian Blagg (names and titles) of the applicant business applying for "Certified Local Incentive Only Project" status from the Commonwealth of Massachusetts, Economic Assistance Coordinating Council hereby certify that I/we have been authorized to file this application and to provide the information within and accompanying this application and that the information provided herein is true and complete and that it reflects the applicant's intentions for investment, job creation and sales to the best of my/our knowledge after having conducted reasonable inquiry. I/We understand that the information provided with this application will be relied upon by the Commonwealth in deciding whether to approve "Certified Local Incentive Only Project" status and that the Commonwealth reserves the right to take action against the applicant or any other beneficiary of the Certified Local Incentive Only Project is the Commonwealth discovers that the applicant intentionally provided misleading, inaccurate, or false information I/We make this certification under the pains and penalties of perjury. I/we agree to submit a Calendar Year Annual Report to the Massachusetts Office of Business Development to give updates on the progress of the project.

The signatories also hereby acknowledge that, under the Public Records law of the Commonwealth of Massachusetts, this application and all documents submitted in support thereof are public records under the provisions of Massachusetts G. L., Ch. 4, sec. 7 (26).

Signed:

	Vice President	October 27, 2020
Name	Title	Date

		<i>Select mm/dd/yyyy</i>
Name	Title	Date

3. DEPARTMENT OF UNEMPLOYMENT ASSISTANCE CONSENT FOR DISCLOSURE OF WAGE REPORTING INFORMATION

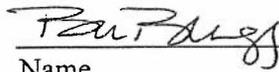
COMMONWEALTH OF MASSACHUSETTS
ECONOMIC ASSISTANCE COORDINATING COUNCIL
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**Consent for the Disclosure of Wage Reporting Information for Federal Employment
Identification Number (FEIN): # 77-0551645**

Division of Unemployment Assistance (DUA) Number: #

I/We, Brian Blagg, a duly authorized representative of Revance Therapeutics, Inc. and of all the other businesses listed in this Local Incentive Only Application (hereinafter "Employer"), hereby releases and gives authority to the Massachusetts Department of Unemployment Assistance, pursuant to G.L. c. 151A, §46(1), to provide the Economic Assistance Coordinating Council, upon its request, with the Employer's information, including but not limited to, wage reporting information, that is (a) necessary to verify the amount and tax year in which the Employer claims any of the Tax Incentives awarded in the Economic Development Incentive Program or Employer's fulfillment of job creation and job retention commitments as indicated in the supplemental application and job chart, or (b) otherwise necessary to ensure the proper operation or enforcement of this Agreement or the Program. This authorization is effective upon date of signature and will be valid until superseded by a subsequent application or revoked in writing.

Signed:



Name

Vice President

Title

October 27, 2020

Date

Select mm/dd/yyyy

Name

Title

Date



mass.gov/dor

CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



TERRI MCDOWELL
REVANCE THERAPEUTICS INC
7555 GATEWAY BLVD
NEWARK CA 94560-1152

Why did I receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, REVANCE THERAPEUTICS INC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

What if I have questions?

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 8:30 a.m. to 4:30 p.m..

Visit us online!

Visit mass.gov/dor to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief
Collections Bureau

Date:09/29/20

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

RE: Intent to Apply For Massachusetts Economic Development Program (EDIP) in Marlborough

Dear Mayor Vigeant

This letter constitutes Revance Therapeutics' letter of intent as required pursuant to the Economic Development Incentive Program, (EDIP).

On August 11 and September 25, 2020, my company and our external consultants, T3 Advisors, met with representatives from Marlborough including yourself and Meredith Harris to discuss the EDIP Program and the various incentives available.

Revance is a biotechnology company, developing new innovations in neuromodulators for aesthetic and therapeutic indications. The company has approximately 430 employees and is currently headquartered in Newark, CA.

Revance evaluating locations for a new facility to accommodate the commercial aseptic fill operations for their injectable RT-002 product along with additional research and development space. The new facility is anticipated to be approximately 70K square feet. The Company plans to invest approximately \$105 million in building improvements and capital investment. This project would bring approximately 105 jobs with roughly \$101,000 average annual wages in the first year of operation.

The Company's primary objectives for this project are as follows

1. Finding a facility that meets all operational requirements and that the Company is proud of, similar to their HQ.
2. Select a location where the Company can hire and retain exceptional talent
3. Lower operating costs as much as possible (real estate, labor, tax, incentives and other operating costs)
4. Operate in a stable and business-friendly environment with an improved tax structure
5. Provide flexibility for future growth

Revance Therapeutics is therefore requesting that you accept this letter as the formal letter of intent required under the Economic Development Incentive Program, (EDIP).

Sincerely yours,

A handwritten signature in blue ink that reads "Brian Blagg". The signature is fluid and cursive, with a prominent flourish at the end.

Brian Blagg

Vice President of Engineering, Facilities, EH & S and Supply Chain

cc: Peter Milano, Senior Director, Business Development, MOBD
Kevin Kuros, Regional Director, MOBD

RESOLUTION:

WHEREAS, the City Council of the City of Marlborough desires a beneficial economic use creating jobs for local residents, expanding business within the City, and developing a healthy robust economy and stronger tax base for Map 111, Parcel 1 (including portions thereof) on the Marlborough Assessor's Map; and

WHEREAS, the City Council of the City of Marlborough intends to use tax increment financing as an economic development tool created by the Massachusetts Economic Development Incentive Program based on the ability of the City of Marlborough, in accordance with needs and community benefits of a specific project, that are reasonably proportional to the economic development incentives from State and local government and the resulting economic development benefits;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marlborough that the following activities which are necessary to pursue a Certified Project designation be authorized:

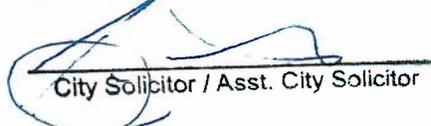
1. The City Council of the City of Marlborough hereby requests that the Massachusetts Economic Assistance Coordinating Council approve Revance Therapeutics, Inc.'s application for an EDIP Certified Project; and further, that:
 - a. The project is consistent with the City of Marlborough's economic development objectives and is likely to increase employment opportunities for Marlborough residents;
 - b. The project will not overburden the City of Marlborough's infrastructure and utilities;
 - c. The project as described in the proposal has a strong likelihood that it will cause a significant influx or growth in business activity, will create a significant number of jobs and not merely replace or relocate current jobs within the Commonwealth, and will contribute significantly to the resiliency of the Marlborough economy; and
 - d. The City Council approves Revance Therapeutics, Inc.'s request that the project be designated by the Massachusetts Economic Assistance Coordinating Council as an EDIP Certified Project for fifteen (15) years.

2. The City Council of the City of Marlborough agrees to authorize the use of tax increment financing, authorizes the Mayor to enter into a tax increment financing agreement with Revance Therapeutics, Inc. and BH GRP TCAM Owner LLC, and authorizes submission of the tax increment financing agreement (attached hereto) to the Massachusetts Economic Assistance Coordinating Council.

ADOPTED
In City Council
Order No 20-
Adopted

Approved by Mayor

APPROVED AS TO LEGAL FORM:



City Solicitor / Asst. City Solicitor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

**TAX INCREMENT FINANCING AGREEMENT BETWEEN
THE CITY OF MARLBOROUGH, REVANCE THERAPEUTICS, INC.**

AND

BH GRP TCAM OWNER LLC

This **TAX INCREMENT FINANCING AGREEMENT** (the "**TIF Agreement**" or the "**Agreement**") is made by and between the City of Marlborough (the "**City**"), Revance Therapeutics, Inc. (the "**Company**"), and BH GRP TCAM Owner LLC (the "**Owner**").

WHEREAS, the City is a Massachusetts municipal corporation acting through its City Council and Mayor, having its principal office located at City Hall, 140 Main Street, Marlborough, MA 01752; and

WHEREAS, the Company is a Delaware for-profit corporation having its global and U.S. headquarters located at 7555 Gateway Boulevard, Newark, CA 94560, and is authorized to do business in Massachusetts; and

WHEREAS, the Owner is a Delaware limited liability company having its principal office at 101 Federal Street, 16th Floor, Boston, MA 02110, authorized to do business in Massachusetts, and is the fee owner of the parcel of land located at 100, 110, 250 and 350 Campus Drive, Marlborough, Massachusetts 01752, as further depicted on Marlborough City Assessor's Map 111, Parcel 1 (the "**Property**") and which parcel is shown on the map attached to this Agreement; and

WHEREAS, the Company intends:

- 1) to lease from the Owner an approximately 79,000 square feet single tenant building, to be constructed by the Owner, located on the Property in Marlborough together with parking facilities and other improvements located thereon (hereinafter, the leased space is defined as the "**Project Area**"); and
- 2) to make improvements to the Project Area which shall consist of a new building for an office site and good manufacturing practice (GMP) facility for the Company, and which will accommodate commercial aseptic fill operations; and

WHEREAS, the Project Area is to be located within the boundaries of the Framingham - Marlborough Regional Economic Target Area (ETA) (as that term is used in Massachusetts General Laws, Chapter 23A, Section 3D, as amended, and referred to below as the "**ETA**"); and

WHEREAS, beginning on the effective date of this Agreement, the Company plans to create and, maintain over the term of the TIF Agreement, 76 new, permanent, full-time jobs open to qualified residents of Marlborough and the ETA at the newly constructed building located at the Project Area; and

WHEREAS, the improvements to the Project Area are estimated to result in an initial capital investment by the Company of approximately \$115 million in combined soft, real property and personal property costs (the "Project"); and

WHEREAS, the Owner shall make additional improvements to the Project Area in accordance with the terms of the lease agreement; and

WHEREAS, the parties to the Agreement are desirous of entering into a TIF Agreement which shall pertain solely to the Project Area and not to any other portion of the Property, and which shall be in accordance with the Massachusetts Economic Development Incentive Program (EDIP) and Chapter 23A of the Massachusetts General Laws; and

WHEREAS, the City strongly supports increased economic development to provide additional jobs for residents of Marlborough and the ETA, to expand business within the City, and to develop a healthy robust economy and stronger tax base; and

WHEREAS, the Project and its related job creation will further the economic development goals and criteria established for the ETA; and

WHEREAS, by letter dated October 29, 2020, the Mayor recommended the TIF Plan and the TIF Agreement to the Marlborough City Council.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and contingent upon receipt of authorization from the City Council and in accordance with applicable law, the parties hereby agree as follows:

A. THE CITY'S OBLIGATIONS.

1. The City Council approved the provisions of this TIF Agreement on , 2020 pursuant to the Resolution attached hereto. The City Council hereby authorizes the Mayor to execute this TIF Agreement on the City's behalf, and to monitor and enforce compliance by the Company and the Owner with this TIF Agreement's terms. The Mayor is authorized to act for and on behalf of the City in proceedings relating to the approval of this Agreement by the Massachusetts Economic Assistance Coordinating Council (the "EACC").
2. A Tax Increment Financing exemption (the "Exemption") for the Project Area is hereby granted to the Company and the Owner by the City in accordance with Chapter 23A, Section 3E, as amended; Chapter 40, Section 59, as amended; and Chapter 59, Section 5, Cl. Fifty-first, of the Massachusetts General Laws. The Exemption shall be for a period of fifteen (15) years (the "Exemption Term"), commencing on July 1, 2021 (the beginning of fiscal year 2022) and ending on June 30, 2036 (the end of fiscal year 2036). The Exemption shall pertain only to real property taxes for the Project Area, and shall provide an exemption from taxation of the new

incremental value of the Project Area resulting from the Project, as determined by the City of Marlborough Assessor, according to the following schedule:

**PROJECT AREA'S REAL PROPERTY
TAX EXEMPTION SCHEDULE**

Fiscal Year	Real Property Exemption Percentage
2022	100%
2023	100%
2024	90%
2025	90%
2026	85%
2027	80%
2028	75%
2029	70%
2030	65%
2031	60%
2032	50%
2033	40%
2034	30%
2035	25%
2036	10%

3. The base valuation for the Project Area shall be the Project Area's assessed valuation in the base year. The Project Area shall be assigned a sub-parcel ID for tax purposes by the Assessor, and the Company and Owner shall provide the Assessor with all information necessary to establish same. The base year is the most recent fiscal year immediately preceding the fiscal year in which the property becomes eligible for the TIF exemption. As provided in 760 C.M.R. 22.05(4)(d), see 402 C.M.R. 2.22, the Project shall become eligible for the Exemption on the July 1st following the date on which the EACC approves the TIF Plan which is expected to be December 10, 2020. Therefore, the exemption is expected to commence on July 1, 2021, which is the beginning of fiscal year 2022. Accordingly, the base year for this TIF Agreement will be fiscal year 2021.

4. The base valuation shall be adjusted annually by an adjustment factor, which reflects increased commercial and industrial property values within the community, as provided in Chapter 40, Section 59 of the Massachusetts General Laws and in 760 C.M.R. 22.05(4)(b), see 402 C.M.R. 2.22. This adjusted base valuation will remain fully taxable (i.e., the Tax Increment Financing Exemption shall not apply to or be calculated with respect to the adjusted base valuation and no portion of the adjusted base valuation shall be eligible for exemption from Chapter 59 property taxation) throughout the term of this TIF Agreement. Only the increased value or "increment" created by improvements will be the amount eligible for exemption from taxation.

5. The Company is (or shall be as of the Effective Date of this Agreement) a registered manufacturer by the Massachusetts Department of Revenue and is exempt by law from paying municipal personal property taxes.

B. THE COMPANY'S OBLIGATIONS AND THE OWNER'S OBLIGATIONS.

1. The City is granting the Tax Increment Financing Exemption for the Project Area in consideration of the following commitments:

- (a) In anticipation of the receipt of the TIF benefits described in this Agreement, the Company agrees that it will lease the Project Area from the Owner and develop the site into a GMP facility and office site;
- (b) As part of leasing the Project Area, the Company agrees that the Company and the Owner will make capital improvements pursuant to the terms of the Project Area lease which are currently estimated to be approximately \$115 million in combined soft, real property and personal property costs to construct a new 79,000 square foot single tenant building to be occupied by the Company on the Project Area at the Property, and that it will timely pay all municipal permit fees required in connection with such improvements and investment;
- (c) The Company and the Owner agree to timely pay all of the taxes owed to the City by the Company and the Owner, respectively, over the term of this TIF Agreement; and
- (d) The Company agrees to create 76 new permanent full-time jobs at the Project Area for permanent full-time employees (as "permanent full-time employee" is defined in 402 C.M.R. 2.03), to be employed at the Project Area as of June 30, 2025 and whose employment by the Company commences on or after the effective date of this agreement ("New Permanent Full-Time Employees"). The new jobs shall be performed, and maintained, in the newly constructed building at the Project Area until the termination of this TIF Agreement. The new jobs shall not be performed remotely. The following schedule details the Company's schedule of job creation:

SCHEDULE OF JOB CREATION	
End of Fiscal Year(s)	Minimum Cumulative New Permanent
2022	0
2023	25
2024	50
2025	76
2026	76
2027	76
2028	76
2029	76
2030	76

2031	76
2032	76
2033	76
2034	76
2035	76
2036	76

The Company shall maintain said employment job creation, in accordance with the Schedule of Job Creation referenced above, during the life of the Agreement.

- (e) In meeting its cumulative New Permanent Full-Time Employee commitment above, and consistent with all federal, state and local laws and regulations, the Company may use commercially reasonable efforts to make available application opportunities for the New Permanent Full-Time Employee positions to qualified residents of Marlborough and then the regional ETA. Determination of whether any individual is qualified for any specific job or position shall be in the Company's sole discretion, and nothing herein shall be deemed to create any obligation of the Company to hire any of said residents. The Company will meet its obligation to make such application opportunities available to such residents if, in conjunction with the Mayor's office and the Marlborough Economic Development Corporation, the Company conducts a job fair in Marlborough for staffing its Project Area.
2. The Company shall submit annual written reports on job creation and maintenance at, job relocation to, and new investments at, the Project Area to the City of Marlborough Board of Assessors and Mayor and to the EACC by the end of December of each calendar year with respect to the immediately preceding fiscal year during which this TIF Agreement is in effect. Reports shall be submitted for fiscal year 2022 and for every fiscal year thereafter falling within the term of this TIF Agreement; thus, the report for fiscal year 2022, ending on June 30, 2022, shall be submitted by the end of December 2022. In addition to information that may be required by the EACC pursuant to 402 C.M.R. 2.14, the annual report shall be comprised of the following information:
- (a) Employment levels at the Project Area at the beginning and end of the reporting period, with a designation of the number of employees that are net new employees as of the effective date of this Agreement and the number of employees that were employed by the Company in Massachusetts prior to the effective date of this Agreement;
 - (b) The specific number of ETA and Marlborough residents respectively employed at the Project Area at the beginning and at the end of the reporting period;
 - (c) An accounting of the commercially reasonable efforts made by the Company to make New Permanent Full-Time Employee positions available to qualified residents of Marlborough and then to the regional ETA;
 - (d) A narrative of the reasonable efforts made by the Company to solicit Marlborough businesses, vendors and suppliers to participate in requests for quotations for goods

and services to be purchased by the Company as part of the Project, including but not limited to the improvements to the Project Area, as well as the purchase of new machinery and equipment as part of the Project (collectively, "Engage Local Businesses");

- (e) The Company's financial contribution to the City (including property taxes, motor vehicle excise taxes, and water and sewer fees) for the fiscal year; and
- (f) A description of any private investment, including but not limited to donations and/or perpetual maintenance of land for recreational purposes, made by the Company for the benefit of the community during the reporting period.

During the term of this TIF Agreement, the Company and the Owner shall provide the City with any and all information reasonably related to the Project Area including the Company's and the Owner's improvements to the Project Area as the City may deem necessary to monitor the Company's compliance with this TIF Agreement.

3. The Tax Increment Financing Exemption percentage applicable to the tax exemption schedule above will automatically be adjusted downward in any particular fiscal year that the Company does not meet its minimum cumulative New Permanent Full-Time Employee requirements described in the Schedule of Job Creation above. Under this Paragraph 3, the exemption percentage applicable to the exemption schedule above will be adjusted for the fiscal year beginning after the job requirement date, utilizing the following formula:

(Actual Cumulative New Permanent Full-Time Employee Level /
Minimum Cumulative New Permanent Full-Time Employee Requirement) x
Scheduled Exemption Percentage = Actual Exemption Percentage.

For example, if the actual cumulative New Permanent Full-Time Employee level at the end of FY 2024 is 25 instead of 50, then the real property tax exemption percentage otherwise applicable for FY 2025 would be $(25/50) \times 100\%$, or 50%.

The exemption percentages applicable to the tax exemption schedule above will, for later fiscal years, revert back to the original exemption schedule if the Company restores the job level based on the minimum cumulative New Permanent Full-Time Employee requirement for that later year. If the Company meets or exceeds its minimum cumulative New Permanent Full-Time Employee requirements, the exemption schedule will not be adjusted.

4. The Company will be in default of its respective obligations under this TIF Agreement if the City determines that the Company fails to meet or comply with any of the requirements specified in Section B of this TIF Agreement, and the City further determines that such failure continues or remains uncured for one hundred eighty (180) days (or such longer time as the City may deem appropriate under the circumstances)

after the date of written notice, provided by the City to the Company, explaining in reasonable detail the grounds for or nature of such failure. Upon the City's determination that any default by the Company has continued or remained uncured for such period after the date of such written notice, the City may take such action as it deems appropriate to enforce the Company's obligations under this TIF Agreement, including but not limited to a request that EACC revoke its certification of the Project for eligibility for a Tax Increment Financing Exemption; any such request would be in addition to the automatic downward adjustment of the exemption schedules, as described in Section B.3 above. Upon any such decertification, the City shall have the right, upon written notice to the Company, to terminate the Tax Incremental Financing Exemption benefits described in Paragraph 2 of Section A, commencing as of the fiscal year in which the City has determined the Company to be in default or, if such benefits have already been received by the Company, for the fiscal year in which the City has determined the Company to be in default, commencing as of the fiscal year immediately following that fiscal year. Any notice required hereunder shall be effective upon receipt.

5. In addition to discontinuance of benefits as set forth in Paragraph B(4) above, if the Agreement is decertified because the Company has failed to satisfy any of the requirements in Section B, then, pursuant to Massachusetts General Laws Chapter 23A, Section 3F(e), the City may recapture the value of any taxes not paid due to the Exemption provided herein. Said recapture shall be made through a special assessment on the Company in the municipal fiscal year that follows the EACC's decision to revoke project certification. The assessment, payment, and collection of said special assessment shall be governed by procedures provided for the taxation of omitted property pursuant to Massachusetts General Laws Chapter 59, Section 75, notwithstanding the time period set forth in said Chapter 59 for which omitted property assessments may be imposed for each of the fiscal years included in the special assessment. This paragraph does not provide for any right of recapture against the Owner or the Property.
6. The City shall be given sixty (60) days' written notice prior to any Company announcement to the general public (specifically excluding any communications to the Owner or the Company's employees) of a proposed move from, vacation of, abandonment of, or other failure to maintain operations at, the Project Area during the term of this Agreement, unless such notice would be in violation of any law, regulation or contractual obligation of the Company. Said notice shall identify the prospective new tenant, if any; may include information about such prospective new tenant which is not otherwise subject to a confidentiality agreement; and shall be given to: Mayor's Office and to the Board of Assessor's Office, City Hall, 140 Main Street, Marlborough, MA 01752. Said notice will be the confidential information of Company, and the City shall not, except as required by law, disclose any information provided by the Company regarding any proposed disposition of the Project Area or any portion thereof by the Company or the Owner.
7. The Company shall use reasonable efforts to Engage Local Businesses to participate in requests for quotations for goods and services to be purchased by the Company as part

of the Project, including but not limited to the improvements to the Project Area, as well as the purchase of new machinery and equipment as part of the Project. So long as the Company contacts the Marlborough Economic Development Corporation at the later of: (i) the beginning of the Project, or (ii) within a reasonable amount of time after the Agreement has been executed by all parties, with a description of the qualifications of the local businesses, vendors and suppliers from whom, at that time, the Company is seeking requests for quotations, the Company shall be deemed to have made reasonable efforts to Engage Local Businesses under this Section 6. However, the extent to which the Company shall hire or purchase from local businesses, vendors and suppliers under this Section 6 shall be in the Company's sole discretion, and nothing herein shall be deemed to require the Company to hire or purchase from local businesses, vendors and suppliers.

C. OTHER CONSIDERATIONS.

1. Pursuant to 760 C.M.R. 22.05(8)(d), *see* 402 C.M.R. 2.22, this Agreement shall be binding upon the Company and its successors and assigns, and upon the Owner and its successors and assigns, and upon the City and its successors and assigns, so long as the Project's certification has not been revoked by EACC.
2. This Agreement is subject to M.G.L. Chapter 23A, Sections 3A-3F inclusive; M.G.L. Chapter 40, Section 59; and M.G.L. Chapter 59, Section 5, Cl. Fifty-first.
3. The Owner shall pass along to the Company all real property tax savings resulting from this Agreement. No other building at the Property shall be eligible for a Tax Increment Financing Exemption, unless specifically authorized by a separate tax increment financing agreement. The parties acknowledge and agree that there is no public construction contemplated by this Agreement and, therefore, no betterment schedule referred to in Massachusetts General Laws Chapter 40, Section 59 is required.
4. Should any part, term or provision of this Agreement be determined by any court of competent jurisdiction to be illegal or invalid, the validity of the remaining parts, terms, and provisions shall not be affected thereby and said illegal or invalid part, term or provision shall be deemed not to be a part of this Agreement.
5. The effective date of this Agreement shall be December 10, 2020, the (presumptive) date of the Economic Assistance Coordinating Council's approval of the EDIP Preliminary Application and TIF Agreement.
6. All notices, reports or other communications required or permitted under this TIF Agreement must be in writing signed by a duly authorized representative of the City, Company, or Owner, as the case may be, and shall be (i) hand delivered, (ii) delivered by a nationally recognized overnight delivery service, or (iii) mailed by certified or registered mail, return receipt requested, postage prepaid, to the parties at the following addresses or such other addresses as each may have specified to the other by such a notice:

CITY: City of Marlborough
City Hall, 4th Floor
Attention: Mayor's Office
140 Main Street
Marlborough, MA 01752

With a copy to: Legal Department at same address

COMPANY: REVANCE THERAPEUTICS, INC.
Attention: Brian Blagg
Vice President of Engineering, Facilities, EH&S and Supply Chain
7555 Gateway Boulevard
Newark, CA 94560

cc: General Counsel
7555 Gateway Boulevard
Newark, CA 94560

OWNER: BH GRP TCAM Owner LLC
c/o Greatland Realty Partners
Attention: Philip Dorman
101 Federal Street, 16th Floor
Boston, MA 02110

cc: Goulston & Storrs PC
Attention: Kevin Renna
400 Atlantic Avenue
Boston, MA 02110

7. This TIF Agreement may be executed in counterparts by the parties, and each such counterpart shall be considered an original and all such counterparts shall constitute one and the same instrument.
8. This TIF Agreement may be amended, changed, modified, or altered only by a written instrument signed by the parties to this TIF Agreement.
9. This TIF Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts. The rights and obligations of the parties hereto shall be construed and enforced in accordance with, and governed by, the laws of the Commonwealth of Massachusetts.

WITNESSETH, the execution and delivery of this Agreement by the Company, the Owner and the City as an instrument under seal as of the date last written below by the signatories hereto.

AGREED TO:

COMPANY

REVANCE THERAPEUTICS, INC.

By: _____

Dated: _____, 2020

Tobin Schilke
Chief Financial Officer
REVANCE THERAPEUTICS, INC.

COMMONWEALTH OF CALIFORNIA

_____, ss.

On _____, 2020, before me, the undersigned notary public, personally appeared Tobin Schilke, as Chief Financial Officer of REVANCE THERAPEUTICS, INC., and proved to me through satisfactory evidence of identification, which was _____, that s/he is the person whose name is signed on the preceding or attached document.

Notary Public
Printed Name: _____
My Commission Expires: _____

CERTIFICATE OF AUTHORITY

The undersigned, _____, hereby certifies as follows:

1. The undersigned is the _____ of the Company.
2. The undersigned hereby certifies that Tobin Schilke, Chief Financial Officer of the Company, is authorized to execute binding agreements on the Company's behalf, including without limitation this Agreement.

The undersigned has executed this certificate as of this date.

Name:
Title:
Dated: _____

OWNER

BH GRP TCAM OWNER LLC

By its Manager:

Dated: _____, 2020

[name]
Manager

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On _____, 2020, before me, the undersigned notary public, personally appeared _____, as manager of PROPERTY OWNER, and proved to me through satisfactory evidence of identification, which was _____, that s/he is the person whose name is signed on the preceding or attached document.

Notary Public
Printed Name: _____
My Commission Expires: _____

CERTIFICATE OF AUTHORITY

The undersigned, _____, hereby certifies as follows:

1. The undersigned is the _____ of the Owner.
2. The undersigned hereby certifies that _____ of the Owner, is authorized to execute binding agreements on the Owner's behalf, including without limitation this Agreement.

The undersigned has executed this certificate as of this date.

Name:
Title:
Dated: _____

CITY OF MARLBOROUGH

By: _____

Arthur G. Vigeant
Mayor
City of Marlborough

Dated: _____, 2020

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On _____, 2020, before me, the undersigned notary public, personally appeared Arthur G. Vigeant, as Mayor of the City of Marlborough, and proved to me through satisfactory evidence of identification, which was _____, that he is the person whose name is signed on the preceding or attached document.

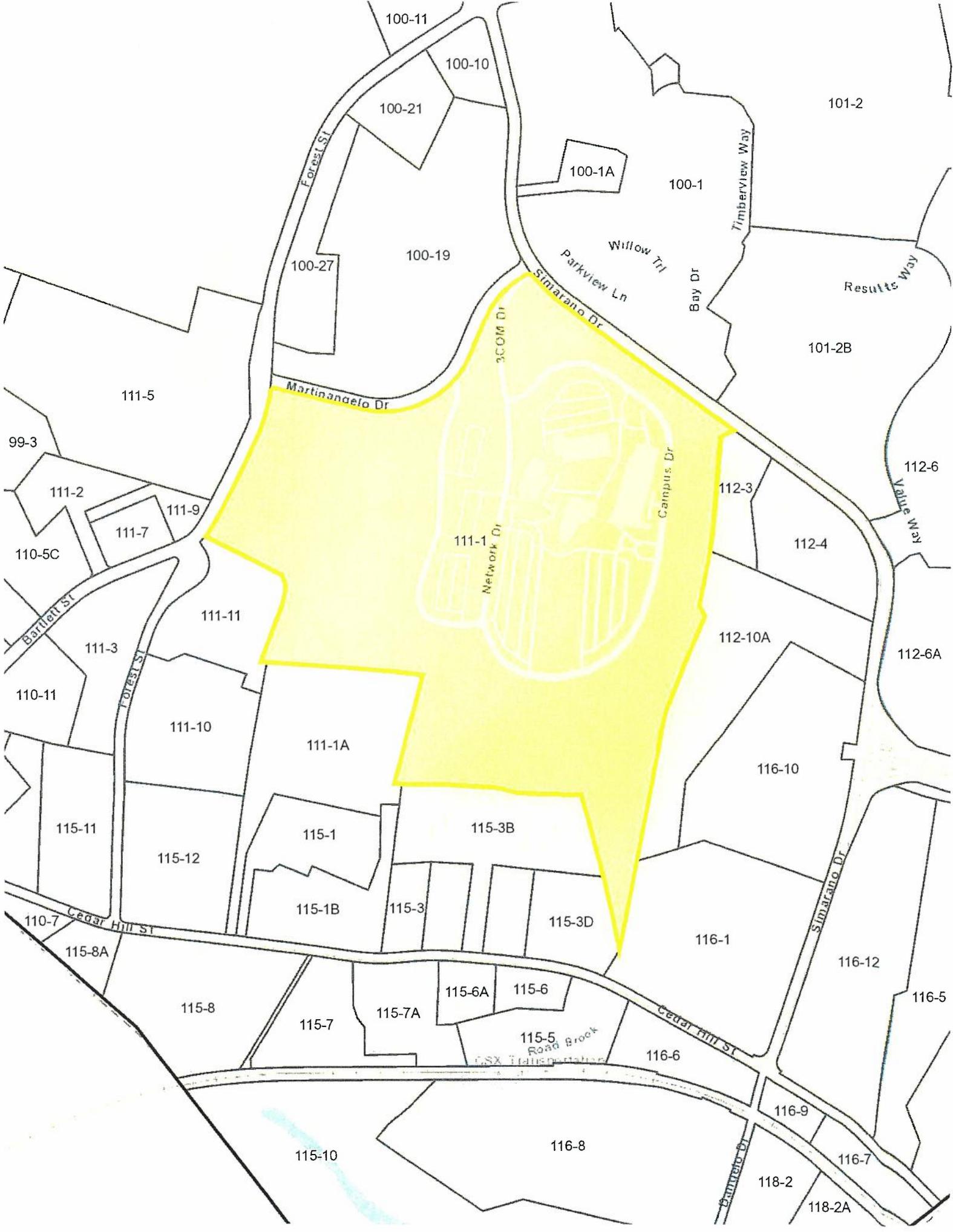
Notary Public

Printed Name: _____

My Commission Expires: _____

ATTACHMENT

Property Map



October 28, 2020

City Clerk
Marlborough City Hall
140 Main Street
Marlborough, MA 01752

RECEIVED
CITY CLERK

2020 OCT 29 A 7:40

Marlborough City Council,

Please approve for Grant purposes the following plan:

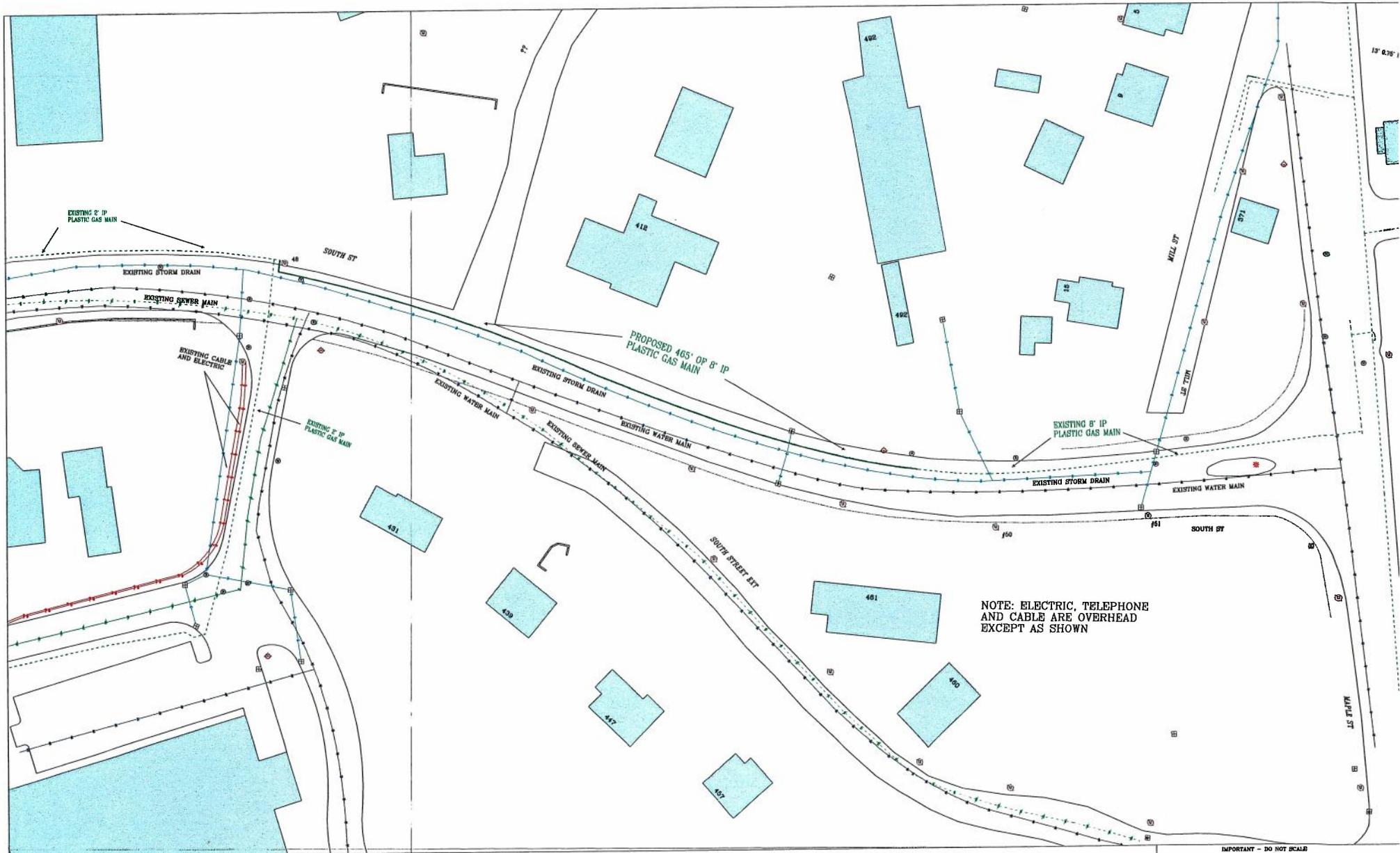
To install approximately 465ft of 8" Intermediate Pressure gas main as part of a system improvement project. The work is going to take place at the following location:

South ST – Between #417 South ST and Maple ST

Respectfully,

Pamela Gopaul
Eversource Energy
Supervisor of Planning & Scheduling
157 Cordaville Rd
Southboro, Massachusetts 01772





NOTE: ELECTRIC, TELEPHONE
AND CABLE ARE OVERHEAD
EXCEPT AS SHOWN

EVERSOURCE
EVERSOURCE MA GAS
One Boston Way
Westwood, MA 02090
Phone 1-800-552-2000

MASS LAW
Call Dig-Safe: 811

Address: SOUTH ST, MARLBOROUGH
City / Town: GRANT OF LOCATION

IMPORTANT - DO NOT SCALE

This drawing is a preliminary utility plan and is not intended to be used for construction. It is for informational purposes only. The utility owner is responsible for the accuracy of the information shown on this drawing. The utility owner is not responsible for any errors or omissions on this drawing. The utility owner is not responsible for any damage to property or injury to persons resulting from the use of this drawing. The utility owner is not responsible for any other consequences of the use of this drawing.

Date: 10/25/21

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

**October 1, 2020
7:00 PM
Minutes**

RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH

2020 OCT 24 P 7:37

Chairman Edward Clancy opened the meeting and read the announcement that the meeting was being held virtual due to the COVID-19 pandemic as required by the Governor, and that the meeting was being held on the Microsoft Teams platform and was being recorded as outlined on the agenda.

Present: On a roll call vote with the following yeas: Edward Clancy, David Williams, Dennis Demers, William Dunbar, and John Skarin- 5 members present. Also present was Priscilla Ryder Conservation Officer.

Absent Karin Paquin and Allan White,

Approval of Minutes: The minutes of August September 17, 2020 were approved on a motion by Mr. Skarin second by chair to accept the minutes as written 5-0 with the following yeas: Edward Clancy-chairman, David Williams, Dennis Demers; William Dunbar, and John Skarin.

Public hearings:

Request for Determination of Applicability
1001 Boston Post Rd. – Raytheon

David Cowell from Hancock Associates and Josh ACABA from Raytheon were present. Mr. Cowell explained that Raytheon is proposing to install an antenna shelter on their property within one of the parking lots. The work within the 100' wetland buffer zone involves utility installation in the parking lot to feed this new building. They are proposing to trench for these utilities then install and cover and repave. Erosion controls including silt sacks in affected catchbasins and straw waddles around the edges are proposed. They expect the duration of the utility work to be one or two days and no stockpiling of any materials. After some discussion about the proposed building which will be outside the Commission's jurisdiction, and there being no further questions from the Commission or the public, the d. On a motion by Mr. Skarin to issue a negative determination with standard conditions, second by the chair, on a roll call vote of 5-0 in favor of the motion, the roll call of all yeas were as follow: Edward Clancy-chairman, David Williams, Dennis Demers, William Dunbar, and John Skarin.

Notice of Intent - (212-1226) - continued from Sept. 17, 2020

86 Roosevelt St. (Map 55 Parcel 49) - Carlos Marcelino

Dan Bremser, Jacob Lemieux and David Cowell, all from Hancock Associates were present. Mr. Bremser explained that after the last meeting they went back and did a redesign of the building. The building is further away from the wetland 50' no disturb zone for this lot. Mr. Lemieux noted that the closest point now is 8.5' from the 50' no disturb line rather than the 4' previously shown. Ms. Ryder noted that she received confirmation today from the City Engineer that he is all set with the sewer connections for this lot as well. Mr. Dunbar asked if the HVAC units could NOT be located in the back of the house, this will eliminate restrictions to access behind the house. Mr. Bremser noted that the pinch point is at the back of the house, so a condition to require HVAC units to be at either corner was

acceptable. There being no other questions or comments from the Commission or the audience, the hearing was closed. The Commission reviewed the draft Order of Conditions and discussed changes to several of the conditions relative to the fencing, the HVAC system, and invasive plant removal. After some discussion on a motion by Dennis Demers to approve the draft Order as amended, second by chair, the Commission voted 5-0 to approve with the following roll call vote of all yeas: Edward Clancy; David Williams, Dennis Demers William Dunbar, and John Skarin.

Notice of Intent – Continued from Sept. 17 to Oct. 1st

192 Reservoir St. - David Dowd

Mr. Clancy noted that the Commission had done a site inspection at this lot. The revised plans needed would not be ready until the next meeting. At the applicants request at the site meeting, the meeting was continued to the Oct. 15th meeting to allow time for the engineer to revise the plans.

Discussion/Correspondence:

- Proposed Subdivision Plan - 4 lot subdivision off 76 Broad St. map. 68 parcel 123- provide comments to Planning Board - The Commission reviewed this subdivision and noted that the soils are glacial till silty soils, the slope at the back of this property is very steep and abuts Water Wind Knolls and could be problematic without a very good erosion control system, test pits at the infiltration system should confirm that the infiltration system designed will be adequate, there are some trees along the edge that provides a good buffer which should be protected and shown on the plans, the final plans should ensure no impact to the down hill properties. There was some question as to whether the units were single family homes or duplexes. Mr. Bremer from Hancock who was still on the call noted that his firm developed these and he believes they are duplexes. Ms. Ryder will draft a letter for the Chairman to review and sign to send to the Planning Board
- Proposed Subdivision Plan – 4 Lot subdivision off Stevens St. map 44 parcel 148 - provide comments to Planning Board - The Commission reviewed this subdivision plan and noted that there is ledge on a large portion of this lot, there are wetlands at the bottom of the steep slope, but no work is proposed on the steepest section of the property which is good. The remaining land not developed for these 5 houses lots and the other two near Oak Crest Rd. should be protected in some way either with a conservation restriction or as a donation to the city for Conservation purposes. Mr. Clancy noted that he has received concerns regarding wet basements on Dirado Dr. so care should be taken in the drainage design for this subdivision. The subdivision does not show any drainage/detention structures which will obviously need to be added. Ms. Ryder will draft a letter for the Chairman to review and sign to send to the Planning Board.
- Trail Committee Update – as Ms. Paquin was not present, this was continued to the next meeting.

- Update reports:
 - Ms. Ryder noted that 175 Maple St. has indicated they would like to replant the trees next spring to ensure survival. The Commission agreed that was reasonable.
 - 178 Simpson Rd. – Ms. Ryder indicated that some work has been done to pull back the slope, but the tree stumps were still there when she inspected last week, the wetland is closer to the house than originally flagged by about 10'. The Commission asked about the stones and stumps. Ms. Ryder will provide further update and pictures tomorrow.

Certificate of Compliance:

- 212-1156 85 Dufresne Dr. – Full Certificate of Compliance - Ms. Ryder noted that the developer was not ready for this meeting, so this was continued to the next meeting at which time the fence will have been installed.

Next Conservation Commission meetings – October 15th and November 5th, 2020

Adjournment - there being no further business, the meeting was adjourned. On a motion to adjourn by David Williams, second by chairman Clancy on a roll call vote of 5-0 in favor of the motion, the roll call of all yeas was as follow: Edward Clancy-chairman, David Williams, Dennis Demers, William Dunbar, and John Skarin. The meeting was adjourned at 7:58 PM

Respectfully submitted,



Priscilla Ryder
Conservation Officer

**Zoning Board of Appeals
Minutes
October 6, 2020**

RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH
2020 OCT 24 P 7:37

**This meeting was held virtually via Microsoft Teams
The Board's meeting in Memorial Hall had audio, but no visual
The meeting was recorded**

Nature & Basis of Application: According to the denial letter dated July 31, 2020 from Jeffrey Cooke, Building Commissioner, the proposal to expand and reconfigure the parking lot at 447 Boston Post Rd. East, Map 73, Parcel 23, located in the Business Zoning District (B) does not comply with Chapter 650-41 Attachment 2, "Table of lot area, yards, and height of structures" and 650-48 C4b of the City Code of Marlborough. The zoning code states that your use requested exceeds the allowable in the following Business Zoning District:

650-41 Attachment 2 "Table of lot area, yards and height of structures" states that the maximum lot coverage allowed is 30%. The existing condition has a lot coverage of 69.7% and you propose to increase the lot coverage to 71.3%. Thus a 1.6% increase from the existing 69.7% to 71.3% lot coverage.

650-48 C4b - Compact-sized parking spaces...The Building Commissioner informed the applicant thru e-mail, dated Aug. 12, 2020, stating in part: "The original denial letter stands, you do not have to request relief of the compact parking spaces. If the issue arises at the meeting state that the plan has been revised and that you do not need relief." The legal ad and notice to abutters do not reflect this section of the ordinance.

Members meeting in City Hall: Paul Giunta-chairman, Robert Levine, Thomas Golden, and Thomas Pope. **Meeting remotely:** Ralph Loftin.

Meeting also remotely were: Katie Enright and Jeff Bruce.

Proceedings:

The Zoning Board of Appeals, acting under the City of Marlborough Zoning Ordinance and General Laws, Chapter 40A, as amended opened the public hearing on October 6, 2020. Said meeting being held at Marlborough City Hall, 140 Main St., the public hearing was conducted by remote participation, allowing the Board, members of the public, and the Applicant to participate in the hearing through real-time audio conferencing, telephone access and live internet streaming. (It should be noted that city hall's video was not working.) In accordance with Section 17(d) of Chapter 53 of the Acts of 2020 and "An Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20" issued by Governor Charles D. Baker on March 12, 2020.

Date of Application: August 20, 2020

Name and Address of Applicant: Jeff Bruce, 369 Lindsay Pond Rd. Concord, MA 01742.

Zoning Board of Appeals

Minutes

October 6, 2020

An Application filed with: Zoning Board of Appeals and City Clerks' Office on August 20, 2020 for project site 447 Boston Post Rd. East - Map 73, Parcel 23 (Harrison Arms)

Section of the Zoning Ordinance involved: Section 650-41 Attachment 2 "Table of lot area, yards, and height of structures."

Notice was sent by certified mail to parties in interest, including the petitioner, abutters, owners of land directly opposite on any public or private street or way, owners of land within 300 feet of the property lines, including owners of land in another municipality, all as they appear on the most recent applicable tax lists.

The Project Site is located in the Business (B) Zoning District, being Map 73, Parcel 23. The Project site is an existing apartment complex consisting of 109 units in 5 multi-family buildings with an existing 148 space parking lot, sidewalks and drainage, with frontage on Boston Post Road East.

According to the applicant's summary dated August 20, 2020, the applicant proposes to keep all the structures the same as they are in the existing condition, but to repave and reconfigure the existing parking area onsite to conform more to the city standards. Currently the City of Marlborough requires 2 parking spaces per unit, or 218 total parking spaces, 6 of which are to be handicap. The proposed layout shows an addition of 17 parking spaces, including 6 handicap spaces added throughout the site at the entrances to the buildings, 3 of which are van accessible spots. With the addition of 17 parking spaces, along with various other improvements to the parking layout, this will allow for more of the tenants and guests to remain parking onsite instead of utilizing other means of parking off site. Additional green space will be added. Several encroachments on adjacent properties, which prior to the purchase of the property were thought to be owned by Wayside Apartment, LLC, are to be removed and revegetated. (summary is in Board's file)

Site Plans: In board's file are the following:

- Site Plan for Multi-Family Redevelopment, 447 Boston Post Rd. East, Marlborough, MA Prepared by Howard Stein Hudson, Sheets 1 thru 9, dated 5/13/2020 Rev. 8/20/2020.
- Site Plan, 447 Boston Post Rd. East, Prepared by Mistry Associates, Inc. stamped by Nalia Mistry, dated 2/5/2020.
- Presentation Plan, prepared by Howard Stein Hudson, Sheet 1, dated 8/20/2020

At the public hearing, the Applicant, Jeff Bruce was present, along with his representative Katie Enright, P.E., Associate Principal, Senior Civil Engineer, of Howard Stein Hudson, 114 turnpike Rd. Suite 2C, Chelmsford, MA

The applicant has purchased this apartment complex and is working to upgrade the parking, public safety, landscaping and drainage to improve the current condition of this complex. They

Zoning Board of Appeals

Minutes

October 6, 2020

will add additional parking and will remove pavement within the 20' buffer zone and restore that area. Required maximum Lot Coverage for Zoning District Business is 30%.

The project falls within the 20 ft. buffer zone in which the applicant got an Order of Conditions thru the Conservation Commission (DEP 212-1227).

The Board received two e-mails dated Oct. 2, 2020 from Jeffrey Cooke stating "in my research, I found no prior relief for lot coverage and the applicant did not find any either." Another e-mail from Jeffery Cooke dated Oct. 6, 2020 stated that the applicant is trying to fix a problem that resulted from the original project-reduce parking. The new owners acknowledge that there are not enough parking spaces on the lot to meet their tenant's needs. In fact, some of the existing parking is on abutting properties. They are attempting to bring as much parking on to their lot as possible. They are increasing fire lane access to buildings by giving new aisles around existing buildings that were not there before.

In accordance with Section 6500-41 Attachment 2 "Table of lot area, yards and height of structures" the Board finds that:

- a. The proposed increase in lot coverage from the existing 69.7% to 71.3% will not derogate from the intent and purpose of the zoning ordinance. In fact, this increase will tremendously improve the site in adding more parking spaces so tenants will not park their cars onto adjacent lots. Wider fire access lane around the building is an improvement according to the Fire Dept. Adding additional landscaped areas within the complex will be an improvement to the site.

Hardship as stated by the applicant: With the existing conditions on the lot (the existing 5 buildings, the paved parking lot and an existing lot coverage of 69.7% vs. the maximum required 30%) it would be difficult to conform to Section 650-41 of the city's zoning ordinance concerning Lot Coverage and to meet the number of minimum required parking spaces. The slight increase in Lot Coverage will enable them to be closer to conforming to parking spaces and improve a safer fire access around the buildings. This is a small increase to Lot Coverage. Adding more parking spaces, will prevent tenants from parking on adjacent lots.

The Applicant will meet the requirements of the Building Department, Site Plan Review Committee and the Conservation Dept. (Order of Conditions-DEP 212-1227).

There was no one to speak in favor or in opposition to the petition, and no one in the audience had any questions.

A motion was made by Robert Levine to close the public hearing and seconded by Thomas Pope. Roll call vote taken: Paul Giunta-Chairman-yea, Robert Levine-yea, Ralph Loftin-yea, Thomas Golden-yea and Thomas Pope-yea. Vote 5-0 to close the public hearing.

A motion was made by Robert Levine, seconded by Thomas Pope to grant a variance for the increase in Lot Coverage from the existing 69.7% to 71.3%, an increase of 1.6% The Board

Zoning Board of Appeals

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October 6, 2020

took a roll call vote: Paul Giunta-yea, Robert Levine-yea, Ralph Loftin-yea, Thomas Pope-yea and Thomas Golden-yea. The Board voted 5-0 to grant the variance.

A motion was made by Ralph Loftin to adjourn the public hearing, seconded by Thomas Pope to adjourn the public hearing. A vote of 5-0 to adjourn.

Based on the above, the ZBA grants a variance under City Zoning Ord. 650-41, Attachment 2 “Table of lot area, yards and height of structures” subject to the following CONDITIONS:

1. The approved plans entitled: Site Plan for Multi-Family Redevelopment, 447 Boston Post Rd. East, Marlborough, MA Prepared by Howard Stein Hudson, Sheets 1 thru 9, dated 5/13/2020 Rev. 8/20/2020.
 - Site Plan, 447 Boston Post Rd. East, Prepared by Mistry Associates, Inc. stamped by Nalia Mistry, dated 2/5/2020.
 - Presentation Plan, prepared by Howard Stein Hudson, Sheet 1, dated 8/20/2020.
2. The variance is from an existing 69.7% Lot Coverage to 71.3% Lot Coverage, a 1.6% increase. This increase in Lot Coverage is for parking only.
3. Any modifications to the approved plans, will be subject to review by the Building Commissioner and/or the Conservation Officer, and/or Site Plan Review Committee to see if it warrants a return to the Zoning Board of Appeals for review.
4. No Building Permits can be issued until such time as the Applicant presents to the Building Commissioner evidence that this variance decision has been filed with the Registry of Deeds or Land Court as applicable.

Respectfully submitted,


Zoning Board of Appeals
Paul Giunta - Chairman

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

RECEIVED
CITY CLERK'S OFFICE
September 21, 2020
MARLBOROUGH

Call to Order

The remote meeting of the Marlborough Planning Board was called to order at 7:00 pm. Members present, Barbara Fenby, Phil Hodge, George LaVenture and Chris Russ. Absent, Matthew Elder and Sean Fay. City Engineer, Thomas DiPersio, and Planning Board Administrator, Krista Holmi, also participated in the remote meeting.

2020 OCT 23 A 11:02

1. Meeting Minutes

A. September 14, 2020

On a motion by Mr. LaVenture, seconded by Mr. Hodge, the Board voted to accept and file the minutes of September 14, 2020. Yea: Hodge, LaVenture, Russ and Fenby. Nay: 0. Carried 4-0.

2. Chair's Business

A. Notice Translations

Chair Fenby requested an update on the definitive subdivision mailing for Broad St. Ms. Holmi informed the Board that the mailing was progressing and included translations. She mentioned that the Legal Dept. offered a suggestion based on a sample from another community. Notices could include a more "generic" multi-language note on future mailings. The note would inform the recipient of the important nature of the notice and to request translation. The Board will give the topic further thought.

3. Approval Not Required

A. ANR Application Hayes Memorial Drive

Applicant: Marlborough/Northborough Land Realty Trust, c/o The Gutierrez Company

Land Surveyor: Allen & Major Associates, Inc.

Location and Description of Property: Middlesex South Registry of Deeds Book 1228, Page 149, City Assessor's Maps 99-6, 99-1 and 88-35.

Israel Lopez from Allen & Major was online to represent the plan. Mr. Lopez provided some background on the proposed lots, identified as M, L and K. Each lot has direct frontage on Hayes Memorial Drive and meet the, frontage and zoning requirements for lots in their respective zones (Limited Industrial and Industrial). Mr. Russ asked a question about whether the plan needed to show the building envelope on the plan. After further clarification, the lots were described as meeting the lot shape requirements for their respective zones. On a motion by Mr. LaVenture, seconded by Mr. Hodge, the Board voted accept and file the correspondence and refer the matter to Engineering for comment. Yea: Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 4-0.

B. Green District Edit Inquiry (0 Simarano) John Shipe, Shipe Consulting, owner representative.

Mr. LaVenture read the letter from Michael Pustizzi, PLS, of Precision Land Surveying. Mr. Pustizzi's affirms that a proposed note change on the Green District ANR plan was a request from the current owner's title attorney and has no other substantive changes. Mr. Shipe explained that the previously endorsed ANR (without the requested note change) was never recorded but has been held as part of the planned land transfer to Post Road Realty. During the title search, it was found that there were some minor dimensional discrepancies between a prior survey of the property and the new survey. The added note is intended to confirm that the land being subdivided on the new plan is the same land that was shown on the prior recorded plan. On a motion by Mr. LaVenture, seconded by Mr. Hodge, the Board voted accept and file the correspondence and refer the matter to Engineering and Legal for comment. Yea: Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 4-0.

4. Public Hearings (None)

5. Subdivision Progress Reports

A. Subdivision Status Report- City Engineer DiPersio.

Goodale Estates – Mr. DiPersio informed the Board that Eversource has rescheduled the gas line installation for October 12th.

6. Preliminary/Open Space /Limited Development Subdivision Submissions (None)

7. Definitive Subdivision Submissions (None)

8. Signs (None)

9. Informal Discussion (None)

10. Unfinished Business

A. Working group discussion

The 2005 proposed regulation changes along with new and existing cross sections were forwarded to MAPC as well as current and past regulations and administrative forms. MAPC will review the materials and begin working up a proposal with a defined scope of services. Engineering, Legal and members of the Board's task force will provide input as necessary.

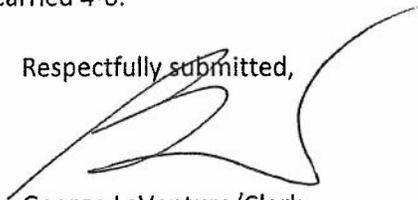
11. Calendar Updates (None)

12. Public Notices of other Cities & Towns (None)

On a motion by Mr. Russ, seconded by Mr. LaVenture, the Board voted to adjourn the meeting.

Yea: Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 4-0.

Respectfully submitted,



George LaVenture/Clerk

/kih

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

RECEIVED
 CITY CLERK'S OFFICE
 October 5, 2020
 MARLBOROUGH

Call to Order

The remote meeting of the Marlborough Planning Board was called to order at 7:00 pm. Members present: Barbara Fenby, Matt Elder, Sean Fay, Phil Hodge, George LaVenture and Chris Russ. City Engineer, Thomas DiPersio, also participated in the remote meeting. Administrator Holmi was absent.

OCT 05 2020 11:02

1. Meeting Minutes

A. September 21, 2020

Chair Fenby noted that the board members' printed packets did not contain a copy of the September 21 draft minutes, but they were included in the electronic packet. On a motion by Mr. LaVenture, seconded by Mr. Fay, the Board voted to withhold their vote until the next meeting of the Planning Board. Yea: Fay, Hodge, LaVenture, Russ and Fenby. Nay: 0. Mr. Elder did not respond. Carried 5-0.

2. Chair's Business (None)

3. Approval Not Required

A. Engineering Review Letter- ANR Application Hayes Memorial Drive Lots M, L & K

Applicant: Marlborough/Northborough Land Realty Trust, c/o The Gutierrez Company
 Land Surveyor: Allen & Major Associates, Inc.

Location and Description of Property: Middlesex South Registry of Deeds Book 1228, Page 149, City Assessor's Maps 99-6, 99-1 and 88-35.

Mr. LaVenture read the 09-30-20 letter from Assistant City Engineer Collins into the record. The letter concludes that Lots M, L and K have adequate area, the required frontage, meet Lot Shape requirement and have present adequate access for buildable lots within their respective zoning boundaries. On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to endorse the plan of land as approval not required under the subdivision control law. Yea: Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0. No response from Mr. Elder. Carried 5-0. (Note: Following the reading of the Engineering review letter on item 3B, on a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and file the referenced item 3A correspondence from Assistant City Engineer Collins. Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 6-0.)

B. Green District Edit Inquiry (0 Simarano) Comments on ANR Plan Revision (Engineering and Legal Review)

Mr. LaVenture read the 09-29-20 letter from Assistant City Engineer Collins RE: ANR – Simarano Drive (Green District) – resubmission into the record. The purpose of the revised plan (originally endorsed on June 22, 2020) was to clarify the plan reference language contained in Note 1) on the revised plan and to add a deed reference in Note 2) on the revised plan. The revised plan does not change the lot configuration of the previously endorsed plan. Mr. LaVenture also read the 09-24-20 email correspondence from Assistant City Solicitor Piques into the record. Attorney Piques confirmed that the revised Note 1 and Note 2 language is acceptable to the Legal Department. On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted accept and file the correspondence. Yea: Fay, Hodge, LaVenture, Russ, Elder (after initially not responding), Fenby. Nay: 0. Carried 6-0. It was noted by Mr. DiPersio and Mr. Fay that a vote on the endorsement was also necessary. On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to endorse the referenced plan as approval not required under the subdivision control law. Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 6-0.

C. ANR Application: Post Road Trailer Park & Sales, Inc.

Land Surveyor: RJP Construction & Engineering.

Location: 181 Boston Post Road & Phelps Street. Middlesex South Registry of Deeds Book 11449 Page 675, City Assessor's Map 72, Parcel 29.

Robert Parente, surveyor, joined the meeting to present the ANR plan.

Mr. Parente explained that the purpose of the plan is to separate Lot 1 from Lot 2. Lot 1 fronts Phelps St. and contains the majority of the park's units (about 109 units). Lot 2 contains the buildings fronting Boston Post Road East and a small number of units (about 7 units). Lot 1 straddles two zones, business and Residence zone A-2. The roads within the park will remain private. Mr. Parente explained that the attorney for the property (Christopher Flood) is in the process of amending the special permits required to operate the mobile home parks. Ms. Fenby asked for clarification on the location of the lot lines. City Engineer DiPersio delineated the lot lines for the Board. Mr. DiPersio confirmed that the property is in site plan review, and there are discussions around street names for the property. Public ways are named for deceased veterans, and the Mayor's Office has requested that consideration be made to naming private ways from this list as well, since there are a limited number of new public ways being created. On a motion by Mr. Elder and seconded by Mr. LaVenture, the Board voted to refer the ANR to Engineering for review and comment. Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: O. Carried 6-0. Chair Fenby requested that members visit the property prior to the next meeting and familiarize themselves with the park layout.

4. Public Hearings (None)

5. Subdivision Progress Reports (None)

6. Preliminary/Open Space /Limited Development Subdivision Submissions

- A. Applicant: The Charles Company, LLC., 131 Black Bear Dr. S-1912, Waltham, MA 02451.
Owner: Rebecca Chaousis & Amy M. Aldrich Goebel
Engineer: The Jillson Company, Inc. 32 Fremont St., Needham, MA 02494
Representative: Kevin O'Leary, The Jillson Company
Location: Stevens Street- Middlesex South Registry of Deeds Book 9742, Page 362, excepting Lot 1 from Plan 467 of 2018 and lot 2 (309 Stevens) and Lot 3 (315 Stevens) shown on Plan 479 of 2020.

Mr. LaVenture read the 09-17-20 preliminary subdivision submission letter from Mr. O'Leary of the Jillson Company into the record. On a motion by Mr. Russ, seconded by Mr. Elder, the Board voted to accept and file the correspondence. Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: O. Carried 6-0. PE Kevin O'Leary from the Jillson Company was online to present the plan to the Board. The project involves approximately 18 acres of wooded land with 233 feet of frontage on Stevens Street. The property is framed by 159 Stevens Street to the south and by 183 Stevens Street to the north. The proposed roadway off Stevens Street will provide frontage for four single-family homes with approximately 250 feet of frontage per lot. A 5th lot can be created by an ANR plan with frontage on Stevens Street. Lot 5 would be adjacent to 183 Stevens Street. Mr. O'Leary explained that the roadway would consist of 22' of pavement, two sidewalks and a 100' diameter cul-de-sac. There is no proposed development into the back portion of the property from the cul-de-sac. The lots will be serviced by water/sewer extensions from Stevens Street. Mr. O'Leary stated that there are no anticipated waivers from the City's subdivision rules and regulations. Ms. Fenby asked for clarification regarding access to the back land. Mr. O'Leary stated that there would be no vehicular access to the back land from the subdivision. He explained that due to the steep grades and wetlands (Mowry Brook), development potential is marginal. He said there could be walking trails for access but confirmed there is no plan for extending the roadway. Mr. Fay asked Mr. O'Leary to confirm that the plan contains no waiver requests. Mr. O'Leary stated that per his interpretation and understanding of the rules and regulations, the plan meets all requirements and does not include any waiver requests. On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to refer the plan to Engineering and seek comment from the other departmental officials. Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: O. Carried 6-0.

Mr. Fay asked whether the Board should be holding a public hearing on the matter. Mr. DiPersio stated that the Board is not obligated to hold a hearing, but they may choose to do so.

Council President Ossing was present to suggest November 2 or November 16 as possible dates. The Board selected November 2, pending confirmation that advertising and abutter notification can be completed. Mr. O'Leary asked for clarification whether the hearing was for the preliminary plan or a future definitive plan. Ms. Fenby said that it is not uncommon for the Board to seek input from abutters during the preliminary stage. Mr. O'Leary said he understood.

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

8. **Signs (None)**

9. **Informal Discussion (None)**

10. **Unfinished Business (None)**

11. **Calendar Updates**

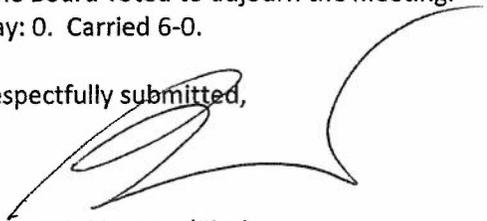
November 2, 2020 – Public Hearing on the preliminary subdivision plan on Stevens St.

12. **Public Notices of other Cities & Towns (None)**

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to adjourn the meeting.

Yea: Elder, Fay, Hodge, LaVenture, Russ, Fenby. Nay: 0. Carried 6-0.

Respectfully submitted,


George LaVenture/Clerk

/kih

August 26, 2020

RECEIVED
CITY CLERK'S OFFICE
2020 OCT 21 P 1:56

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

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held as a **virtual meeting** on Wednesday, August 26, 2020 at 10:00 am. Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen, Assistant Commissioner of Operations for the DPW Theodore Scott and City Clerk Steve Kerrigan. Also present: City Engineer Tom DiPersio, Assistant City Engineer Tim Collins, Officer Andy Larose from the MPD Traffic Services Unit, City Councilor David Doucette. Also present: local resident – Alice Wertheimer.

Minutes taken by Karen Lambert, MPD Records Clerk.

City Clerk Steve Kerrigan started recording the meeting at 10:05 am and Chief Giorgi began by welcoming everyone and making introductions.

Alice Wertheimer asked if she could speak first on a clarification regarding the minutes from the last meeting and the Lakeside Ave. parking issue. She was questioning the signage. The minutes state that all signs have been installed, however, they were expecting to see more No Parking signs along the street. Tim Collins advised that he misspoke at the last meeting and there are actually five more signs being installed.

1- Minutes

The minutes of the Traffic Commission meeting of Wednesday, 7-29-20.

MOTION was made, seconded, duly VOTED:

TO APPROVE – All in Favor - Accept and Place on File.

2 - New Business –

2a) **Speed and Parking Issues on Church Street.**

Councilor Doucette sent an email to Chief Giorgi on this issue as he has received complaints from residents. One complaint was regarding a combination of blind spots and curbside parking, specifically between Greenwood and Greendale. It can be difficult to pass a parked car when traffic is coming from the opposite direction. He asked if it would be possible to restrict parking to one side. He has also received complaints about speed and is asking if the mobile speed trailer can be placed here. He also asked about the possibility of another stop sign at a Church Street intersection to slow traffic. Delivery trucks seem to be the most common speed violators.

Mr. Collins reiterated that stop signs are not meant to slow traffic. They are used to provide gaps in traffic for traffic to flow. Chief Giorgi asked if Officer Larose has had the speed signs out here. Officer Larose said that he actually just had the signs out at Church St. @ Greenwood, NB from 8/4/20 to 8/10/20 and at Church St. @ Greenwood, SB from 8/11/20 to 8/15/20. He pulled up a copy of the speed study and reviewed the results. He found that NB, the average speed was 23.87 (speed limit is 25) and the 85th percentile was traveling at 27.95. The average volume per day was 481.1. Traveling SB, the average speed was 23.75 (speed limit is 25) and the 85th percentile was traveling at 28.16. The average volume per day was 934.8.

Councilor Doucette asked if there was a way to see the details of the upper 5% of drivers. He said that the upper 5% would help to understand how fast cars were traveling and how many were going this speed. All the numbers look good but it's this upper 5% that he is concerned about. Officer Larose pulled up another page with more detail that breaks down the info to speeds and volume per hour. The final two pages show a "Compliance and Risk Report". This gives information on the number of cars traveling per hour and how many were compliant with the speed limit and how many were at "low risk", "medium risk" (+10) and "high risk" (+15). A copy of the complete study is attached. Officer Larose will also forward a copy to Councilor Doucette.

Councilor Doucette asked if the sign could be placed on Greenwood. He had another complaint that people are bombing down Greenwood to the dead end. He asked if it could be placed near Midland so he could validate this claim.

MOTION was made, seconded, duly VOTED to REFER to Officer Larose to forward the speed study to Councilor Doucette and to move the speed sign to Greenwood when possible.

2b) Parking Issues in front of Pleasant Court Condos.

Chief Giorgi said that Officer Larose has been constantly dealing with parking issues in the area of 139-155 Pleasant Street (Pleasant Court Condos). Officer Larose mentioned one vehicle in particular that has been issued parking violations on a regular basis. He believes that the area in front of the condos was originally set up as a fire lane to allow for immediate access to the building. Access to this area is limited, especially on weekends, when cars are lined up here. Officer Larose is asking if this area can be made an official fire lane and tow zone or at least a No Parking with Tow Zone area. He brought up a picture of the area for reference. The Traffic Commission made the area around the turn onto Elm Street a No Parking area. The opposite side is also No Parking. He said that if we make the area in front of the condo a No Parking and Tow Zone, cars

will just move further down the street to park. It was discussed that it seems to make sense to create the same restriction on both sides of the street.

Chief Giorgi asked Tim Collins what would be the easier thing to do here, a Fire Lane or No Parking with Tow Zone? Mr. Collins advised that there is no regulation needed for a Fire Lane and the Fire Department can just create it. However, since it is already a No Parking area, we can just add a small sign to the existing No Parking sign that says Tow Zone. Steve Kerrigan asked if this increases the fine. Officer Larose advised that the PD is not going to run down and tow everything right away. We just want to resolve a standing issue and creating a Tow Zone would do this.

The main issue seems to involve residents and guests. Fire Chief Breen said that he would suspect that elevating the severity of the penalty would dissuade people from parking here.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to provide the wording for the regulation to create a Tow Zone on both sides of the street.

2c) Truck Traffic Concerns on South Street.

Chief Giorgi was forwarded a complaint (forwarded by the Mayor's office) from Tom Constantino, a resident of South Street, regarding this issue. He said that 50 trucks a day are speeding and breaking all the way down the hill and that his home shakes with some of the large vehicles. He has called Police numerous times, but he knows they can't be there every day and he is looking for a permanent solution and asking for signage. The Chief also received an email (copy attached) from Councilor Dumais, who was unable to attend the meeting, regarding this same issue and asking for any insight or resolution. He is also a resident of South Street and can understand the complaints about noise and shaking as many houses are very close to the road.

Tim Collins advised that South Street is maintained by the City. There are no specific regulations or restrictions on this street. It is not considered a "cut through" when there are many commercial businesses here. It is a wide road that is zoned for commercial business. It seems that this may be more of a noise and Jake Brake issue. Mr. Collins pulled up several diagrams outlining noise thresholds and decibels. One was from the National Institute of Occupational Safety and Health (NIOSH) and shows a range of decibel levels with 30 being a whisper and 119 being a Pneumatic Precision Drill. The NIOSH Recommended Exposure Limit is 85 decibels. Another diagram portraying "How loud is too loud?" showed a range of 0 for silence to 140 for a jackhammer. It also showed a maximum safe exposure limit is 85 decibels and that excessive exposure to levels above that can cause headaches, nausea, and hearing damage. A truck with a properly functioning muffler at 50 ft. has a decibel level of 80-83.

Mr. Collins said that the real problems seems to be trucks without the proper muffler. The question is how to best address this? Some communities have regulations about the use of Jake Brakes in residential areas, however, trucks can use these brakes for emergency situations or safety. Other communities have used signage to limit engine braking. If the muffler is working correctly there shouldn't be an issue. Chief Giorgi agrees that signs to this effect could be helpful, however, others would then request the

same thing on streets like West Main Street or Williams Street. The City hasn't done anything to limit the use of Jake Brakes in the City at this point.

Steve Kerrigan asked how we can see the number of trucks actually traveling on South Street and the number of trucks per hour. It was discussed that the Traffic Commission was trying to determine a specific criterion i.e. a threshold, to work with on Stevens Street such as a certain number of trucks per hour. Tim Collins said that he thinks we would find a lot of trucks if a count were completed. The lower part of South Street is an industrial area. Trucks can't be excluded if more than 8% of the traffic in a 24-hour period is trucks. He thinks a count would exceed this number and prove what we already know. This is a truck route and there is a need for truck traffic on South Street.

Ted Scott asked if there was a need to get more information from residents as to specific time frames that are an issue and what trucks specifically may be causing the problem. Maybe then we can approach the owners or businesses and see if the trucks are properly equipped.

MOTION was made, seconded, duly VOTED to REFER to Officer Larose to talk to Mr. Constantino about this and try to get more information and go from there.

2d) Parking Issues on Mill Street.

The parking issues on Mill Street were discussed as an additional agenda item at the last meeting. Officer Larose advised that he did speak to Molly Brodeur from Al Brodeur's Auto Body about this and explained that the whole road will be made into a Tow Zone.

Chief Giorgi had prepared two regulations for a vote. One regulation was to REPEAL the existing regulation for "No Stopping, Standing or Parking Anytime" on Mill Street – Central. The second regulation was to ADD Mill Street -Central to the Schedule for "Tow Away Zones."

MOTION was made, seconded, duly VOTED to APPROVE both regulations to create the Tow Away Zone on Mill Street – Central. All in Favor.

Karen Lambert will send the two regulations to Steve Kerrigan for advertisement.

3-Old Business

3b) Traffic Issues on Stevens Street (Including Chandler & State Traffic).

Chief Giorgi prepared the regulation to ADD Stevens Street NB at Chandler Street and State Street to the Schedule of "Prohibited Left Turns" during the hours of 4 to 7pm.

MOTION was made, seconded, duly VOTED to APPROVE this regulation. All in favor.

Karen Lambert will send the regulation to Steve Kerrigan for advertisement.

3d) Issues Concerning Right Turn from Pleasant Street onto Berlin Road.

Chief Giorgi prepared the regulation to ADD Pleasant Street SB at the intersection of Berlin Rd. (in front of #2 Berlin Road) to the Schedule of "Prohibited Right Turns" at all hours.

MOTION was made, seconded, duly VOTED to APPROVE this regulation. All in favor.

Karen Lambert will send the regulation to Steve Kerrigan for advertisement.

3f) River Street Concerns.

Chief Giorgi prepared the regulation to ADD River Street, entire length in both directions, to the Schedule of "No Stopping, Standing or Parking".

MOTION was made, seconded, duly VOTED to APPROVE this regulation. All in favor.

Karen Lambert will send the regulation to Steve Kerrigan for advertisement.

It was decided to wait until 9/8/20 to put up the signs so the local business would have more time to arrange for an alternate set up.

3c) Parking and Sidewalk Issue on Crescent Street.

Update: Proper signage has been installed.

MOTION was made, seconded, duly VOTED to REMOVE from the agenda.

3e) Signage on Lincoln Street regarding Truck Traffic.

Tim Collins said that he did send an email to his contact at MA Highway. It was determined at the last meeting that State approval was needed to make any changes to signage. The intersection in question is outside of the State Highway limits but the proposed sign directing commercial vehicles to the left turn lane would be in the State Layout.

MOTION was made, seconded, duly VOTED to TABLE until Mr. Collins receives a reply from the State.

Update on Stevens Street regarding possible truck exclusion.

Mr. Collins also advised that he does now have truck counts on Stevens Street @ State Street. In the 24-hour period from 8/13/20 to 8/14/20, he found there were 5,535 vehicles, of which 312 were commercial vehicles. This equals 5.6% for truck volume. He reiterated that the last time we applied for a Truck Exclusion (in 2010) for the portion of Stevens Street between East Main and Union it was denied because the State did not like the suggested detour route. He provided a diagram of the detour route that was denied and a new proposed 2020 detour route which now includes Union Street. This

portion of Stevens Street is difficult for trucks to maneuver and larger vehicles cross over the yellow line.

He will be preparing and submitting a new request for a Truck Exclusion to the State along with the new truck counts and the new proposed detour route. He believes this will be a more substantial request than what was previously submitted.

There appears to be a specific company out of Hudson that may be causing some of the truck issues here, i.e. Perkins Construction. It was suggested that City Engineer Tom DiPersio reach out to them on specific issues as the City does a lot of work with Perkins.

Chief Giorgi suggested that we try both options. We may actually have the data to support the truck exclusion now.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to submit a new request to the State for a Truck Exclusion on Stevens Street and to Tom DiPersio to discuss specific truck issues with Perkins.

Councilor Navin logged into the meeting at this time and was looking for an update on the agenda item 3b) Traffic Issues on Stevens Street (Including Chandler & State Traffic).

He was advised that the proposed regulation in the agenda packet was voted on and approved would be forwarded to the City Clerk for advertisement. The signs will go up shortly.

3a) Brigham Street Concerns.

Update: The truck count has not been completed. This item will remain on the agenda for the next meeting.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:48 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- City of Marlborough Meeting Posting for Traffic Commission Meeting on Wednesday, August 26, 2020 including meeting agenda.
- Draft of Traffic Commission Minutes from Wednesday, July 29, 2020.
- Email from Councilor Doucette to Chief Giorgi, dated 8/3/20, re: Complaints regarding Church Street Traffic.

- Email from Officer Larose, dated 8/7/20, re: Pleasant Court Condos
- Email from Trish Bernard, dated 8/7/20, re: South Street's Truck Traffic (request came from Tom Constantino – resident of South Street).
- Amended Regulation to **add** a section of Mill Street - Central to the Schedule of "Tow Away Zones".
- Amended Regulation to **repeal** the existing schedule for "No Stopping, Standing or Parking Anytime" on a section on Mill Street – Central.
- Amended Regulation to Stevens Street at Chandler St. and Stevens St. @ State Street to the schedule of "Prohibited Left Turns".
- Amended Regulation to add Pleasant Street at Berlin Road to the Schedule of "Prohibited Right Turns".
- Amended Regulation to add River Street to the Schedule of "No Stopping, Standing or Parking."

Additional Handouts

- Diagram of Detour Route rejected by MassDOT for Stevens St. Truck Exclusion.
- Diagram of 2020 Proposed Detour Route for Stevens St. Truck Exclusion.
- WB-50 Truck Turning Plan for Stevens Street.
- WB-40 Truck Turning Plan for Stevens Street.
- Summary of Vehicle Count (Class Data Analysis) – Stevens St. @ State St.
- Diagram of Sound Pressure Levels – Human Perception – for Engine Brake Sound Levels on South Street.
- Diagram of Noise Levels by Decibels from the National Institute of Occupational Safety and Health.
- Diagram showing "How loud is too loud? In decibels.
- Extended Speed Summary Report for Church St. @ Greenwood, NB.
- Extended Speed Summary Report for Church St. @ Greenwood, SB.
- Email from Councilor Dumais to Chief Giorgi, dated 8/26/20, re: Traffic Commission Agenda Packet – August 26, 2020 (Truck Traffic on South Street).
- Email from Tim Collins to Joseph Crowley, dated 7/31/20, re: East Main Street, sign request/permission (along with corresponding diagrams and photos)



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

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held as a **virtual meeting** on Wednesday, September 30, 2020 at 10:00 am. Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen, Assistant Commissioner of Operations for the DPW Theodore Scott and City Clerk Steve Kerrigan. Also present: Assistant City Engineer Tim Collins, Officer Andy Larose from the MPD Traffic Services Unit, City Councilor Katie Robey and City Councilor Samantha Perlman. Also present: local resident – David Desrosiers

Minutes taken by Karen Lambert, MPD Records Clerk.

City Clerk Steve Kerrigan started recording the meeting at 10:01 am and Chief Giorgi began by welcoming everyone and making introductions.

1- Minutes

The minutes of the Traffic Commission meeting of Wednesday, August 26, 2020.

MOTION was made, seconded, duly VOTED:

TO APPROVE – All in Favor - Accept and Place on File.

2 - New Business –

2a) Request for a Speed Limit Sign on Church Street in the area of Hildreth Street.

Chief Giorgi received an email from Councilor Perlman with regard to speeding concerns on Church Street, especially between the Hildreth Street intersection heading into the straightaway going toward Essex St. She was requesting a speed limit sign and speed monitoring in the area. She was in attendance virtually for this issue. She said that she

has personally witnessed the speeding here. One of her constituents, David Desrosiers, who was also in attendance, lives at the intersection of Warren Ave. and Church St. He had invited her to come to his property to see for herself. She agreed that the speed was excessive with the newly paved road. Church Street is used as a cut through street because Rte. 85 and Rte. 20 are so congested.

Mr. Desrosiers said people drive this way to avoid the traffic lights and can go as fast as they want without repercussions. He recently witnessed a car at the light at Church St. and Hildreth spinning its tires like it was the start of a drag race when the light turned green. He said the car was going 40-50 mph. There was another man out walking at the same time who yelled at the driver. He mentioned there was discussion at one time about putting another stop sign here, however, he doesn't think this makes sense. He is a fan of speed bumps. If you're driving at the correct speed they work, and plows can get over them. He also said that it's not just the speed, it's also really loud and people don't seem to care about mufflers anymore.

Chief Giorgi advised that a speed study was recently done on Church St. Officer Larose said that he had the speed sign out in several locations in both directions. He had sent this information to Councilor Perlman. He referred to a speed study from June that was near the Hildreth Street intersection. He found that the majority of cars were traveling at 25 mph or less with the southbound side traveling slightly faster but still with the majority under 25 mph. The Chief asked Mr. Desrosiers if there was a specific time of day that seemed to be more of a problem. Mr. Desrosiers said that it's actually always different. Some days can be at 4:30 pm for an hour and other days there is nothing. He mentioned a shop that was at the lower end of Warren Ave. where people would congregate around 5:30 pm. He said it was almost like a competition to see who could get there the fastest, however, this issue seems to have ended. Officer Larose said that Officer Connors actually went out and spoke to them. Mr. Desrosiers feels that the average numbers are fine, it's the others that are the problem.

Chief Giorgi said that this seems to be more of an enforcement issue for the Police Department. If he knew of specific time frames or areas that were more of a problem, he could send an officer out to monitor speed. He also referred back to the speed bump suggestion and explained that the City has not used these in other areas either. Engineering has addressed speed bumps in the past and has found that they often just create more problems, i.e. plowing issues, safety concerns, noise. It is not a measure the City would use to address the fewer number of drivers traveling above the speed limit. He suggested getting the speed signs out again closer to Mr. Desrosiers' residence, sooner rather than later.

Councilor Perlman also asked if another study could be done near Mr. Desrosiers' house as there is more traffic now than there was in June. She found it to be very loud when she went down to talk to him.

Tim Collins said that he would review the whole corridor and see if additional signs are needed. The speed limit on Church Street is 25 mph. He does agree that when you enter Church Street you can have no idea what the speed limit is. Speed limit signs would normally be posted near the entrance to the road in an area where someone would normally reach the speed limit. Chief Giorgi agreed that additional signs would certainly

help and be a big step in the right direction, along with getting the speed signs out again closer to Mr. Desrosiers' house.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to review the speed sign locations on Church Street and to REFER to the POLICE DEPARTMENT to get the speed signs out again in the area.

3-Old Business

3a) Brigham Street Concerns.

Update: Tim Collins advised that the truck count has been completed. It was done on 9/28/20 to 9/29/20 between Westboro Road and the westerly DeSimone Drive entrance. He did not want to do it near the commercial businesses. The counts showed 1,600 total vehicles with 59 being commercial vehicles. He had a complete summary report of the counts. Chief Giorgi asked that he forward the summary to him so that he could get back to Councilor Dumais.

MOTION was made, seconded, duly VOTED to REMOVE from the Agenda.

3b) Signage on Lincoln Street regarding Truck Traffic.

Update: The first issue on truck traffic was the request to place a sign that would push traffic into the left lane to more clearly follow the established truck route. He has not yet heard back from his contact at MADOT.

MOTION was made, seconded, duly VOTED to TABLE

3c) Request for Truck Exclusion on Stevens Street.

The second issue was the potential for a truck exclusion on Stevens Street. Tim Collins advised that he made an error in the calculation when he did the summary for the first traffic count. Initially the commercial vehicle count came up as 5.6% which meets the warrant for a truck exclusion. He realized that he had mistakenly included larger pick up trucks in the commercial vehicle count. When he corrected this, the commercial vehicle count came up as 3.74 %, which does not meet the warrant for a truck exclusion. He provided the revised summary (attached). He has not heard back from his contact at MADOT.

MOTION was made, seconded, duly VOTED to TABLE.

3d) Speed and Parking Issues on Church Street.

Update: In addition to the speed issues that were discussed at the last meeting, there was also a request for restricting parking to one side of Church St. Mr. Collins advised that he has not yet addressed this issue. He will go back and check the number of parking spaces available on each side and make a recommendation at the next meeting.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING for review.

3e) Parking Issues in front of Pleasant Court Condos

Mr. Collins provided the wording for the regulation to create a Tow Zone on both sides of Pleasant Street. He also included a diagram with the specific Tow Zone area highlighted and number of feet indicated. The concept was already approved at the last meeting. A formal vote can be taken based on the proposed language and the Chief will prepare the actual regulation and submit it to Steve Kerrigan for advertisement.

MOTION was made, seconded, duly VOTED to APPROVE the regulation for a Tow-Away Zone on both sides of Pleasant Street in front of the condos as per the proposed wording from Engineering and to REFER to Chief Giorgi to prepare the actual regulation as approved.

3f) Truck Traffic Concerns on South Street

Update: Officer Larose advised that he did speak to Mr. Constantino as a follow up from the last meeting. He did note that Mr. Constantino's property is basically on the road and that any level of noise on the road would be loud.

Chief Giorgi asked if anyone had any additional items they wished to discuss.

- 1) **Tim Collins** advised that while he was looking at the Lincoln Street issue, he came across another regulation he missed. Lincoln Street has a Truck Exclusion the entire length. The current regulations refer to a portion of Lincoln Street. He provided a copy of the previous regulation and the actual Traffic Regulation Permit from the MA Highway Department (dated 4/24/03). The regulation needs to be rewritten to reflect what is actually in existence. Chief Giorgi advised that he would prepare the corrected regulation for the next meeting.
- 2) **Steve Kerrigan** advised that on E-Code that there was no speed limit noted for Stevens Street and Union Street under the Schedule for speed limits in Ch. 586-58. They have already been approved but need to be added to E-Code. Chief Giorgi asked if we needed to vote on this if the regulation already exists. Mr. Collins said that everyone just needs to agree that it is missing. Mr. Collins advised that he would check to see if the signage is up properly. All agreed that this should be done.

Chief Giorgi will prepare the regulations to add Stevens Street and Union Street to the Schedule for Speed Limits. Steve Kerrigan will make sure they are then added to E-Code as part of the recodification process after the election.

- 3) **Councilor Robey** said she sent an email to Officer Larose regarding cars she saw parked between the No Parking – Tow Zone signs on Lakeside Ave. Just yesterday she also saw a commercial vehicle parked there. She believes it may have been for the condo association's landscaping company.

It was discussed that there was supposed to be a small section to the left when leaving the condo driveway down to the beauty shop where parking was allowed. The Chief said that he also had a call from a resident about this. There is no parking allowed on the

entire length of the Rte. 20 side. Councilor Robey said she saw a No Parking sign in front of the truck. Mr. Collins advised that there should not be a No Parking sign there and that it would be taken down. This is what was causing the confusion as there is a small area on the condo side where parking is allowed.

- 4) **Councilor Robey** also noted that speeding is everywhere in the City, not just on Church Street. She asked for clarification as to what the speed limit is on Stevens Street and Union Street. Tim Collins explained that it changes from 20 to 25 to 30 on different portions due to changes in the roadway. The highest speed is actually in the vicinity of the school but drops to 20 mph when school is in session.

Chief Giorgi advised that we need to make sure that the proper signage is in place to show the changes in the speed limits.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:38 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- City of Marlborough Meeting Posting for Traffic Commission Meeting on Wednesday, September 30, 2020 including meeting agenda.
- Draft of Traffic Commission Minutes from Wednesday, August 26, 2020.
- Email chain between Councilor Perlman, Officer Larose and Chief Giorgi, dated 9/21/20 through 9/23/20, re: Church Street Traffic

Additional Handouts

- Revised Summary of Commercial Traffic Count on Stevens Street.
- Summary of Commercial Traffic Count on Brigham Street.
- Diagram of Tow-Away Zone on Pleasant Street near Elm Street.
- Email from Councilor Pearlman to Chief Giorgi, dated 9/30/20, re: Church Street Traffic.
- Copy of City Order No. 12847, dated 9/17/73, establishing specific speed zones
- Ch. 586.58 Schedule XIV: Speed Limits
- Proposed wording to Add Stevens Street to Schedule XIV
- Proposed wording to Add Union Street to Schedule XIV
- Proposed wording to Add a portion of Pleasant Street to Ch. 586.52 Schedule VIII: Tow Away Zones

-Mass DOT Approval of Truck Exclusion on Lincoln Street, including alternate route (dated 4/24/03), along with supporting documentation.

**City of Marlborough
Zoning Board of Appeals
Minutes
October 20, 2020**

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2020 OCT 27 P 3:35

ZBA Case # 1469-2020

Location: 192 Reservoir St.
Applicant: David Dowd, dba KDG Deals, LLC
Date of Appeal: Sept. 8, 2020

Zoning relief requested: 192 Reservoir St. is located in a Residential A-3 zone. The proposal does not comply with Chapter 650-41 & 650-23 City Code of Marlborough. Chapter 650-41, The Table of Lot Area, Yards and Heights of Structures. Minimum front yards setback for A-3 Zoning district is 20 ft. vs. the proposed 15.5 ft. Secondly the structure will require a Special Permit for Chapter 650-23 Floodplain and Wetland Protection District.

Meeting date: October 20, 2020

Members present in city hall: Paul Giunta-Chairman, Robert Levine, Thomas Golden, and Thomas Pope. Also with Susan Brown-Secretary
Present remotely: Ralph Loftin-member

Present remotely also was David Dowd-applicant (applicant had problems with his audio)

The hearing was opened with the reading of the legal notice by Thomas Golden.

Paul Giunta stated that this proposal is before the Conservation Commission and the Commission has not completed their review.

Mr. Dowd stated that he was before the Conservation Commission on Oct. 15th and the Commission would like to see additional revisions to his plans. The Conservation Commission continued their public meeting to November 5th.

There was an abutter who logged onto the Teams meeting – Dan Laustein, 212 Reservoir St. He wanted to be aware of what was going on with this site.

The Board stated they cannot act on the petition until such time after the Conservation Commission has completed their review and if approved, the Commission will issue an Order of Conditions.

With the agreement of the applicant, a motion was made by Robert Levine and seconded by Thomas Pope to continue the hearing to November 17, 2020 at 7:30. A roll call vote was taken: Paul Giunta-yea, Ralph Loftin-yea, Thomas Golden-yea, Thomas Pope-yea and Robert Levine-yea. Vote 5-0 to continue to November 17, 2020.

A motion was made by Paul Giunta and seconded by Thomas Golden to adjourned. A roll call vote was taken: Paul Giunta-yea, Robert Levine-yea, Thomas Golden, Thomas Pope-yea and Ralph Loftin-yea. Vote 5-0 to adjourned.

Respectfully submitted,


Paul Giunta
Chairman
Zoning Board of Appeals