

REGULAR MEETING
JANUARY 25, 2021
TIME: 8:00 PM

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

CONVENED:
ADJOURNED:

RECEIVED
CITY CLERK'S OFFICE
JAN 25 2021

2021 JAN 21 P 2:50

This meeting of the City Council will be held virtually on Monday, January 25, 2021 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, January 4, 2021.
2. From City Council President Ossing – City Council Regular Meeting Schedule and City Council Committee Assignments for Legislative Year 2021.
3. PUBLIC HEARING On the Application for Special Permit from Attorney Brian Falk, on behalf of Speedy Auto Repair, Inc., to relocate an existing auto body shop from 315 Maple Street to 412-418 Maple Street in the Commercial Automotive Zoning District; with a land area of less than one acre in addition to a preexisting nonconforming structure on the site, Order No. 20-1008162.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 576 790 479 #. ****

4. Communication from the Mayor, re: Appointment of Krista Holmi as Chief Procurement Officer for a 3-year term effective the day after Council confirmation, replacing Beverly Sleeper who will be retiring on April 3, 2021.
5. Communication from the Mayor, re: Appointment of Jonathan Steinberg to the Board of Assessors for a 3-year term from date of Council confirmation, replacing Anthony Arruda who recently retired after 40 years of service.
6. Communication from the Mayor, re: Appointment of Shanissa Sampson to the Parks & Recreation Commission for a 3-year term from date of Council confirmation.
7. Communication from the Mayor, re: Gift Acceptance in the amount of \$250.00 from Andrea Bibi of BB Realty awarded to the Police Department to support the K-9 program.
8. Communication from the Mayor, re: Gift Acceptance in the amount of \$1,000.00 from The Marlborough Foundation awarded to the Council on Aging to be used for plants in the greenhouse.
9. Communication from the Mayor, re: Renewal of the Inter-municipal Agreement with the Town of Sudbury for Veteran's services.

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.

10. Communication from the Mayor, re: Transfer Request from Undesignated Fund (Free Cash) to OPEB Trust in the amount of \$1,504,785.40 pursuant to the financial policy of the city.
11. Communication from the Mayor, re: Transfer Request from Undesignated Fund (Free Cash) to Undesignated Stabilization in the amount of \$1,504,785.40 pursuant to the financial policy of the city.
12. Communication from the Mayor, re: Transfer Request in the amount of \$579,275.76 from Undesignated Fund (Free Cash) to Miscellaneous Mitigation account to be used to finish mitigation costs related to trench repair as noted by City Engineer Thomas DiPersio.
13. Communication from the Mayor, re: Mid-Year Transfer Request totaling \$39,447.00 from various departments for FY 21, which moves funds from and to accounts as noted on the spreadsheet.
14. Communication from Code Enforcement Officer Ethan Lippett, re: Request for Approval of a Free-Standing Sign, Brasileirinho Market, 581 Boston Post Road East, within the Wayside District.
15. Communication from Code Enforcement Officer Ethan Lippett, re: Request for Approval of a Flat Wall Sign, CBD and Co., LLC, 1031 Boston Post Road East, #102, within the Wayside District.
16. Petition from Massachusetts Electric to install a new solely owned pole #5 in the public right of way on North Bigelow Street to accommodate substation expansion.
17. Communication from Attorney Brian Falk on behalf of WP Marlborough MA Owner, LLC (Waypoint Residential), re: Request to Extend Time Limitations to March 31, 2021 at 10:00 PM, on the Application for Special Permit to build a multifamily residential project in the Business District to be known as Walcott Heritage Farms, at 339 Boston Post Road East (McGee Farm), Order No. 20-1007995H.
18. Minutes of Boards, Commissions and Committees:
 - a) School Committee, November 24, 2020 & December 8, 2020.
 - b) Conservation Commission, November 19, 2020 & December 3, 2020.
 - c) Library Trustees, December 1, 2020.
 - d) Planning Board, December 21, 2020.
 - e) Registrars of Voters, September 16, 2019.
19. CLAIMS:
 - a) David Adrian, 56 Elm Street, #10, Worcester, pothole or other road defect.
 - b) Mary Dalpe, 164 Lakeshore Drive, other property damage and/or personal injury.
 - c) Linda Powazinik, 27 Libby Avenue, residential mailbox claim (2a).

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From City Council

20. **Order No. 20-1008108A: Proposed Ordinance Amendment to Chapter 125 by adding a new §10(C) granting the Mayor authority to waive any two steps of the salary schedule and also adding a new §18(A) (4) allowing the Mayor the authority to grant an additional week of vacation time effective at the time of employment for all non-union personnel.**

Recommendation of the Personnel Committee is to approve, and the proposed Ordinance was properly advertised on January 7, 2021.

Councilors-at-Large

Mark A. Oram
Michael H. Ossing
Samantha Perlman
Kathleen D. Robey



Ward Councilors

Ward 1 – Laura J. Wagner
Ward 2 – David Doucette
Ward 3 – J. Christian Dumais
Ward 4 – Robert J. Tunnera
Ward 5 – John J. Irish
Ward 6 – Sean A. Navin
Ward 7 – Donald R. Landers, Sr.

Council President

Michael H. Ossing

Council Vice-President

Kathleen D. Robey

**CITY OF MARLBOROUGH
CITY COUNCIL
MEETING MINUTES
MONDAY, JANUARY 4, 2021**

The regular meeting of the City Council was held on Monday, January 4, 2021 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Doucette, Dumais, Tunnera, Irish, Navin & Landers. Councilors Participating Remotely: Wagner, Oram, Perlman & Robey. Meeting adjourned at 8:35 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: 11 – Nay: 0

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

Motion by Councilor Landers, seconded by Councilor Doucette to nominate Councilor Dumais as President Pro Tempore for 2021.

Motion by Councilor Doucette, seconded by the Chair to close nominations for President Pro Tempore.

Yea: 11 – Nay: 0

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

The President called for the vote on the election of Councilor Dumais as President Pro Tempore for 2021.

ORDERED: That Councilor J. Christian Dumais be elected as the President Pro Tempore of the Marlborough City Council for 2021, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Landers, seconded by Councilor Tunnera to nominate Councilor Ossing as President of the City Council for 2021.

Motion by Councilor Ossing, seconded by Councilor Tunnera to close nominations for President of the City Council.

Yea: 11 – Nay: 0

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

The President Pro Tempore called for the vote on the election of Councilor Ossing as President of the City Council for 2021.

ORDERED: That Councilor Michael H. Ossing be elected as the President of the Marlborough City Council for 2021, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Landers, seconded by Councilor Tunnera to nominate Councilor Robey as Vice-President of the City Council for 2021.

Motion by Councilor Tunnera, seconded by the Chair to close nominations for Vice-President of the City Council.

Yea: 11 – Nay: 0

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

The President called for the vote on the election of Councilor Robey as Vice-President of the City Council for 2021.

ORDERED: That Councilor Kathleen D. Robey be elected as the Vice-President of the Marlborough City Council for 2021, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Tunnera, seconded by the Chair to adopt the following:

ORDERED: That the 2020 City Council Rules be adopted for operation of the Council in 2021, until such time as they may be reviewed and amended, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Tunnera, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of the City Council meeting, December 21, 2020, **FILE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That pursuant to Chapter 125 §10 of the Code of the City of Marlborough, the Mayor is authorized the flexibility to hire a Public Health Nurse at step three of the Public Health Nurse Salary Schedule (\$72,585.61) in addition a stipend of \$1,000.00 per month (\$12,000.00 annually) is authorized through December 2021 or until the declared state of emergency is lifted, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That pursuant to Chapter 125 §10 of the Code of the City of Marlborough, the Mayor is authorized to advance Public Health Director John Garside to step seven of the Director of Public Health Salary Schedule (\$99,588.09), **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$6,000.00 from the Brigham Family Trust awarded to the Police Department to be used to offset the cost of the Youth Police Academy; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$9,500.00 from the Massachusetts Emergency Management Agency (MEMA) awarded to the Fire Department to be used for the purchase of AED radios and emergency shelter equipment for firefighters; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That there being no objection thereto set **MONDAY, FEBRUARY 8, 2021** as the **DATE FOR PUBLIC HEARING**, On the Application for Modification of Special Permit from Todd Wilson, on behalf of Diversified Funding Acquisition LLC/Atlantic Property Management, to add kitchenettes to existing guest rooms for use as an extended stay hotel and the conversion of manager's residence to a guest room for a total of 65 guest rooms at 880 Donald J. Lynch Boulevard (Quality Inn), referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

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

- a) Historical Commission, November 19, 2020.
- b) Planning Board, November 2, 2020, November 16, 2020 & December 7, 2020.
- c) Traffic Commission, October 28, 2020 & November 25, 2020.

Yea: 11 – Nay: 0

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

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

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

- a) Keith Dwinells, 30 Schofield Drive, residential mailbox claim (2a).

Yea: 11 – Nay: 0

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

Reports of Committees:

THERE WERE NO REPORTS OF COMMITTEE.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

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 to read as follows:

Construction costs for all new buildings and structures will be determined from values as listed in the 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 to read as follows:

Type of Permit

Fee

Building Residential		
	1 or 2 Family Residential Construction	\$10 per \$1,000, \$50 Minimum
	Renewable Energy (PV, Wind, Hydro) Storage Excluded	\$0.03 per watt Direct Current, \$50 Minimum

Building Commercial		
	All Commercial Construction	\$10 per \$1,000, \$100 Minimum
	Suppression, Fire Alarm, HVAC, Sheet Metal, and/or Mechanical	\$10 per \$1,000, \$100 Minimum. If Permit Application is associated with active building permit, \$50
	Renewable Energy (PV, Wind, Hydro) Storage Excluded	\$0.03 per watt Direct Current, \$100 Minimum
Building Miscellaneous		
	Demolition, residential	\$10 per Thousand of Total Construction Cost, \$50 Minimum. Accessory structures less than 200 SF, \$25
	Demolition, commercial	\$10 per Thousand of Total Construction Cost, \$100 Minimum
	Solid Fuel/Wood/Coal Stoves/Fireplaces	\$50
	Tents	\$50 Residential, \$100 per year Non-residential
	Pools, above ground and in ground	\$50 Above Ground, \$100 In Ground
	Amusements	\$15 per booth and/or ride, \$100 Minimum
	Fences	\$25
	Sign Structure	\$10 per Thousand, \$50 Minimum
	Work/Jobsite Trailer	\$100 per trailer
Occupancy		
	Occupancy and Use Certificate to occupy existing space	\$50 when no building permit is required
	Occupancy and Use Certificate to occupy new space	Included in Building Permits for new buildings
	Temp CO Residential	\$50 per 30 days, max 90 days
	Temp CO Commercial	\$200 per 30 days, max 90 days
Gas Residential		
	New Construction 1 or 2 Family	\$150 per unit
	New Construction 3+ units	\$100 per unit
	Appliance replacement or addition	\$40 + \$15 per unit after the 1st
Gas Commercial		
	All Commercial Gas Work	\$10 per Thousand, \$100 Minimum

Plumbing Residential		
	Residential 1 or 2 Family	\$150 per unit
	Residential 3+ units	\$100 per unit
	Residential Alterations (new or replacements)	\$40 + \$8 per unit after the 1st
	Residential Trailer Water or Sewer	\$40
Plumbing Commercial		
	All Commercial Plumbing	\$10 per Thousand, \$100 Minimum
Wiring Residential		
	New house construction 1 or 2 Family	\$150 per unit
	Service change	\$50 per 100 AMP, +\$25 per additional 100 AMPS
	Renewable Energy Permit Fee	\$0.03 per watt Direct Current, \$50 Minimum
	Minimum Permit Fee	\$10 per \$1000 of contract cost, minimum \$75
	Oil or gas burner, Appliances, Swimming Pool	\$75 each
Wiring Commercial		
	New Construction or Addition	The greater of \$100 OR \$10 per \$1000 of wiring job cost
	Carnivals	\$250
	Signs and billboards	\$75
	Temporary service	\$100
	Renewable Energy (Not Storage)	\$0.03 per watt Direct Current, \$100 Minimum
	Institutional (Maintenance Permit)	\$250 annually
Inspections		
	Work Beginning before obtaining a Permit	DOUBLE PERMIT FEE
	Reinspection fee (ALL TRADES), each inspector	\$50 Minimum
	After Hours Inspection - Detail	\$400 Minimum
	Gas Test	\$40

Administrative Related Fees		
	Commercial Plan Review Fee	2 cents per SF over 5,000 SF, 1st 5,000 SF included in base fee
	Permit Extension	\$50
	Permit Revision with no added construction costs	\$50
	Administrative Fee (Replacement Building Card, Zoning Letter, Change of Use Letter)	\$25

110 ANNUAL INSPECTIONS – Fee Schedule

Use Group	Use Group	Use Group Descriptions	Minimum Inspections	Maximum Certification Period	Fees for Maximum Certification Period
A-1	Assembly - Theaters over 400 Capacity	With Stage and Scenery Movie Theater	Semi-Annual	One Year	\$150
		Movie Theater	Semi-Annual	One Year	\$150
A-1	Assembly - Theaters 400 or less Capacity	With Stage and Scenery Movie Theater	Annual	One Year	\$75
		Movie Theater	Annual	One Year	\$75
A-2	Restaurants, Assembly Night Clubs or similar uses	Over 400 Capacity	Semi-Annual	One Year	\$150
A-3	Assembly Lecture Halls, Recreation Centers, Terminals, Locations of Worship.	Over 400 Capacity	Semi-Annual	One Year	\$125
		400 or Less Capacity	Annual	One Year	\$50
A-4	Assembly	Low Density, Recreation & Similar Uses	Prior to Issuance of each new Certificate	Five Years	\$40
A-5	Assembly	Stadiums, Bleachers, Places of outdoor assembly	Prior to Issuance of each new Certificate	One Year	\$40+\$15 per 1000 over 5000.

E	Educational	Educational	Prior to Issuance of each new Certificate	One Year	\$50
E	Day Care	Child Day Care Centers	Prior to Issuance of each new Certificate	One Year	\$50
I-1	Group Home		Prior to Issuance of each new Certificate	One Year	\$50
I-2	Residents incapable of self-preservation: hospitals, nursing homes, mental hospitals, certain day care facilities		Prior to Issuance of each new Certificate	Two Years	\$75 per 100 beds, +\$2 per 10 beds over 100.
I-3	Residents Restrained: prisons, jails, detention centers, etc.		Prior to Issuance of each new Certificate	Two Years	\$75 per 100 beds, +\$2 per 10 beds over 100.
I-4	Adult and/or child day care facilities.		Prior to Issuance of each new Certificate	One Year	\$50
R-1	Hotels, Motels, Boarding Houses, etc.		Prior to Issuance of each new Certificate	One Year	\$40 per 10 rooms, +\$1 per room over 10 rooms, Minimum \$100.
R-1	Detoxification Facilities		Prior to Issuance of each new Certificate	Two Years	\$75
R-2	Multi-Family		Prior to Issuance of each new Certificate	Five Years	\$75 per 3 dwelling units, +\$2 per dwelling after 3.
R-2	Dormitories and R-2 Congregate Living		Prior to Issuance of each new Certificate	One Year	\$40 per 10 rooms, +\$1 per room over 10 rooms, Minimum \$100.
R-2	Summer Camps for Children		Annual	One Year	\$15 per 100 beds, +\$8 per 100 beds after the first 100 beds, +\$15 for each assembly building

R-3	Residential Care facilities licensed by DDS or DMH		Annual	One Year	\$75 per 100 beds, +\$2 per 10 beds over 100.
R-4	Residential care/assisted living facilities (≤ 16 persons)		Annual	One Year	\$75 per 100 beds, +\$2 per 10 beds over 100.
R-5	Residential Special Occupancy	Limited Group Residence	Annual	One Year	\$75 per 100 beds, +\$2 per 10 beds over 100.
Any	Facilities licensed by the Alcohol Beverage Control Commission where alcoholic beverages are served and consumed.		Annual as per M.G.L. c. 10, §74	One Year as per M.G.L. c. 10, § 74	\$75
Any	House Museums (as recognized by Massachusetts Historical Commission)		Annual	One Year	\$50
Any	Fire Escapes, etc. per 780 CMR 10.00: <i>Means of Egress</i>		Five Years	Five Years	\$50

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

Suspend First Reading; Adopt Second Reading; APPROVED.

Yea: 11 – Nay: 0

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

Passage to Enroll; APPROVED.

Yea: 11 – Nay: 0

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

Passage to Ordain; APPROVED.

Yea: 11 – Nay: 0

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

No objection to passage in one evening.

Motion by Councilor Tunnera, seconded by the Chair to adopt the following:

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 8:35 PM; adopted.

Yea: 11 – Nay: 0

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

CITY COUNCIL REGULAR MEETING SCHEDULE 2021

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 JAN -6 P 3:40

January 4
(Organizational Meeting)

January 25

February 8

February 22

March 8

March 22

April 5

April 26

May 10

May 24

June 7

June 21

July 19

August 23

September 13

September 27

October 4

October 18

November 8

November 22

December 6
(Tax Classification Public Hearing)

December 20

****Additional meetings may be added to the schedule as required****

CITY COUNCIL COMMITTEES

2021

RECEIVED
CITY CLERK'S OFFICE
CITY OF HARTFORD

2021 JAN -6 P 3:40

Michael H. Ossing, President

Kathleen D. Robey, Vice-President

FINANCE

John J. Irish

J. Christian Dumais

Mark A. Oram

Robert J. Tunnera

Samantha Perlman

PUBLIC SERVICES

Donald R. Landers

John J. Irish

Samantha Perlman

OPERATIONS & OVERSIGHT

Mark A. Oram

Robert J. Tunnera

Sean A. Navin

OPEN SPACE

Sean A. Navin

Mark A. Oram

Laura J. Wagner

PUBLIC SAFETY

Samantha Perlman

Kathleen D. Robey

David Doucette

CLIMATE RESILIENCY

David Doucette

Laura J. Wagner

Donald R. Landers

URBAN AFFAIRS & HOUSING

Kathleen D. Robey

Donald R. Landers

David Doucette

Sean A. Navin

Laura J. Wagner

LEGISLATIVE & LEGAL AFFAIRS

Robert J. Tunnera

Kathleen D. Robey

Donald R. Landers

PERSONNEL

Christian Dumais

David Doucette

Donald R. Landers

VETERANS

Sean A. Navin

Samantha Perlman

Mark A. Oram

HUMAN SERVICES

Laura J. Wagner

J. Christian Dumais

John J. Irish

RULES COMMITTEE

Michael H. Ossing

Kathleen D. Robey

Donald R. Landers

****FIRST PERSON NAMED SHALL SERVE AS COMMITTEE CHAIR****

The second person named denotes Committee Vice-Chair.

The President or Vice-President may serve as an ex-officio member
of any of the above Committees to form the required quorum.



IN CITY COUNCIL

Marlborough, Mass., DECEMBER 21, 2020

ORDERED:

That there being no objection thereto set **MONDAY, JANUARY 25, 2021** as the **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Attorney Brian Falk, on behalf of Speedy Auto Repair, Inc., to relocate an existing auto body shop from 315 Maple Street to 412-418 Maple Street in the Commercial Automotive Zoning District; with a land area of less than one acre in addition to a preexisting nonconforming structure on the site, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Yea: 11 – Nay: 0

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

Ninety days after public hearing is 04/25/21 which falls on a Sunday, therefore 04/26/21 would be considered the 90th day.

ADOPTED

ORDER NO. 20-1008162



City of Marlborough
Office of the Mayor

RECEIVED

CITY CLERK'S OFFICE

MARLBOROUGH

Arthur G. Vigeant
MAYOR

2021 JAN 21 A 11:35

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

January 21, 2021

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

RE: Appointment Procurement Officer

Honorable President Ossing and Councilors:

I am submitting for your approval the appointment of Krista Holmi as Procurement Officer for the City of Marlborough for a three-year term taking office the day after appointment. Ms. Holmi will be replacing Beverly Sleeper who is planning on retiring April 3rd.

I'd like to take this opportunity to thank Beverly Sleeper for her service to the City. She's been a great asset, always providing her due diligence and guidance to all city departments. Ms. Sleeper has also offered to train her replacement.

Ms. Holmi has been employed in the Engineering Division for the last four years and previously worked as Executive Aide to Mayor Stevens for three years. She is familiar with Chapter 90 contracts, grants and vendor contracts, possesses the follow-up skills and attention to detail that this position requires to be successful. Ms. Holmi has continued her education in this field and recently completed the required classes for MCPPO certification.

I am confident that Ms. Holmi is the best qualified internal candidate and we are happy to be promoting within to fill this upcoming vacancy. Enclosed is her resume for your review.

Thank you for your consideration.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure

Krista I. Holmi

232 DeSimone Dr.
Marlborough, MA 01752

PROFILE An experienced professional with demonstrated administrative, procurement, technical and public service skills.

- Excellent verbal and written communication skills with the ability to work independently and in teams.
- Problem solver with the ability to apply business and technical skill sets in a dynamic, multi-tasking environment.

EMPLOYMENT

2016-Present **Engineering and Planning Board Administrator** City of Marlborough

- Provides administrative support to both the Engineering Division and the Marlborough Planning Board.
- Administers c. 30, 39M public works contracts for the Engineering Division.
- Arranges proper advertising and electronic posting of contracts on CommBuys, Central Register, Project Dog, newspaper (masspublicnotices.org), City website and City Clerk's Office.
- Coordinates, assembles, and disseminates general contract documents including Prevailing Wage Rates, Notice of Award, Notice to Proceed, Change Orders as well as coordination of Engineering/Consultant Agreements and Amendments. Reviews contract documents for completeness and consistency with applicable requirements.
- Maintains certified payroll records and provides procurement records to Chief Procurement Officer.
- Prepares reports and submissions documents in accordance with contract requirements for reimbursable expenses through Chapter 90, MassWorks and LWCF grant contracts.
- Serves as the customer service liaison on Engineering projects to ensure resolution of field issues. Files any contract-related claims through the MIIA first report process.
- Manages all accounts payable and receivables for both Engineering Division and Planning Board.
- Monitors Engineering Division budgets, enters requisitions, and coordinates funding with the City Auditor's Office.
- Processes all applications for the Planning Board and prepares biweekly meeting agendas.
- Schedules and administers Planning Board and Department of Public Works remote Microsoft Teams meetings.
- Ensures public transparency through detailed preparation of meeting minutes.
- Adheres to strict state and city deadlines. Maintains website and makes postings, as necessary.
- Writes and publishes legal notices, writes decisions and informs applicants of decisions. Files actions with Clerk and communicates votes with relevant parties.
- Assists residents, contractors, professional engineers and surveyors, attorneys, developers, realtors, employees, city officials and Planning Board members with a high degree of customer service.

2016-2016 **Executive Assistant** Employment Options

- Provided professional support to the executive director and board of directors.
- Coordinated request for competitive proposals of the non-profit's information technology hardware, software, and technical support contract.
- Prepared reports, grants, and presentations to further non-profit growth and community impact.
- Managed director's conflicting priorities to meet key project deadlines and improve organizational effectiveness.
- Coordinated international task force meetings and developed marketing materials to further program initiatives.
- Assisted in non-profit operations including account receivables, payables and staff support.

2009 – 2012 **Executive Aide to Mayor** City of Marlborough

- Professionally assisted the mayor in the duties and functions of the office.
- Worked collaboratively with department heads and City staff to support the office of the mayor.
- Represented the city and mayor on various boards and committees, including the Designer Selection Committee and the MWRTA.
- Assisted in the review of competitive contracts and proposals.
- Resolved problems and addressed constituent concerns with a high degree of professionalism and service.
- Composed and prepared a variety of formal and informal communications including speeches, letters, presentations, proclamations, city council agenda items, press releases and website postings.
- Provided administrative and content support on numerous grants and submissions.
- Scheduled and organized meetings with internal and external contacts. Gathered and provided appropriate research and background information to maximize meeting productivity and facilitate decision making.

1987 –1999

Sales Engineer/Account Manager

Rockwell Automation

- Established and maintained relationships within multi-million-dollar territory and engaged distributors to ensure effective and efficient utilization of resources.
- Developed and implemented sales strategies and plans to acquire new business. Exceeded annual sales goals and market share growth objectives.
- Implemented customer risk management solutions to ensure quality, safety and obsolescence protection.
- Negotiated competitive pricing agreements and contract terms and conditions.
- Responsible for the annual review of distributor sales objectives and annual distributor strategic plans.
- Managed territorial disputes with Boston-market distributors.
- Established executive level relationships within customer base and developed knowledge of customer processes and business models to provide value-add solutions.
- Engaged multiple Rockwell Automation resources such as product specialists, application engineers and senior management to plan and win opportunities.
- Provided distributor product training and established stocking plans for new product launches.

OTHER RELEVANT EXPERIENCE

2002 – 2009

Leader - Parent Teacher Organization

City of Marlborough

Held a variety of leadership positions including PTO President, Vice-President and Enrichment Coordinator. Responsible for fundraising, grant writing, planning of school/community events and school newsletter. Established business partnerships with local teachers through the Adopt a Classroom program. Planned, contracted, and coordinated sixteen annual curriculum-based student enrichment programs. Served as classroom teaching assistant and computer lab aide. (volunteer)

EDUCATION/TRAINING/AWARDS

Bachelor of Science Industrial Engineering, University of Wisconsin-Madison 1986

OIG - Public Contracting Overview Course
OIG - Design and Construction Contracting Course
OIG - Supplies and Services Contracting Course
OSD – COMMBUYS Training
Munis Proficient
Microsoft Office Suite Training
Microsoft Teams Proficient
Notary Public
Public Information Officer Training
Incident Command Training
Rockwell Automation Sales Training Program (six months)
Rockwell Chairman's Team Award



City of Marlborough
Office of the Mayor

RECEIVED

CITY CLERK'S OFFICE

Arthur G. Vigeant
MAYOR

2021 JAN 21 A 11:35

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

January 21, 2021

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

RE: Appointment to the Board of Assessors

Honorable President Ossing and Councilors:

I am submitting for your approval the appointment of Jonathan Steinberg to the Board of Assessors for a three-year term upon date of confirmation. Mr. Steinberg will be replacing Anthony Arruda who recently retired after serving on the board for over 40 years.

Mr. Steinberg is a resident of Marlborough and has over ten years of assessment experience with the last five as the Chief Assessor with the Town of Westborough. He also holds a B.A. in Political Science from Emory University, is a licensed certified appraiser and an accredited assessor. Enclosed is his resume for your review.

Mr. Steinberg comes highly recommended, and I am confident that his experience will be a vital asset on our board.

Thank you for your consideration.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure

Jonathan Steinberg

538 Hemenway St., Marlborough, MA 01752

EXPERIENCE

Town of Westborough, 2015-Present **Chief Assessor**

- Responsible for the valuation of all Real and Personal Property including 6,430 Real Estate Parcels and 763 Personal Property Accounts totaling over \$4.2 Billion in value.
- Work with the Town Manager and Finance Team to develop budget projections.
- Responsible for the day-to-day management of all office responsibilities of the Assessing Department.
- Oversee annual inspection cycle of Real and Personal property.
- Evaluate and inspect abatement applications and prepare recommendations to the Board.
- As Chairman of the Board of Assessors; schedule and oversee all Board meetings as well as vote on actions of the Board.

Abelis Real Estate Services LLC, d/b/a Abelis Appraisals, 2005-Present **President**

- Founded Abelis Appraisals as an independent appraiser specializing in residential property valuation and consulting.
- Complete assignments of appraisal and consulting throughout Eastern Massachusetts for bank finance transactions, estate planning, title insurance claims, divorce, and tax purposes.

Town of Westborough, 2012-2015 **Assistant Assessor**

- Responsible for the inspection and evaluation of all commercial property and residential sales, permits and cyclical.
- Managed all aspects of personal property accounts including annual filings and inspections.
- Assumed responsibility for exempt properties as well as chapter land working directly with property owners to improve the accounting and completion of their annual filings.
- Worked with the Chief Assessor, Patriot Properties, and the Department of Revenue Certification Advisor in the current Triennial Revaluation, for which we have already received preliminary certification.
- Evaluated and inspected all residential abatement applications, preparing recommendations to the Board.
- Inspected, prepared and advised the Board with current and on-going commercial and personal property ATB cases including meeting with various tax representatives as well as the Colangelo family and representatives of Carruth Capital.
- Assisted in the recent restructuring of the office responsibilities including the interviewing and hiring of a Data Collector and Administrative Assistant.
- Management of all day-to-day activities during the absence of the Chief Assessor.

Town of Hopkinton, 2010-2012 **Deputy Assessor.**

- Inspected real and personal property updating databases based upon inspections.
- Evaluated assessment accuracy relative to market value and existing improvements.
- Researched historical and present property ownership disputes as well as accuracy of title.
- Manage all aspects of personal property accounts.
- Assisted the Principal Assessor in the evaluation of ASR ratios and market trends.
- Researched and provided recommendations to the Board regarding abatement applications.

Jonathan Steinberg

538 Hemenway St., Marlborough, MA 01752

EXPERIENCE

Lipof Real Estate Services, 2003-2005

Contract Real Estate Appraiser

- Performed fee appraisals of one to four family residential properties for bank finance transactions, estate planning, title insurance claims, divorce, and personal and business tax purposes.
- Conducted real estate consulting including highest and best use analysis, market summaries, complex property analysis, and feasibility studies.
- Obtained education and experience necessary to become a State Certified Residential Appraiser.

CAP FACTORY, 1994-2003

Vice President

- Partner in the development of the Cap Factory, an original concept for point-of-sale custom embroidered baseball caps.
- Operated retail locations in 9 States; opening 23 locations over the period.
- Developed a profitable internet and wholesale business and established a strategic partnership with Hat World/Lids to be the exclusive supplier of custom caps to its 450-store retail chain.
- Developed and implemented the strategic growth of the company including site selection, design, on-site build-out, staffing and opening of new locations.
- Oversaw the operations of all retail locations as well as wholesale sales and production with annual sales of \$3 million.
- Recruited, hired, trained and supervised Store Managers and Sales Associates.
- Developed and implemented customer service standards, operational controls, general policies and procedures.
- Managed payroll, inventory, cash control and customer service functions.
- Monitored profit and loss performance.

EDUCATION & CERTIFICATIONS

Emory University, Atlanta, GA, B.A. in Political Science (1993)

Massachusetts Certified Residential Appraiser License #70966

Massachusetts Accredited Assessor #1201

Past President of the Worcester County Assessors Association

Instructor for Suffolk University-Sawyer Business School/Mass Municipal Association Municipal Finance Management Seminar 2019 to Present



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S
OFFICE

Arthur G. Vigeant
MAYOR

2021 JAN 21

A 11:35

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

January 21, 2021

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

RE: Appointment to the Parks and Recreation Commission

Honorable President Ossing and Councilors:

I am submitting for your approval the appointment of Shanissa Sampson to the Recreation Commission for a three-year term upon date of confirmation. This appointment will complete the commission's seven members.

Ms. Sampson is a resident of Marlborough, employed as a General Manager at Extended Stay America and coaches track and field at the Advance Math & Science Academy. She has an interest in recreation and looks forward to serving her community. Enclosed is her resume for your review.

I'm confident that her customer service background will be an added asset to our Parks and Recreation Commission.

Thank you for your consideration.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure

SHANISSA SAMPSON

235 W Main Street Apt. 4, Marlborough, MA 01752 ·

EXPERIENCE

AUG 2020 – PRESENT

GENERAL MANAGER, EXTENDED STAY AMERICA

Responsible for all operational aspect of the hotel while managing profitability and guest satisfaction.

AUG 2016 – AUG 2020

FRONT OFFICE MANAGER, EMERALD HOSPITALITY

Proud member of the hotels' opening team for award-winning hotel. My responsibilities are as followed but are not limited to the following: managing two departments, hiring manager, accounts receivable, inventory, ordering, R&I trained, cross-trained in housekeeping and assisting the general manager in hotel operations.

2018 Circle of Excellence- Hilton

2019 Conrad Achievement Award- Hilton

NOV 2016 – PRESENT

ASSISTANT COACH, ADVANCE MATH & SCIENCE ACADEMY

During the winter and spring months, I assist my long time mentor and high school coach. I specialize in throwing technique for shot put, discus, weight, hammer, and javelin.

2019 Coach at New Balance Nationals

2019-2020 MSTCA Member

EDUCATION

SPRING 2013

BACHELOR OF SCIENCE, FITCHBURG STATE UNIVERSITY

GPA: 3.3

Communication Media major with a concentration in Graphic Design. Current record holder for javelin.

SPRING 2009

HIGH SCHOOL DIPLOMA, MARLBOROUGH HIGH SCHOOL

GPA: 3.4

Two- sport athlete, lettering in Basketball and Track. Co-Captain of the league champion Track & Field team. Senior year awarded the Unsung Hero award, named to the Girls Mid-Wach All-Star team, and was an honorable mention for the Girls T & G Hometeam All- Stars.

SKILLS

Very team oriented. Excels in the following; providing great customer service, problem solving skills, accounting, and communication.



City of Marlborough
Office of the Mayor

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www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Michele H. O'Brien
EXECUTIVE SECRETARY

January 21, 2020

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

Re: Gift Acceptance – Marlborough Police Department

Honorable President Ossing and Councilors:

I am pleased to submit for your acceptance a gift in the amount of \$250.00 for the Marlborough Police Department from Andrea Bibi of BB Realty.

As the attached letter from Chief David Giorgi indicates, this gift is to support the K-9 program.

On behalf of the City, I would like to thank Andrea Bibi for her continued support of the Marlborough Police Department.

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

Sincerely,


Arthur G. Vigeant
Mayor

Enclosures



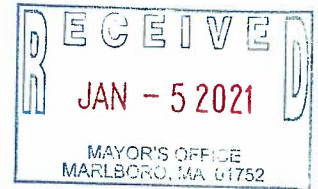
City of Marlborough

Police Department

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



David A. Giorgi
Chief of Police



January 4, 2021

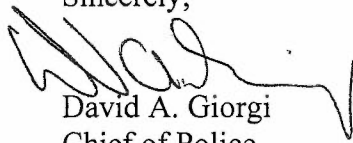
Mayor Arthur G. Vigeant
City Hall
140 Main Street
Marlborough, MA 01752

Dear Mayor Vigeant:

The Marlborough Police Department has received a \$250.00 donation award for the Marlborough Police K-9 Unit from Andrea Bibi of BB Realty. Ms. Bibi has been a staunch supporter of our department, specifically our K-9 program, and she has designated these funds to directly benefit the program and new K-9 member Meiko. Ms. Bibi reported that although the department could not hold a K-9 fundraiser due to the COVID restrictions, she wanted to continue her support for the program. The generosity of the businesses and members of our community has never wavered in their support of Sgt. Ken McKenzie, Meiko and the entire department.

I have attached a copy of the check and letter which the department received from BB Realty as well as a copy of the Notice of Grant Award, and I am requesting that the gift 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 DATE: January 4, 2021

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: Gift donation

GRANTOR: BB Realty- Andrea Bibi

GRANT AMOUNT: \$250.00

GRANT PERIOD: _____

SCOPE OF GRANT/
ITEMS FUNDED Gift donation to K9 program, Sgt. McKenzie & Meiko

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: NO

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



BB Realty

268 Main Street ~ Post Office Box 5 ~ Marlborough, Massachusetts 01752 - 0005
Phone 508/485-7546 ~ Fax 508/460-7840 ~ Email andrea@bbrealtycorp.com

December 22, 2020

Marlboro Police Department

355 Belton St.

Marlboro, MA 01752

RE: K9 Donation

To Whom It May Concern:

I am a staunch supporter of our men, women & fur covered in blue. I am deeply grateful for the sacrifices they make on a daily basis to protect & serve this community. As such, please accept the enclosed check, in the amount of \$250, as an expression of my gratitude for the direct & sole benefit of K9 Meiko. It just struck me that even though we were unable to have the fundraiser this year due to Covid-19, it doesn't mean his needs ceased to exist or that I couldn't make a donation to subsidize those needs.

If you have any questions, the best way to reach me is via the email address listed above.

Thank you.

Respectfully submitted,

Andrea Bibi
President

2310



BB REALTY
P.O. BOX 5
MARLBORO, MA 01752
(508) 485-7546



53-7052/2113

12/22/2020

PAY TO THE
ORDER OF

Marlborough Police Dept.

\$ **250.00

Two Hundred Fifty and 00/100*****

DOLLARS

Marlborough Police Dept.
Attn: K9 Meiko
355 Bolton St.
Marlborough, MA 01752

MEMO

Donation Specifically For K9 Meiko

ANDREA E. BIBI

AUTHORIZED SIGNATURE

⑈002310⑈



City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

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

Michele A. O'Brien
EXECUTIVE SECRETARY

January 21, 2020

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

Re: Gift Acceptance – Council on Aging

Honorable President Ossing and Councilors:

I am pleased to submit for your acceptance a gift in the amount of \$1,000.00 for the Marlborough Council on Aging from The Marlborough Foundation.

The gift will be used to purchase plants for the greenhouse as indicated in the enclosed letter from Council on Aging Executive Director Trish Pope.

On behalf of the City, I would like to thank The Marlborough Foundation for their support of our Marlborough senior residents.

If you have any questions about the gift, please do not hesitate to contact me or Patricia Pope.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Council on Aging and Senior Center

40 New Street
Marlborough, Massachusetts 01752
Telephone (508) 485-6492 Facsimile (508) 460-3726

Patricia A. Pope
EXECUTIVE DIRECTOR

January 19, 2021

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

Re: Gift from The Marlborough Foundation

Dear Mayor Vigeant,

The Council on Aging has received a \$1000.00 gift donation from The Marlborough Foundation. We would like to thank The Marlborough Foundation for their very generous gift. Once approved by the City Council, we will use this donation, in the spring, towards plants for the greenhouse.

I am available should you or the Councilors have any questions.

Sincerely,

Patricia A. Pope
Executive Director

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Council on Aging DATE: 20-Jan-21

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia A. Pope

NAME OF GRANT: GIFT/DONATION

GRANTOR: The Marlborough Foundation

GRANT AMOUNT: \$1,000.00

GRANT PERIOD: 2021

SCOPE OF GRANT/
ITEMS FUNDED Gift to COA
Plants to be used in the greenhouse

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: as soon as possible

**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**



City of Marlborough
Office of the Mayor

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Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Michele A. O'Brien
EXECUTIVE SECRETARY

January 21, 2020

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

Re: Intermunicipal Agreement with Sudbury

Honorable President Ossing and Councilors:

I am pleased to submit for your acceptance a renewal of the intermunicipal agreement between the City of Marlborough and the Town of Sudbury for Veterans' services. We have been sharing services successfully since 2013 and wish to continue this arrangement.

Attached is the agreement and order prepared by City Solicitor Grossfield for your review.

Veterans Agent Mike Hennessy is currently serving the Sudbury population from his Marlborough office. When COVID restrictions are less limiting, he will return to Sudbury one day per week.

If you have any questions, please do not hesitate to contact me or Veterans Agent Mike Hennessy.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

ORDERED:

Pursuant to MGL c. 40, s. 4A and MGL c. 115, s 10, the Mayor is authorized to enter into an inter-municipal agreement (“IMA”) relative to the “Marlborough – Sudbury Regional Veterans’ District”, to continue to enable the Director of the Marlborough’s Veterans’ Services Department to perform the duties of such office for Sudbury and to share the services and costs associated with doing so. Attached is a copy of the proposed IMA.

ADOPTED

In City Council

Order No. 21-

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

VETERANS' SERVICES INTER-MUNICIPAL AGREEMENT
Between the City of Marlborough and the Town of Sudbury

This inter-municipal agreement is entered into as of this ____ day of _____, 2021 ("Agreement") by and between the City of Marlborough ("Marlborough"), a Massachusetts municipal corporation, and the Town of Sudbury ("Sudbury"), a Massachusetts municipal corporation, collectively the "Parties".

WHEREAS, the parties previously approved the creation of a veterans' services district to enable the Director of Marlborough's Veterans' Services Department (the "Director") to perform the duties of such office for Sudbury and to share the services and costs associated with doing so by maintaining a Veterans' Services District;

WHEREAS, the parties seek to extend the inter-municipal agreement relative to said district and this agreement is entered into pursuant to MGL c. 40, s. 4A and MGL c. 115, s 10 and has been approved by the Marlborough City Council, with the approval of its Mayor and the Select Board of the Town of Sudbury;

NOW, THEREFORE, in consideration of the promises herein, the parties agree to continue and maintain the "Marlborough – Sudbury Regional Veterans' District" (the "District") in accordance with the following terms:

1. District Board. The District Board shall be maintained in accordance with MGL c. 115, s. 11, composed of the mayor or his designee of Marlborough and the Town Manager of Sudbury. The District Board shall meet no less than once a year.
2. Duties:
 - (A) This Agreement contractually enables the Director of Marlborough's Veterans' Services Department (the "Director") to perform the duties of such office for Sudbury. The Director will maintain separate accurate and comprehensive records of all services performed for Sudbury.
 - (B) Sudbury will provide for a part-time employee ("Agent/Administrative Assistant") to serve as administrative support for the District. Said employee will be an employee of the Town of Sudbury.
 - (C) The Director of Veterans Services and the Agent/Administrative Assistant will develop a schedule of available hours in each community in consultation with the Town Manager of Sudbury and the Mayor of Marlborough. The Agent will endeavor to provide time at each location affording balanced accessibility to all veterans within the municipalities. The Director and the Agent/ Administrative Assistant will have the ability to serve all qualifying veterans and their dependents in both municipalities regardless of which office they are working in on any particular day.
 - (D) The Agent/Administrative Assistant will work under the direction of the Director of Veterans Services and assist the office in carrying out relevant duties under MGL c. 115

including but not limited to the coordination of benefits to eligible applicants, the completion of local and state compliance reports, and other duties as needed.

(E) The Director shall work with local Veterans' Councils from Marlborough and Sudbury to assist the Councils in coordinating all ceremonies and parades in Marlborough and Sudbury.

(F) Sudbury recognizes the ability of the Director to utilize accrued sick/vacation time which may, from time to time, coincide with his scheduled office availability in Sudbury. Marlborough shall ensure that the Director informs Sudbury in advance of such occurrences and that he/she takes appropriate steps to ensure adequate office coverage during such absences.

3. Term: The term of this Agreement shall be for a one (1) year period from July 1, 2020 until June 30, 2021, unless terminated sooner in accordance with the provisions of Paragraph 4 of this Agreement. The term of this agreement may be extended by unanimous action by the District Board, provided that the maximum term of this Agreement, including any extensions, shall not exceed twenty-five (25) years.

4. Termination: This Agreement may be terminated upon written notice by either party effective at the commencement of the next fiscal year. Said notice shall be in writing and shall be received by the other party on or before January 1 preceding the commencement of the next fiscal year on July 1.

5. Location and Time of Services: The Director and the Agent/ Administrative Assistant shall perform their duties in offices to be provided by both Marlborough and Sudbury.

6. Cost of District Operations:

- i. The Director shall be an employee of Marlborough, and the Director's salary and benefits will be paid by Marlborough.
- ii. The Agent/Administrative Assistant shall be an employee of Sudbury, and the Agent/Administrative Assistant's salary and benefits will be paid by Sudbury.
- iii. The assessment of District expenses associated with District Operations shall be as follows:
 1. Sudbury agrees to pay to Marlborough the amount of \$867.18 per month, by check made payable to the City of Marlborough, c/o Comptroller, 140 Main Street, Marlborough, MA 01752, for the term of this Agreement.
 2. Marlborough shall provide Sudbury with periodic financial statements that shall include: accurate and comprehensive records of the services performed under this agreement; the costs incurred; and the reimbursements and contributions received. Such reports shall be compiled and distributed on a quarterly basis.
 3. The parties agree that the District Board shall annually review the assessment, and the assessment may be amended for the next fiscal year by unanimous vote of the District Board.

4. Sudbury shall be provided with notice of any amendment to the assessment by December 1 preceding commencement of the next fiscal year on July 1.
5. The parties agree said assessment is fair and equitable.
7. Distribution of Benefits to Veterans: It is understood and agreed that the distribution of benefits payments to eligible Veterans in Marlborough and Sudbury under M.G.L. c. 115 shall be paid by the respective municipality in which the eligible Veteran resides.
8. Reimbursement by Commonwealth for Benefits. In accordance with MGL c. 115, s. 6, it is understood and agreed that the seventy-five percent (75%) reimbursement of Veterans' benefits from the Commonwealth of Massachusetts will be credited to either Marlborough or Sudbury depending upon which community that Veteran resides in.
9. Indemnification: Notwithstanding the final sentence of G.L. c. 40, §4A, to the extent permitted by law, each party separately agrees to indemnify the other party, including all officials, officers, employees, agents, servants and representatives, from and against any claim arising out of the duties performed by the Director and/or Agent/Administrative Assistant pursuant to this Agreement in or on behalf of the other party for any claim of liability, loss, damages, costs and expenses for personal injury or damage to real or personal property by reason of any negligent act or omission by the Veterans' Services District, Director, and/or Agent/Administrative Assistant while performing services for the Indemnifying Municipality. This obligation shall survive termination of this Agreement.
10. Insurance: The Parties agree that each has a minimum of \$1,000,000 of liability insurance through the Massachusetts Interlocal Insurance Association (MIIA) or equivalent, and that each party is covered by insurance for this joint venture as stated in the General Liability Coverage Form MGP 001.
11. Assignment. Neither party shall assign or transfer any of its rights or interests in or to this Agreement, or delegate any of its obligations hereunder, without the prior written consent of the other.
12. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, illegal or unenforceable, or if any such term is so held when applied to any particular circumstance, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, or affect the application of such provision to any other circumstances, and this Agreement shall be construed and enforced as if such invalid, illegal or unenforceable provision were not contained herein.
13. Waiver. The obligations and conditions set forth in this Agreement may be waived only by a writing signed by the party waiving such obligation or condition. Forbearance or indulgence by a party shall not be construed as a waiver, nor limit the remedies that would otherwise be available to that party under this Agreement or applicable law. No waiver of any breach or default shall constitute or be deemed evidence of a waiver of any subsequent breach or default.
14. Amendment. This Agreement may be amended only by a writing signed by both parties duly authorized thereunto.

15. Governing Law. This Agreement shall be governed by and construed in accordance with the substantive laws of the Commonwealth of Massachusetts, without regard to the conflicts of law provisions thereof.

16. Headings. The paragraph headings herein are for convenience only, are no part of this Agreement and shall not affect the interpretation of this Agreement.

17. Complete Agreement. This Agreement constitutes the entire agreement between the parties concerning the subject matter hereof, superseding all prior agreements and understandings. There are no other agreements or understandings between the parties concerning the subject matter hereof. Each party acknowledges that it has not relied on any representations by the other party or by anyone acting or purporting to act for the other party or for whose actions the other party is responsible, other than the express, written representations set forth herein.

18. Notices. Any notice permitted or required hereunder to be given or served on either party by the other shall be in writing signed in the name of or on behalf of the party giving or serving the same. Notice shall be deemed to have been received at the time of actual receipt of any hand delivery or three (3) business days after the date of any properly addressed notice sent by mail as set forth below.

FOR CITY:

Mayor
City of Marlborough
140 Main Street
Marlborough, MA 01752

FOR TOWN:

Town Manager
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

19. This District is subject to approval by the Massachusetts Department of Veterans Services, in accordance with MGL c. 115.

IN WITNESS WHEREOF, the parties hereunto set their hands and seals this ____ day of _____, 2021.

CITY OF MARLBOROUGH:

Arthur G. Vigeant, Mayor

TOWN OF SUDBURY:

Henry L. Hayes, Jr., Town Manager



City of Marlborough
Office of the Mayor

RECEIVED

CITY OF MARLBOROUGH

Arthur G. Vigeant
MAYOR

2021 JAN 21 A 11:35

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 H. O'Brien
EXECUTIVE SECRETARY

January 21, 2021

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

Honorable President Ossing and Councilors:

Re: Transfer Request – OPEB Trust

Honorable President Ossing and Councilors:

Please find enclosed for your review a transfer request in the amount of \$1,504,785.40 from our Undesignated Fund ("Free Cash") to the OPEB Trust.

This transfer is in accordance with our financial policies which require annual transfers to ensure that we continue investing in our future fiscal stability. Our collaborative efforts have enabled us to grow our stabilization fund, continue paying down our pension liability, and take steps to lower our OPEB liability.

Thank you for your consideration.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2021

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$15,047,854.00	\$1,504,785.40	10000	35900	Undesignated Fund	\$1,504,785.40	87500	35900	OPEB Trust	\$12,287,064.87
	Reason:	Transfer funds to OPEB trust							
	Reason:								
	Reason:								
	Reason:								
	\$1,504,785.40	Total			\$1,504,785.40	Total			

Department Head signature:

Auditor signature:

Finance Director signature:

James J. Adams



City of Marlborough
Office of the Mayor

RECEIVED
CITY OF MARLBOROUGH
2021 JAN 21 A 11:35
Arthur G. Vigeant
MAYOR
Patricia M. Bernard
EXECUTIVE AIDE

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

Michele A. O'Brien
EXECUTIVE SECRETARY

January 21, 2021

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

Honorable President Ossing and Councilors:

Re: Transfer Request – Undesignated Stabilization

Honorable President Ossing and Councilors:

Enclosed for your approval is a transfer request in the amount of \$1,504,785.40 from the Undesignated Fund into the City's Undesignated Stabilization Account to ensure the City's fiscal stability.

This transfer will come from our free cash account as we continue utilizing these funds available in free cash to improve our financial stability.

I will be available during the City Council meeting to discuss this transfer in greater detail and to answer any questions.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2021

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$15,047,854.00</u>	<u>\$1,504,785.40</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$1,504,785.40</u>	<u>83600</u>	<u>32925</u>	<u>Undesignated Stabilization</u>	<u>\$15,294,571.21</u>
	Reason:	<u>To increase undesignated stabilization funds</u>							
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City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S
OFFICE

Arthur G. Vigeant
MAYOR

2021 JAN 21

A 11:35

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

January 21, 2021

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

Re: Transfer Request – Department of Public Works

Honorable President Ossing and Councilors:

I am submitting for your review and approval a transfer in the amount of \$579,275.76 from the Undesignated Fund, or "Free Cash," to the Miscellaneous Mitigation account.

These funds from Eversource are to be used to finish mitigation costs related to trench repair where the City had planned resurfacing projects as noted in City Engineer Thomas DiPersio's attached memo.

If you have any questions, please contact me or City Engineer Thomas DiPersio.

Thank you for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure



City of Marlborough
Department of Public Works
135 NEIL STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. 508-624-6910
*TDD 508-460-3610

SEAN M. DIVOLL, P.E.
COMMISSIONER

Date: January 20, 2021
To: Mayor Vigeant
From: Thomas DiPersio, Jr., City Engineer
Copy: Sean Divoll, Commissioner of Public Works
Re: Transfer of Eversource payments

The City is in receipt of \$579,275.76 from Eversource, for payment of invoices sent from the Engineering Division in 2020. This money has been paid to the City in lieu of completing the final trench repairs on several of their infrastructure projects over the past two years. Through coordination with the Engineering Division, Eversource completed certain projects in areas where the City had resurfacing projects planned. Since the City would be paving the streets, Eversource did not complete their required final trench repairs; and instead the costs to do the final repairs was paid to the City. The funding is to be used for road resurfacing projects, and I am requesting transfer of the funds into a capital bond account 31040506-59573.

I am happy to discuss further if you have any questions.

THEODORE L. SCOTT, P.E.
ASST. COMMISSIONER, OPERATIONS

CHRISTOPHER S. LAFRENIERE
ASST. COMMISSIONER, UTILITIES

THOMAS DIPERSIO, JR., P.E., P.L.S.
CITY ENGINEER

James Patrick Jones

01/20/2021 09:55
6876dsmi

|CITY OF MARLBOROUGH
|G/L ACCOUNT DETAIL

|P 1
|glactinq

Org: 10093 Object: 48001
MISC MITIGATION

100 -00-93-0000-00-0-0000-0-48001

YEAR	PER	JOURNAL	EFF DATE	SRC	T	PO/REF2	REFERENCE	AMOUNT	P	CHECK NO	WARRANT	VDR NAME/ITEM DESC	COMMENTS
2021	07	304	01/08/2021	CRP	1	3118101		-34,650.00	Y		0	NSTAR DBA EVERSOU	MISC-MITI
2021	06	646	12/24/2020	CRP	1	3114013		-32,313.60	Y		0	NSTAR DBA EVERSOU	MISC-MITI
2021	06	646	12/24/2020	CRP	1	3114012		-27,720.00	Y		0	NSTAR DBA EVERSOU	MISC-MITI
2021	06	646	12/24/2020	CRP	1	3114011		-117,295.20	Y		0	NSTAR DBA EVERSOU	MISC- MIT
2021	06	646	12/24/2020	CRP	1	3114010		-14,810.40	Y		0	NSTAR DBA EVERSOU	MISC - MI
2021	06	390	12/11/2020	CRP	1	3110703		-352,486.56	Y		0	NSTAR GAS/EVERSOU	MISC MIT

Total Amount: -579,275.76

** END OF REPORT - Generated by Diane Smith **



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE

Arthur G. Vigeant
MAYOR

2021 JAN 21

A 11:35

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

January 21, 2021

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

RE: Mid-year Transfer Requests

Honorable President Ossing and Councilors:

Enclosed for your approval are mid-year transfer requests from several City Departments.

As always, Department Heads who have requested transfers will be in attendance at a future Finance Committee meeting to discuss these requests with you in greater detail.

Thank you in advance for your consideration and please do not hesitate to let me know if you have any questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



CITY OF MARLBOROUGH

Office of the City Auditor

140 Main St.

Marlborough, MA 01752

January 20, 2021

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

RE: Mid-Year Review Transfer Request

Enclosed herewith is a transfer request to fund newly approved salary schedules for the Paralegal, the Public Health Director, the Veterans Director and Planning Board members through June 30, 2021.

An additional transfer is required to fully fund the FY21 contract for Assessing Services with Regional Resource Group. The wrong amount was used in preparing the FY21 budget.

The City Clerk will be submitting a separate letter to address his transfer request.

Please contact me if you should have any further questions regarding this information.

Sincerely,

Diane Smith
City Auditor



City of Marlborough
Office of the City Clerk

140 Main Street
Marlborough, Massachusetts 01752
Telephone (508) 460-3775 Facsimile (508) 460-3723

Steven W. Kerrigan
City Clerk

Wilson Chu
Assistant City Clerk

January 20, 2021

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

RE: Transfer Request – City Clerk's Office

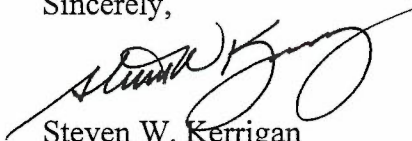
Honorable President Ossing and Councilors:


After a thorough review of our FY 2021 budget we have identified two salary accounts that will need additional funding to take us through the remainder of the fiscal year. There are sufficient funds in accounts within the City Clerk/Elections budgets to cover the identified areas.

The shortfall in the City Clerk line item is due to a calculation error when the original budget request was submitted. For the Senior Clerk position, the payout of compensatory time was not anticipated so we did not factor these funds into the budget.

As always, any questions please feel free to let us know.

Sincerely,


Steven W. Kerrigan
City Clerk


Wilson Chu
Assistant City Clerk

Enclosure

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Various

FISCAL YEAR: 2021

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$76,260.00</u>	<u>\$30,492.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for salaries</u>	<u>\$5,572.00</u>	<u>11510001</u>	<u>50175</u>	<u>Paralegal</u>	<u>\$16,964.80</u>
	Reason:							<u>To cover pay increase through June 30th</u>	
					<u>\$3,440.00</u>	<u>15120001</u>	<u>50605</u>	<u>Director of BOH</u>	<u>\$38,698.63</u>
	Reason:							<u>To cover pay increase through June 30th</u>	
					<u>\$7,380.00</u>	<u>15430001</u>	<u>50080</u>	<u>Veterans Director</u>	<u>\$20,213.31</u>
	Reason:							<u>To cover pay increase through June 30th</u>	
					<u>\$14,100.00</u>	<u>14001103</u>	<u>51183</u>	<u>Planning Board Members</u>	<u>\$600.00</u>
	Reason:							<u>To fully fund through June 30th</u>	
<u>\$10,935.00</u>	<u>\$2,500.00</u>	<u>11620004</u>	<u>53932</u>	<u>Election Programming</u>	<u>\$1,460.00</u>	<u>11610002</u>	<u>50770</u>	<u>Senior Clerk</u>	<u>\$18,450.96</u>
	Reason:			<u>Surplus</u>				<u>To fund comp time paid out in January</u>	
<u>\$8,294.52</u>	<u>\$685.00</u>	<u>11610004</u>	<u>53180</u>	<u>Clerks-Professional & Tech</u>	<u>\$1,725.00</u>	<u>11610001</u>	<u>50050</u>	<u>City Clerk</u>	<u>\$37,345.68</u>
	Reason:			<u>Surplus</u>				<u>To fully fund through June 30th.</u>	
<u>\$38,414.46</u>	<u>\$5,770.00</u>	<u>11410002</u>	<u>50550</u>	<u>Head Clerk</u>	<u>\$5,770.00</u>	<u>11410004</u>	<u>53180</u>	<u>Assessors-Prof & Tech</u>	<u>\$0.00</u>
	Reason:			<u>Surplus due to a retirement</u>				<u>To fully fund RRG contract through June 30th</u>	
	<u>\$39,447.00</u>	<u>Total</u>			<u>\$39,447.00</u>	<u>Total</u>			

Department Head signature:

Auditor signature:

Finance Director signature:

City of Marlborough
Commonwealth of Massachusetts



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JAN -8 P 3:21

Ethan Lippitt
Code Enforcement Officer
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3776 XT 30201
Fax: (508) 460-3736
Email: elippitt@marlborough-ma.gov
pwilderman@marlborough-ma.gov

City Council Sign Approval Form

1/4/2021

To City Council President and all Councilors,
Included in this form is an applicant seeking approval from city council as it relates to the signage project at the below address. Attached to this form is a copy of the current plan for the sign.

Address of Location seeking approval 581 Boston Post Road East
BP-2020-001800

Zoning District:
Meets Current Sign Code:
Planning Board Variance:

Wayside Zoning
YES
NO

Code Enforcement Officer Ethan Lippitt

CC File
 City Council
 Commissioner Cooke



CITY OF MARLBOROUGH

Building Department
(508) 460-3776

BUILDING

PERMIT

JOB WEATHER CARD

PERMIT NO

BP-2020-001800

ISSUE DATE

12/29/2020

APPLICANT

GEHANY MENDONIA

PERMIT TO

sign

AT (LOCATION)

581 BOSTON POST RD, MARLBOROUGH, MA 0

ZONING DISTRICT

B

Bldg. Type:

Commercial

SUBDIVISION MAP BLOCK LOT

73-38--

BUILDING IS TO BE:

CONST TYPE

USE GROUP

WORK DESCRIPTION

Commercial sign for Brasileirinto Market. Free standing. Dimensions: Length 8ft, width 10 inch, height (free standing), 6 ft. Area 6ft x 8ft. Dimension facade: length 10 ft, width 10 ft

Sign Cannot Be internally illuminated.

AREA (SQ FT)

EST COST(\$)

0.00

PERMIT FEE (\$)

50.00

OWNER

KONSTANTOPOULOS EFTHEMIOS

BUILDING DEPT BY

ADDRESS

164 LOCKLAND AVE

FRAMINGHAM

MA

01701

PHONE

774-285-2940

THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY. ENCROACHMENTS ON PUBLIC PROPERTY, NOT SPECIFICALLY PERMITTED UNDER THE BUILDING CODE, MUST BE APPROVED BY THE JURISDICTION. STREET OR ALLEY GRADES AS WELL AS DEPTH AND LOCATION OF PUBLIC SEWERS MAY BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS. THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM THE CONDITIONS OF ANY APPLICABLE SUBDIVISION RESTRICTIONS.

MINIMUM INSPECTIONS REQUIRED FOR ALL CONSTRUCTION WORK: 1) FOUNDATIONS OR FOOTINGS. 2) PRIOR TO COVERING STRUCTURAL MEMBERS (READY FOR LATH OR FINISH COVERING) 3) FINAL INSPECTION BEFORE OCCUPANCY 4) REFER TO DETAILED INSPECTION SCHEDULE

APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED, SUCH BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN MADE.

WHERE APPLICABLE SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL PLUMBING/GAS AND MECHANICAL INSTALLATIONS.

POST THIS CARD SO IT IS VISIBLE FROM STREET

BUILDING INSPECTIONS APPROVALS

REQUIRED INSPECTIONS LISTED ON REVERSE		
	OTHER:	

WORK SHALL NOT PROCEED UNTIL THE INSPECTOR HAS APPROVED THE VARIOUS STAGES OF CONSTRUCTION

PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK IS NOT STARTED WITHIN SIX MONTHS OF DATE THE PERMIT IS ISSUED AS NOTED ABOVE.

INSPECTIONS INDICATED ON THIS CARD CAN BE ARRANGED FOR BY TELEPHONE OR WRITTEN NOTIFICATION.



City of Marlborough
BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752



Date: 12.22.2020

Permit No. BP-2020-001800

Address/Location of Sign 581 Boston Post rd east

Name of Business BRASILEIRINHO MARKET

Name of Owner of Business ghany mendonca Telephone 774.285.2940

Type of Sign: (check off which applies)

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

Does this site have a Special Permit ☐ YES ☒ NO

Is this a replacement of a same size existing sign(s) ☒ YES ☐ NO - *Replace just (sticker) Adhesive*

Dimensions Sign:

Length 8 FT Width 10 inch Height (Free Standing) 6 FT Area 6 FT X 8 FT

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

Dimensions Façade:

Length 10 FT Width 10 FT Area

Said Signature of Responsible Party 774.285.2940 Telephone

Installer Company FAST Sign Telephone 617.909.6008

CUSTOM3DSIGN@GMAIL.COM Email

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

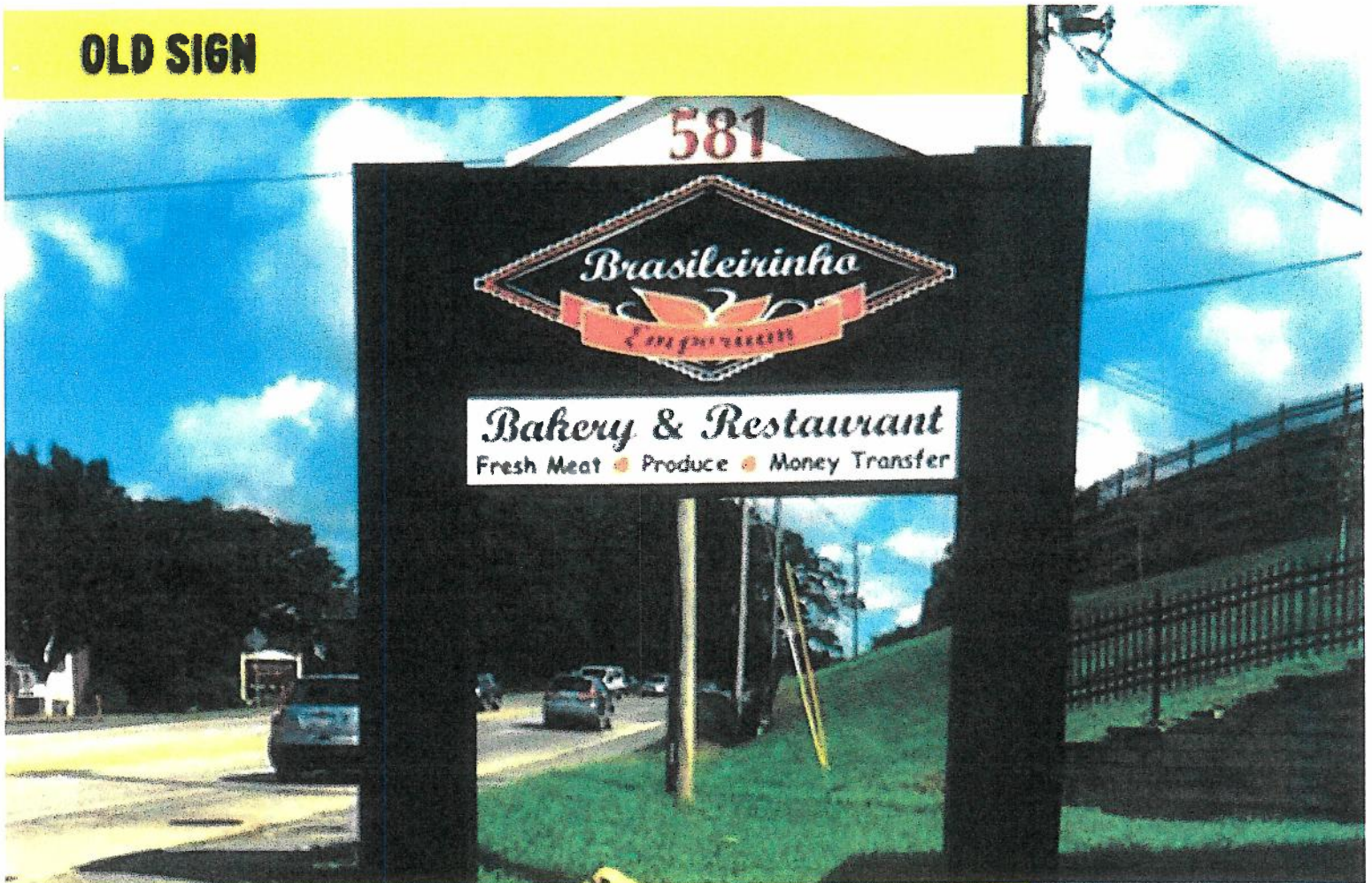
Said Signature

12.22.20 Date

Cost of Sign(s) \$300.00

Permit Fee \$

OLD SIGN



NEW SIGN



City of Marlborough
Commonwealth of Massachusetts



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JAN -8 P 3: 21

Ethan Lippitt
Code Enforcement Officer
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3776 XT 30201
Fax: (508) 460-3736
Email: elippitt@marlborough-ma.gov
pwilderman@marlborough-ma.gov

City Council Sign Approval Form

11/9/2020

To City Council President and all Councilors,
Included in this form is an applicant seeking approval from city council as it relates to the signage project at the below address. Attached to this form is a copy of the current plan for the sign.

Address of Location seeking approval 1031 Boston Post Road East

BP-2020-001228

Zoning District:
Meets Current Sign Code:
Planning Board Variance:

Wayside Zoning
YES
NO

Code Enforcement Officer Ethan Lippitt

CC File
 City Council
 Commissioner Cooke

**CITY OF MARLBOROUGH**Building Department
(508) 460-3776**BUILDING
PERMIT****JOB WEATHER CARD**

PERMIT NO

BP-2020-001228

ISSUE DATE

09/25/2020

APPLICANT

APEX SIGN

PERMIT TO

Flat Wall Sign

AT (LOCATION) 1031 BOSTON POST RD EAST, MARLBOROUGH ZONING DISTRICT B Bldg. Type: Commercial

SUBDIVISION MAP BLOCK LOT

62-13--

BUILDING IS TO BE:

CONST TYPE

USE GROUP

Business

WORK DESCRIPTION

Installation of a Flat Wall Sign for "CBD and Co." Length 24", Height 72", Area 12 SQFT, East.

CONTRACTOR

LICENSE

0000

Construction Supervisor

APEX SIGN

166 CONCORD ST
ASHLAND, MA 01721

AREA (SQ FT)

EST COST(\$)

500.00

PERMIT FEE (\$)

50.00

OWNER

SASZA REALTY LLC

ADDRESS

999 BOSTON POST RD EAST

BUILDING DEPT BY

MARLBOROUGH

MA

01752

PHONE

508-789-9963

THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY. ENCROACHMENTS ON PUBLIC PROPERTY, NOT SPECIFICALLY PERMITTED UNDER THE BUILDING CODE, MUST BE APPROVED BY THE JURISDICTION. STREET OR ALLEY GRADES AS WELL AS DEPTH AND LOCATION OF PUBLIC SEWERS MAY BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS. THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM THE CONDITIONS OF ANY APPLICABLE SUBDIVISION RESTRICTIONS.

MINIMUM INSPECTIONS REQUIRED FOR ALL CONSTRUCTION WORK: 1) FOUNDATIONS OR FOOTINGS. 2) PRIOR TO COVERING STRUCTURAL MEMBERS (READY FOR LATH OR FINISH COVERING) 3) FINAL INSPECTION BEFORE OCCUPANCY 4) REFER TO DETAILED INSPECTION SCHEDULE

APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED, SUCH BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN MADE.

WHERE APPLICABLE SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL PLUMBING/GAS AND MECHANICAL INSTALLATIONS.

POST THIS CARD SO IT IS VISIBLE FROM STREET**BUILDING INSPECTIONS APPROVALS**

REQUIRED INSPECTIONS LISTED ON REVERSE		
	OTHER: _____	

WORK SHALL NOT PROCEED UNTIL THE INSPECTOR HAS APPROVED THE VARIOUS STAGES OF CONSTRUCTION

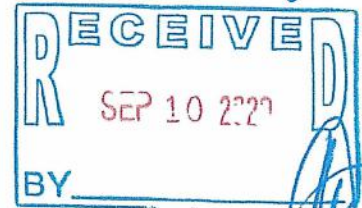
PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK IS NOT STARTED WITHIN SIX MONTHS OF DATE THE PERMIT IS ISSUED AS NOTED ABOVE.

INSPECTIONS INDICATED ON THIS CARD CAN BE ARRANGED FOR BY TELEPHONE OR WRITTEN NOTIFICATION.



City of Marlborough
BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752



Date: 9/9/2020

Permit No. BP 2020-001228

Address/Location of Sign 1031 Boston Post Road

Name of Business CBI and CO LLC

Name of Owner of Business Robert Smith Telephone 978 580 7369

Type of Sign: (check off which applies)

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

Does this site have a Special Permit ☐ YES ☒ NO

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

Dimensions Sign:

Length 24" Width 72" Height (Free Standing) Area 12 sq ft

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

Dimensions Façade:

Length 10 Width 10 Area 100

Signature of Responsible Party [signature]

Telephone 508-789-9963

Installer Company Apex Sign Telephone 508-789-9963

Email Apex Sign Service @ Gmail . Com

166 Concord St.
Ashland, MA 01921

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

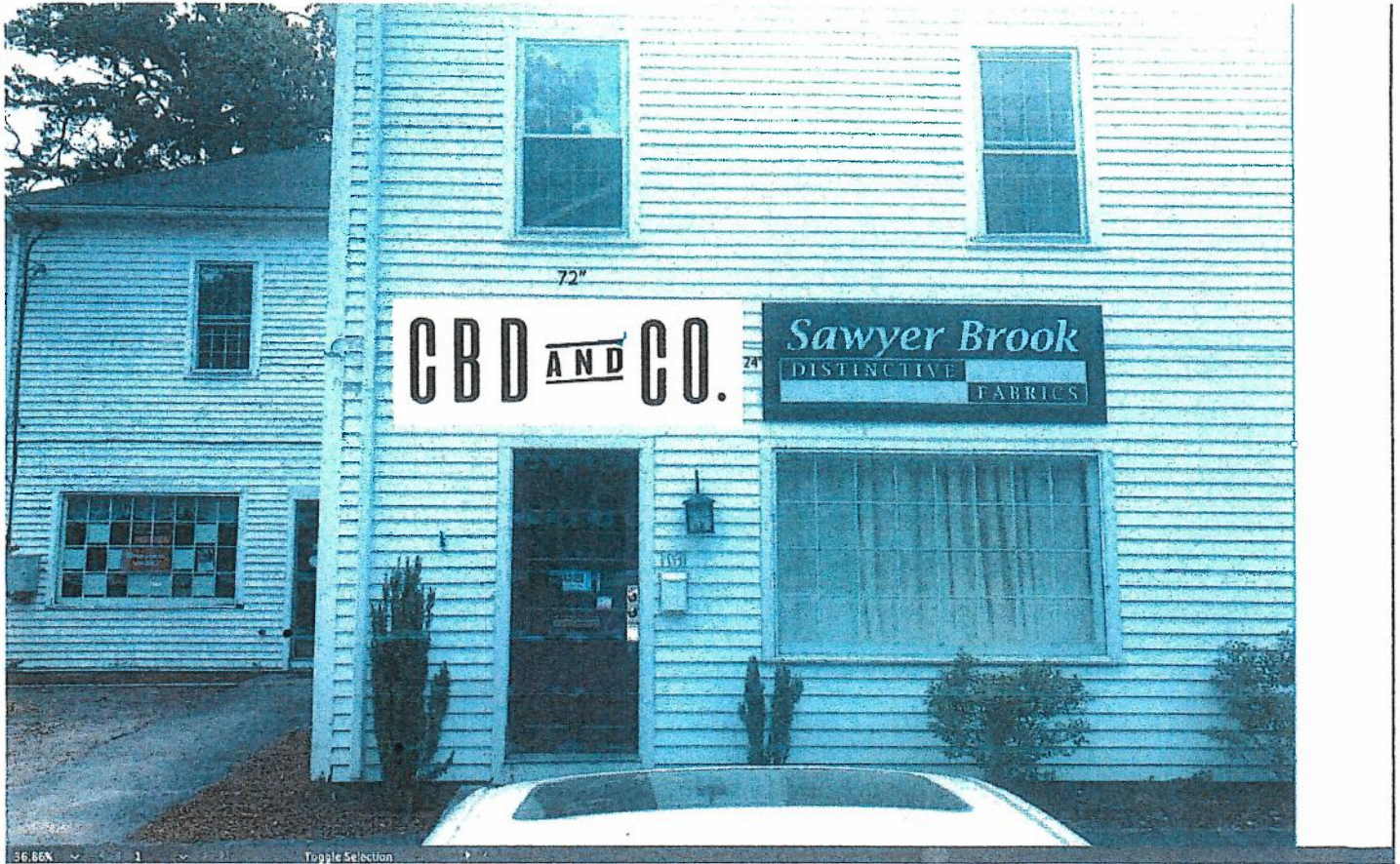
Signature [signature]

Date 9/9/2020

Cost of Sign(s) 500

Permit Fee \$ 25.00 35 50.00





PETITION FOR POLE LOCATIONS

To the Town Council of
Marlborough, Massachusetts

January 8, 2021
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 JAN 11 A 10:20

MASSACHUSETTS ELECTRIC COMPANY requests permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said company may deem necessary, in the following public way or ways;

Bigelow St

Install new S/O Pole 5 in Public ROW
Work is being performed to accommodate substation expansion

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain pole and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked:

MASSACHUSETTS ELECTRIC COMPANY

Plan No. 29958181 Dated 9/8/2020

Your petitioner agrees to reserve space for one crossarm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY

By: Robert Lemnick
Manager of Distribution Design

ORDER FOR POLE LOCATIONS

January 8, 2021

To the Board of Selectmen
of the Town of Marlborough, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED:
that **MASSACHUSETTS ELECTRIC COMPANY** be and they are hereby granted locations for and permission
to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as
said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of
said Company dated the
8th day of January, 2021

All construction under this order shall be in accordance with the following conditions:--

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon
the plan marked--

MASSACHUSETTS ELECTRIC COMPANY

Plan No. **29958181** Dated **9/8/2020** filed with this order

There may attached to said **MASSACHUSETTS ELECTRIC COMPANY** not to exceed twenty wires, and all
of said wires and cables shall be placed at a height of not less than eighteen feet from the ground.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and
the number of poles which may be erected thereon under this order:--

Bigelow St

Install new S/O Pole 5 in Public ROW

Work is being performed to accommodate substation expansion

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting
public ways for the purpose of making connections with such poles and buildings as each of said petitioner may
desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the

_____, 2021

Clerk of Selectmen

Received and entered in the records of location orders
of the City of Marlborough, Massachusetts

Book: _____ Page: _____

Attest: _____

Town Clerk

I hereby certify that on _____, _____, at _____ o'clock, _____ M.,
at _____ a public hearing was held on the petition of

MASSACHUSETTS ELECTRIC COMPANY

for permission to erect the poles, wires and fixtures described in the order herewith recorded, and that
I mailed at least seven days before said hearing a written notice of the time and place of said hearing to
each of the owners of real estate (as determined by the last preceding assessment for taxation) along the
ways or parts of ways upon which the Company is permitted to erect poles, wires and fixtures under
said order.

And that thereupon said order was duly adopted.

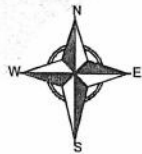
Selectmen of the Town of

Marlborough, MA

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice
adopted by the _____ of the Town of _____,
Massachusetts, on the _____ day of _____, _____, and recorded with the
records of location orders of provisions of Chapter 166 of General Laws and any additions thereto or
amendments thereof.

Attest: _____
Town Clerk







City of Marlboro
Middlesex County

The exact location of said facilities to
be established by and upon the
installation and erection of the
facilities thereof

Pole 5
ROW= ~60'
CL= ~15'

Lot#423
PID 25-4
Lands of Target Corp.

Legend

-  Pole (Sole NG) - install
-  EOP
-  Property Line
-  Centerline

WR#29958181

Petition Sketch

NOT TO SCALE

DESIGNER: Forgette, Nahum

DATE: 9-8-20

WORK ORDER #: 05-20-29958181

Petition Sketch for the Install of New S/O Mid Span Pole 5 in
Public ROW. Work is being performed to accommodate
Substation Expansion. North Bigelow Rd, Marlboro MA

nationalgrid



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 JAN 11 P 2:05

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

**AGREEMENT TO EXTEND
TIME LIMITATIONS**

Order No. 2020-1007995B
Application for Special Permit by
WP Marlborough MA Owner, LLC (Wayside Residential)
339 Boston Post Road East
Multifamily Dwelling Residential Project

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

Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, is hereby extended, by agreement, until 10:00 p.m. on March 31, 2021.

By: _____
Michael H. Ossing, City Council President,
acting on behalf of, and at the direction of,
the special permit granting authority:
Marlborough City Council

By: _____
Brian R. Falk, Esq.
For Petitioner



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 JAN 13 AM 9:24

Marlborough Public Schools

School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509

Call to Order

November 24, 2020

1. Chairman Vigeant called the regular meeting of the Marlborough School Committee to order at 7:30 p.m. at 17 Washington Street, Marlborough, MA. Members present included Michelle Bodin-Hettinger, Daniel Caruso, Earl Geary, Katherine Hennessy, Heidi Matthews, and Denise Ryan. Also present were Superintendent Michael Bergeron, Director of Finance and Operations, Douglas Dias, Assistant Superintendent of Student Services and Equity, Jody O'Brien, and Assistant Superintendent of Teaching and Learning, Mary Murphy. Student Advisory Council Representative, Allison Lucas was also present, while MEA Representative, Eileen Barry, was remotely present.

This meeting is being recorded by local cable, WMCT-TV, and is available for review.

2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.

Superintendent Bergeron read the public participation guidelines, which include a phone number to call for this public hearing.

3. **Presentation:** None.

4. **Committee Discussion/Directives:** None.

5. **Communications:** None.

www.mps-edu.org

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Marlborough Public Schools

School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509

6. Superintendent's Report:

Superintendent Bergeron updated the committee on the Fall 2020 COVID-19 Data. The schools' case/contact figures vary slightly from the those in his attached report. There have not been major spikes in the schools' student population. More cases among adults have been recorded. Superintendent Bergeron stressed the need to continue maintaining safe practices, such as wearing masks and social distancing.

In his report, the Superintendent included the End of Term Hybrid/Remote Survey email that will be sent to Elementary School families. He explained that the District worked with these families to continuously accommodate changes in their preferred model of education throughout the first trimester. However, for the second trimester, a family's decision for their child(ren)'s model of education will be locked in at the deadline. The deadline to choose the preferred model of education is December 4th for Elementary School families, and this request remains in effect for the entire second trimester, which runs from January 2021 – late March 2021.

Superintendent Bergeron mentioned that MPS has been approved by DESE to receive rapid COVID testing at no cost from the Commonwealth. School nurses will perform these tests on symptomatic students and staff members once the sites and licenses are approved. The hope is to be able to utilize these tests in early December.

Mr. Bergeron recognized Mark Rodriquez for creating new name plates for the Central office staff members at Whitcomb.

The Superintendent put a placeholder for the winter athletic discussion. MIAA provided information regarding winter athletics. At the state level, some decisions have been made. Certain sports, such as wrestling, indoor track, cheerleading and dance will most likely be moved to a different season. The Superintendent is not asking for the committee to take a vote tonight, because this information was sent to them only this past weekend, and more is to come. Swimming, hockey, basketball, and gymnastics are the main winter athletics that MPS might run, and December 14th is the projected start of the winter season depending on the School Committee's future vote.

Mrs. Hennessy provided some insight regarding the potential December 14th season start date and certain sports moving to the Spring season.

Mr. Caruso asked for clarification about other ways parents receive information like the Hybrid/Remote survey. Superintendent Bergeron noted that parents are encouraged to have an active email address and/or download the District's app.

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Marlborough Public Schools

School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509

A. Director of Finance & Operations Report

Mr. Dias, reported that the District secured the Remote Learning Support Services Grant from the Governor's Emergency Education Relief (GEER) Fund. The details of this grant are outlined in Mr. Dias' report.

Mr. Dias mentioned that the Marlborough Boys and Girls Club has worked hard to provide countless childcare options to the community. They are running before and after school programs at the four elementary schools, on top of remote learning programs at Hildreth school. If community members are interested, they can contact the Club at 508-485-4912.

Mr. Dias explained that an extension of the grant previously mentioned would require an act of Congress. For now, the grant lasts until December 30th, 2020.

Superintendent Bergeron noted that the Boys and Girls Club administration can call the District if any connection or technology issues arise for remote learners in their program.

B. Assistant Superintendent of Student Services & Equity Report

Mrs. O'Brien updated the committee on the ways in which MPS assisted families throughout the pandemic. She mentioned how School Adjustment Counselors extended their services into the summer.

Mrs. O'Brien highlighted some of the activities and actions taken to address the Social Emotional Learning (SEL) needs of students and families in the past months. A detailed outline of these SEL activities/actions are included in her report, and they are categorized based on the student population served: district wide, ECC/Elementary Level, Whitcomb Middle School, and MHS.

Mrs. O'Brien explained that the Bridge program at MHS and the Transition program at Whitcomb have similar amounts of students as in the past. She also explained that there will soon be a meeting with DCF and counselors/faculty regarding 51A (child abuse/neglect) reports.

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Marlborough Public Schools

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(508) 460-3509

C. Assistant Superintendent of Teaching & Learning

Mrs. Murphy updated the committee on Physical Education and movement in the school. Mrs. Murphy explained the difference between outdoor and indoor movement activities that students take part in.

In July, DESE released guidelines for classes including the Arts and Physical Education.

Mrs. Murphy highlighted Physical Education lessons for remote learners as well.

The district decided a general rule for the year is to not assign homework, aside from AP courses, to allow for more time for movement and activity away from their schoolwork.

Mrs. Hennessy requested that the District find a way to share more music activities students engage in aside from social media since not everyone utilizes that forum.

7. Acceptance of Minutes:

A. Minutes of the November 10, 2020 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve these minutes.

Motion passed 7-0-0.

8. Public Participation: None.

It should be noted that members of the public may provide comment by dialing in to the specified number and conference ID during virtual School Committee meetings or via email before the meeting to superintendent@mps-edu.org. Public participation is a time for your comments to be heard by the committee; it is not a question and answer session.

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Marlborough Public Schools

*School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509*

9. Action Items/Reports

A. FY20 Operating Budget Transfers

Mr. Dias outlined transfers for the FY20 operating budget in an attached document.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve these transfers.

Motion passed 7-0-0.

B. FY22 Budget Calendar

Mr. Dias presented a proposed budget calendar to the committee. An amendment needs to be made; on March 9th, the School Committee would agree on a budget number to be voted on in a public hearing on March 23rd.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to accept the budget calendar.

Motion passed 7-0-0.

C. Policy Removal

Mrs. Hennessy stated that these two policies do not need to be voted on for removal during this meeting; the following policies were presented for first read.

- 1. Policy 6.200 Equal Employment Opportunity and Affirmative Action**
- 2. Policy 6.202 Diversity**

D. Policies for First Read

Mrs. Hennessy presented the following policies to the School Committee for first read.

- 1. Policy 6.190 Teacher Responsibility**
- 2. Policy 6.191 Staff Dress Code**
- 3. Policy 6.200 (NEW) Diversity and Equal Employment**
- 4. Policy 6.320 Coaches**
- 5. Policy 6.400 Administrative and Supervisory Positions**
- 6. Policy 6.425 Employment of Principals**

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E. Acceptance of Donations and Gifts

Ohiopyle. Ohiopyle Prints, Inc. donated \$10.20 to the Marlborough High School.
Motion made by Mrs. Matthews, seconded by Chairman Vigeant to accept this donation.
Motion passed 7-0-0.

10. Reports of School Committee Sub-Committees:

Mrs. Hennessy stated that another Policy Sub-Committee meeting will be coming up; the date has yet to be determined.

11. Members' Forum:

Mrs. Hennessy presented a letter she plans to send to Commissioner Riley regarding the 2020/2021 MCAS Exams. She asked the School Committee to consider signing on to support this letter.

Mrs. Hennessy further explained her intentions behind the letter to Commissioner Riley. She expressed her concerns with holding in person MCAS Exams and mentioned potential alternatives.

Mrs. Bodin-Hettinger emphasized that DESE has not asked Districts what they need or want. She would support sending this letter with minor wording adjustments.

Mrs. Hennessy reiterated that the committee exists to advocate on behalf of public education, which is another motive for her letter to Commissioner Riley.

Mr. Caruso expressed his support for this letter as well.

Mrs. Hennessy asked members to send her feedback for the letter, and she will bring an updated version to discuss at the next meeting.

Chairman Vigeant noted that he visited the Goodnow Brothers Elementary School for the first time with Superintendent Bergeron.



Marlborough Public Schools

School Committee
District Education Center
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(508) 460-3509

Mrs. Matthews has reviewed the warrant and will sign it.

Mrs. Matthews wished the community a happy and healthy Thanksgiving and reminded everyone to be smart and safe.

12. Adjournment:

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to adjourn at 8:34 p.m.

Motion passed 7-0-0.

Respectfully submitted,

Heidi Matthews
Secretary, Marlborough School Committee

HM/jm

Approved January 12, 2021

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Marlborough Public Schools

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CITY OF MARLBOROUGH
2020 JAN 15 AM 9:24

School Committee
District Education Center
25 Union Street, Marlborough, MA 01752
(508) 460-3509

Call to Order

December 8, 2020

1. Chairman Vigeant called the regular meeting of the Marlborough School Committee to order at 7:30 p.m. at 17 Washington Street, Marlborough, MA. Members present included Michelle Bodin-Hettinger, Daniel Caruso, Katherine Hennessy, Heidi Matthews, and Denise Ryan. Also present were Chairman Vigeant, Superintendent Michael Bergeron, Director of Finance and Operations, Douglas Dias, and Assistant Superintendent of Teaching and Learning, Mary Murphy. The Assistant Superintendent of Student Services and Equity, Jody O'Brien, was remotely present. Student Advisory Council Representative, Allison Lucas, and MEA Representative, Eileen Barry, were present.

This meeting is being recorded by local cable, WMCT-TV, and is available for review.

2. **Pledge of Allegiance:** Chairman Vigeant led the Pledge of Allegiance.

Superintendent Bergeron read the public participation guidelines, which include a phone number to call for this public hearing.

3. **Presentation:**

- A. **Winter Athletics**

Athletic Director, Jeff Rudzinsky, presented his Winter Athletics update to the committee. He notified them that with guidance from MIAA, participation in some winter sports for the 2020-2021 season will occur. The full, detailed presentation is attached to his agenda item.

Mr. Rudzinsky presented an overview report on Fall Athletics, outlined the steps taken to create a plan for Athletics, created a Winter Sports timeline, and provided information on which sports will occur this season. Mr. Rudzinsky also specified which teams/schools will be participating in games and competitions with/against MHS Athletic teams. He outlined the spectator policy, sport modifications, and the PODS concept. Mr. Rudzinsky also provided insight on transportation for athletics, as well as Mid-Wach League protocols that are put in place for this upcoming season.

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The specific sports that could be allowed to practice and compete during the 2020-2021 Winter Athletics season are Boys and Girls Basketball, Boys and Girls Hockey, Gymnastics, and Swim and Dive. Spectators would not be allowed at winter contests. Teams would only play in their PODS, which are based on schools grouped together for certain sports. Every team would be transported to games/competitions separately while also adhering to transportation safety guidelines.

Middle School Athletics will not be offered this winter season.

The following information provided by Mr. Rudzinsky was in response to questions asked by various School Committee members.

Mr. Rudzinsky provided examples of modifications for basketball, such as no jump balls, socially distant benches/chairs, limited players under the hoop for foul shots, no halftimes, etc. The potential roster is limited to 12 players for basketball.

The goal is to livestream as many games as possible.

At Navin Arena, there is plenty of room for Hockey players to social distance on benches.

Each athlete, on every team, will be asked a list of COVID screening questions.

For gymnastics, all competitors will be using the same equipment so it can be cleaned once everyone is done. Then competitors and cleaners will move on to the next station. There are certain time limits and number of practices/games allowed to minimize contact between athletes.

Principal Riley and Mr. Rudzinsky explained that limited practices during winter break would potentially occur to hold athletes accountable and defer them from traveling.

In response to a question from Allison Lucas, Mr. Rudzinsky outlined the Swim modifications. One team will be in the pool at a time, and when swimmers leave the water, they will put their masks on.

Mrs. Hennessy further expanded on modifications made for swimming, such as lane differentials and masks be taken off on the block and put into a plastic baggie until the swimmer finishes.

Chairman Vigeant inquired whether any physical activity, such as intramurals, would be possible to allow Middle School children time away from their electronics. Mr. Rudzinsky will speak with Mr. Daniels regarding this. Superintendent Bergeron explained that transportation issues would need to be resolved to enable this.

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4. Committee Discussion/Directives: None.

5. Communications: None.

6. Superintendent's Report:

Superintendent Bergeron updated the committee on the Fall 2020 COVID-19 Data. Cases across the city have increased in the past two weeks. There has been more spread between adults working in the schools.

The Superintendent proposed to remove the 3 remaining professional development half days from the calendar. This would keep Cohort B and PM Kindergarten students from falling further behind with their in-person learning days.

There is an application for a new private school: "New England Innovation Academy." With the committee's approval, the Superintendent would like to put this on the agenda for January and have representatives from this private school virtually discuss their application at a meeting.

A. Director of Finance & Operations Report

Mr. Dias reported that the Food Service program has served nearly 60,000 meals remotely since October 19th. Meals are available to all children and teens in Marlborough, even if they attend schools other than MPS. Mr. Dias thanked the Food Service staff for all their hard work and dedication throughout the pandemic.

The Marlborough IT Department and the Facilities Department developed an in-house electronic work order process. This will enable the District to have even more efficient communication and tracking processes.

Buses and schools will be colder this winter season, as the District is trying to circulate as much outside air through buildings and buses as possible. Mr. Dias asked everyone to dress appropriately for these cooler temperatures.

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The Boys and Girls Club still has spaces in their before/after school programs at the elementary schools and in their full-day program for remote learners. Financial assistance is available for both programs. Community members can reach them at 508-485-4912.

7. Acceptance of Minutes: None.

8. Public Participation: None.

It should be noted that members of the public may provide comment by dialing in to the specified number and conference ID during virtual School Committee meetings or via email before the meeting to superintendent@mps-edu.org. Public participation is a time for your comments to be heard by the committee; it is not a question-and-answer session.

9. Action Items/Reports

A. Winter Athletics

The Superintendent asked the School Committee to take an affirmative vote to support the plan for participation in Basketball, Ice Hockey, Gymnastics, and Swimming. Wrestling and Indoor track will be moved to other seasons.

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve the recommendation from the Athletic Director.
Motion passed 6-0-0.

B. FY21 Calendar

Superintendent Bergeron asked the School Committee to remove the remaining 3 half days on the calendar due to operational difficulties.

Mrs. Murphy stated that alternative professional development will be offered to faculty and staff.

Mrs. Matthews pointed out a format issue with coloring on the School Calendar.

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Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to support the recommendation of the Superintendent.
Motion passed 6-0-0.

C. Policies for Removal

1. Policy 6.200 Equal Employment Opportunity and Affirmative Action

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to remove this policy.
Motion passed 6-0-0.

2. Policy 6.202 Diversity

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to remove this policy.
Motion passed 6-0-0.

D. Policies for Acceptance

1. Policy 6.190 Teacher Responsibility

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.
Motion passed 6-0-0.

2. Policy 6.200 Diversity and Equal Opportunity Employment

Mrs. Hennessy suggested to remove the last two sentences of number 5 relative to the report.
Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.
Motion passed 6-0-0.

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3. Policy 6.191 Staff Dress Code

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 6-0-0.

4. Policy 6.320 Coaches

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 6-0-0.

5. Policy 6.400 Administrative and Supervisory Positions

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 6-0-0.

6. Policy 6.425 Employment of Principals

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 6-0-0.

E. Acceptance of Donations and Gifts

Target Heroes & Helpers Program. Target Heroes & Helpers Program donated \$1,000.00 to Whitcomb School.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve this donation.

Motion passed 6-0-0.

Cummings Properties. Cummings Properties donated \$1,000.00 to Marlborough Public Schools.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve this donation.

Motion passed 6-0-0.

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10. Reports of School Committee Sub-Committees:

Mrs. Hennessy stated that there will be a Policy Sub-Committee meeting on the morning of December 17th.

11. Members' Forum:

Mrs. Matthews asked to set a virtual special meeting for January 4th regarding the potential return to the Hybrid model in January. She pointed out the rise of numbers post-Thanksgiving and how numbers will probably rise after the Holidays.

Superintendent Bergeron stated that the special meeting would only have one agenda item since a full School Committee meeting is already scheduled for 8 days later: January 12th. He proposed a 6:00pm meeting on January 4th, which committee members agreed to.

Based on committee members' feedback, Mrs. Hennessy made modifications on her letter to the Commissioner about MCAS testing. She wanted to gauge whether the School Committee would still like to sign onto this letter.

Mrs. Matthews stated that Mrs. Hennessy could add her name to the letter.

Chairman Vigeant voiced his other concerns that are a priority above the MCAS. He would like to not be a part of the letter.

Mr. Caruso, Mrs. Bodin-Hettinger, and Mrs. Ryan agreed to add their names to the letter.

Mrs. Hennessy will ask Mr. Geary tomorrow since he is absent from the meeting tonight.

Mrs. Bodin-Hettinger checked in with Superintendent Bergeron about the Student Opportunity Act (SOA). Mr. Bergeron is concerned that there is no SOA at this time.

Mrs. Bodin-Hettinger shared that the Marlborough Education Foundation (MEF) will be giving out grants at the end of January; any employee of the District can submit grant applications.

Mrs. Matthews reviewed the warrant and will sign it.

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Mr. Caruso requested feedback on the survey where parents could request a chance in their child/children's style of learning. Superintendent Bergeron said the survey closed and about 21 students changed their decisions, and the District called them to confirm these changes.

12. Adjournment:

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to adjourn at 8:41 p.m.

Motion passed 6-0-0.

Respectfully submitted,

Heidi Matthews
Secretary, Marlborough School Committee

HM/jm

Approved January 12, 2021

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**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

**Minutes
November 19, 2020 7:00 pm**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 JAN 14 P 1:55

Chairman 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, Allan White, William Dunbar, Karin Paquin John Skarin- 7 members present. Also present was Priscilla Ryder Conservation Officer.

Absent: none

Approval of Minutes: The minutes of November 5, 2020 were approved on a motion by Mr. Skarin second by Mr. White to accept the minutes as written 7-0 with the following yeas: Edward Clancy, David Williams, Dennis Demers, Allan White, Karin Paquin, William Dunbar, and John Skarin.

Public hearings:

Notice of Intent

61 Amory Rd. - Michael and Rebecca Hansen

Seth Donohoe from Ducharme Gillis Civil Design group was present representing the owners. Mr. Hansen was also present. Mr. Donohoe explained that they will be removing the existing house and replacing it with a new house next to Ft. Meadow Reservoir. Erosion controls consisting of silt fence and straw bales will be used. The closest point to the lake of the new building will be 30'4" which is outside the 30' setback required in the Floodplain and Wetlands Protection District. They are not proposing anything near the lake or in the yard except what is shown on the plans. All excess materials will be removed from the site. Ms. Paquin noted that the basement elevation is only 1' above the high-water elevation of the lake. Ms. Ryder noted that she believes the ordinance requires the basement floor to be two feet above that elevation. Mr. Donohoe explained that he would look into this and make changes as required.

Mr. Demers asked that the foundation drain, and perimeter drain also be shown. Mr. Clancy asked if there was a dewatering plan and sediment trap, these should be provided. He also asked for information about how the deck would be supported. Mr. Donohoe explained that the deck will be supported with sono tubes and he could provide a dewatering plan. He also explained that the shed would be integrated into the house. The old shed will be removed.

Brendan Hegarty an abutter asked what the timeline would be as he notices both his neighbors might be building their houses at the same time. Mr. Hansen said they hope to start as soon as they can in spring 2021 once all permits are in hand. Mr. Clancy noted there were some changes to the plan that are needed, Mr. Donohoe indicated he would make the changes and have them ready prior to the next meeting. The hearing was continued to the Dec. 3, 2020 agenda and Ms. Ryder was asked to draft a set of conditions.

Notice of Intent

146 Phelps St.- Delray Realty Trust

Robert Parente P.E. was present as well as the owner David Winski. Mr. Parente explained that the owner would like to build a barn behind the house and keep the existing storage garage. He noted that the work is within the Riverfront Area to the adjacent stream which has been delineated. Both the Bordering Vegetated Wetland (BVW), top of bank, and 200' Riverfront area are shown on the plans. The new building would be 32' off the existing roadway. The Commission asked what the use of the new building would be, since they already have a long garage type building on site. Building will be a 2 ½ story structure. The Commission questioned the need for water and sewer for a garage for storage and expressed concern that it would be converted to a residential use. Mr. Winski explained that he wants to store a boat in the new building, he is storing jet skis, snowmobiles and other boats in the existing building.

Ms. Ryder noted that the Riverfront regulations require that "at a minimum the first 100' of the Riverfront area shall remain vegetated". She asked if the new building could be shifted away from the river. Also, per the regulation if there is an alternative, the Commission will be required to force the applicant to use the alternative. There is more room on the site, so the project will likely need to be shifted to meet the regulations. Ms. Paquin also noted the 5,000 sq. ft. limit of work in the Riverfront area may already be over with the existing garage. She wondered if the new building is added to the old building for this lot coverage or how that works. Ms. Ryder will check with DEP to see how this should be interpreted. Mr. Parente noted he could make changes to the plans but wanted to hear back from DEP first to confirm this was necessary.

Two abutters were present Gerald and Karin Flynn who had supplied the Commission with a letter stating similar concerns about its' use and what it would look like and how close it was to the wetland. They love the brook which also runs through their property and were concerned with any impact and wanted to be certain this was not a commercial enterprise, as this area is zoned residential.

The Commission continued the hearing to the Dec. 17th meeting to allow time for the applicant to come up with a revised plan.

Notice of Intent

2 Spring Ln. – Michael Matros

Robert Parente P.E. was present and Mike Matros the owner was also present. Mr. Parente explained that they would like to remove the existing house and replace it with a new house and foundation. They also want to replace the existing rocks along the bank which have crumbled with a small block retaining wall. He also asked if there was a possibility of extending the existing drainage pipe and cover it over so they could extend the lawn. He will submit a plan to the DPW to get some input. Mr. Clancy noted that this lot had been the subject of several violations over the years, so he asked that the old files get pulled and summarized to understand this lot better.

Mr. Parente note that the new house would have a basement floor 3' above the floodplain elevation. The footprint will be different as shown and will not encroach on abutting properties. All demolition and excavated materials will be removed from the site and a new foundation poured. Then they will bring in a modular house to install on top of the foundation. Mr. White and Mr. Demers both noted that a foundation drain is required and should be shown on the plan. The sewer connection as noted by Mr. Parente will be down into the sewer line which is right at the water's edge. He will discuss the specifics with the DPW and be ready to describe the work to get this connected. After some discussion the Commission continued the hearing to the Dec. 17th meeting to allow time for the applicant to revise the plan and get information as noted above.

Violation/project updates:

Goodale Estates – Jenks Ln.- Ms. Ryder shared some photos of muddy water leaving this site which discharges into a stream off Goodale St. (across from Vega Rd.) After some discussion, the Commission noted that this has been a problem site for a while and although outside the Commission's jurisdiction, the muddy water in the stream puts it in the Commission's jurisdiction. They asked that a cease and desist order be placed on the project if the cleanup and site stabilization items discussed have not been installed by end of day on Friday Nov. 20th. Ms. Ryder will follow up with the contractor.

Discussion/Correspondence: There was none.

Next Conservation Commission meetings – December 17th, 2020 and January 7th, 2021

Adjournment: As there was no further business. On a motion by Mr. Demers, second by chair to adjourn was unanimously approved 7-0 with the following yea votes: Edward Clancy, David Williams, Dennis Demers, Allan White, Karin Paquin, William Dunbar, and John Skarin. The meeting was adjourned at 8:14 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer

CITY OF MARLBOROUGH MEETING

**Conservation Commission
Minutes
December 3, 2020 (Thursday)**

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2021 JAN 12 A 10:47

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 were the following yeas: Edward Clancy, David Williams, William Dunbar, John Skarin, and Karin Paquin were remote.
Allan White, Dennis Demers and Priscilla Ryder-Conservation Officer were in Memorial Hall
All 7 members were present.

Absent: none

Approval of Minutes: no minutes to approve

Public hearings:

Notice of Intent (Continued from November 19, 2020)

61 Amory Rd. - Michael and Rebecca Hansen

Seth Donohoe of Ducharme & Dillis, Civil Design Group, Inc. was present representing the owner. He noted that the revised plan provided to the Commission includes the items requested at the last meeting including dewatering plan, foundation drain, and confirmation that the building is outside the floodplain. Ms. Ryder noted that she has spoken to the Building Inspector who indicated 1' above floodplain is fine as long as they are outside the floodplain. Ms. Paquin asked about rebuilding the wall at the shoreline. Mr. Donohoe indicated no work was being done at the water's edge. Mr. Clancy asked if any trees would be removed. The answer was no. As there were no more questions from the Commission or the audience the hearing was closed. The Commission reviewed the draft Order of Conditions and on a motion by Mr. White second by Edward Clancy, the Commission voted with a roll call vote of all yeas: Mr. Clancy, Mr. Williams, Mr. Dunbar, Mr. Skarin, Ms. Paquin, Mr. White, and Mr. Demers- The Commission voted unanimously 7-0 to approve the Order of Conditions as written.

Certificate of Compliance:

- DEP 212-1211 293 Lakeshore Dr. - Ms. Ryder indicated that she has visited the site. The house is done but the decks and yard stabilization are not done, nor is the dock. The applicant has asked for a Partial Certificate of Compliance so they can get their occupancy permit. The Commission indicated that they could issue a Partial Certificate of Compliance for the housework only, with the decks and yard stabilization and the dock still to be completed. On a motion by Mr. Demers second by Edward Clancy, the Commission voted with a roll call vote of all yeas: Mr. Clancy, Mr. Williams, Mr. Dunbar, Mr. Skarin, Ms. Paquin, Mr. White, and Mr. Demers - The Commission voted unanimously 7-0 to issue a Partial Certificate of Compliance for the house.

Violation/project updates:

- Letter to Kevin Gills and Marcel Maillet, dated November 24, 2020 RE: Stormwater & Wetland Violation Notice - \$600 fine, Goodale Estates Subdivision, Marlborough - Ms. Ryder provided an update that the site

is now under control and will be monitored daily and before and after each rain event by the contractor. The contractor has been e-mailing updates as required. The fine has also been paid.

Discussion/Correspondence/ other business:

- **Snow Dump location** - Mr. DiPersio, City Engineer, was present and asked to speak to the Commission about using a portion of the land near the old Hudson St. Landfill for snow dumping this year. He presented a plan prepared by their consultants showing the location of the landfill and the location on the side of the landfill which is now used for landscape materials. DPW has been working with DEP to gain approval of this location and has asked that the Conservation Commission and the Board of Health review and comment on this plan as well. Mr. DiPersio explained that they would include erosion controls, a barrier to demarcate the snow dump location as shown on the plan. The Commission wanted assurance that the trash left after the snow melts would be removed. They also asked that monitoring the runoff for salt in the detention basin below and in the lake be done. Mr. DiPersio said the trash would be cleaned up and the area maintained regularly. He also confirmed that testing has been ongoing for a while so they do have some baseline data already and will continue monitoring with the snow dump as well. He will provide these baseline reports to the Commission. Mr. Dunbar expressed his concern about salt and debris in the lake and was not in favor of this location. Other members noted that this was a much better location than beside the brook at the DPW yard. Ms. Ryder noted she has walked the site and the detention basin at the base of the hill would need to be monitored and scraped out periodically so it can function well.

After some discussion the Commission decided to approve this location with a roll call vote as follows:
yeas: Mr. Clancy, Mr. Williams, Mr. Skarin, Ms. Paquin, Mr. White, and Mr. Demers. Nay - Mr. Dunbar.
Vote: 6-1 vote carries with the conditions that the site is tested for salinity regularly, the site is maintained,
erosion control barriers are installed and maintained.

- **339 Boston Post Rd.** - Ms. Ryder noted that she had forwarded to the Commission the revised conceptual plans for the 339 Boston Post Rd. project which has moved all work outside of the floodplain and all drainage is now proposed in detention basins and not underground system. She noted that they will need to return to the Commission, once City Council has rendered a decision, to amend the Order of Conditions.

Next Conservation Commission meetings – December 17th, 2020 and January 7th, 2021

Adjournment - There being no further business, the meeting was adjourned at 8:00 PM

Respectfully submitted,


Priscilla Ryder
Conservation Officer

Marlborough Public Library Board of Trustees
Meeting Minutes

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December 1, 2020

Bigelow Auditorium, Marlborough Public Library and Microsoft Teams

2021 JAN 13 A 9:48

Meeting called to order by Tom Abel at 7:00pm

Board Members Present in Bigelow Auditorium: Fred Haas, Nena Bloomquist, Janice Merk, Rustin Kyle, Bill Brewin, Robyn Ripley

Board Members Present on Microsoft Teams: Tom Abel, Samantha Khosla

Board Members Absent: Karen Bento

Also Present in Bigelow Auditorium: Margaret Cardello, Library Director

Also Present on Microsoft Teams: Arthur Vigeant, Mayor of Marlborough; Steven Kerrigan, Marlborough City Clerk; Wilson Chu, Marlborough Assistant City Clerk; Mark Gibbs, Marlborough IT Director; Mike Ossing, Marlborough City Council President, Sean Navin, Marlborough City Councilor

Documents Reviewed/Referenced:

1. Agenda
2. Minutes from the November 3, 2020 meeting
3. Trust Fund/State Aid report for November 2020
4. Director's Report
5. Draft Weekly Schedule
6. 2021 Service Plan Overview
7. Dress Code Update
8. Draft text from the City Solicitor regarding ownership of the Town Book

Proceedings:

1. **Minutes:** *A motion (Bloomquist/Kyle) to approve the minutes from the November 3, 2020 meeting was passed via a roll call vote.*
2. **Trust Fund Reports:** *A motion (Kyle/Brewin) to approve the trust fund reports for November 2020 was passed via a roll call vote.*
3. **Director's Report:**
 - The construction documents for the library renovation and expansion project are going through a final review, including with the Police and Fire departments and the Building Commissioner. The Library Building Committee will meet on December 10, at which time the architectures will review the latest renderings.

The construction documents will be submitted to the state next month, as required by our grant. At that point, the City will determine when to place the project out for bid. The grant stipulates that a signed construction contract must be in place by June 30, 2022.

- The contactless pickup service continues to be extremely popular, and patrons express their gratitude to staff in a variety of ways every day. As winter approaches, Margaret is developing a strategy to move the pickup location from outdoors into a controlled section of the foyer. She is working with the Facilities department to install a gate so patrons cannot access to any other areas of the building.
- Due to the recent decision by the Department of Labor Relations that allows MMEA members to wear jeans, the library dress code required updating. Margaret presented the board with a revised dress code policy that incorporates this change. *A motion to approve the new dress code policy (Bloomquist/Brewin) was approved via a roll call vote.*

4. Committee Reports:

- Marlborough Public Library Foundation:
 - MPLF Chair Nena Bloomquist reported that the Foundation has received a generous donation of \$7500 from the Digital Federal Credit Union, which was greatly appreciated. The MPLF is looking forward to having the new renderings from the architects to share with potential donors and the community as it continues its capital campaign into 2021.

5. Old Business:

- The City Solicitor provided Margaret with the requested legal letter concerning the restoration, preservation, and ownership of the Book of Town Records from 1666 to 1698. *A motion (Khosla/Ripley) to accept the letter was approved via a roll call vote.*

6. New Business

- As requested by the Trustees at the October meeting, Margaret has worked closely with the staff to develop a library services plan for 2021. The goal is to use the existing staff (six plus the Director) most efficiently while addressing the needs of the patrons. Margaret stressed that service to the community was the foremost consideration, so activities like pickup services and programming are a top priority for the plan. It also includes time for the staff to perform important tasks like collection maintenance, which ensures that the library has the up-to-date materials patrons want. Margaret shared a detailed summary of the service plan components as well as an hour-by-hour breakout for each day to illustrate how each component would be executed. The Trustees thanked Margaret and the rest of the staff for putting together a thoughtful, well developed plan that

will benefit library users and also help the reduced staff balance the workload. *A motion (Merk/Bloomquist) to approve the new 2021 Service Plan was approved via a roll call vote.*

7. Adjournment: *A motion (Haas/Kyle) to adjourn was approved at 7:45pm.*

Minutes submitted by Janice Merk.

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

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MARLBOROUGH
December 21, 2020

2021 JAN 20 P 1:19

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, George LaVenture and Chris Russ. Phil Hodge absent. Meeting support provided by City Engineer, Thomas DiPersio, Assistant City Solicitor, Jason Piques and Planning Board Administrator, Krista Holmi.

1. Meeting Minutes

A. December 7, 2020

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and file the December 07, 2020 meeting minutes. Yea: Elder, Fay, LaVenture, Russ and Fenby. Nay: 0. Motion carried.

2. Chair's Business (None)

On a motion by Mr. Fay, seconded by Mr. Elder, the Board voted to move item 10B to the next item in the agenda. Yea: Elder, Fay, LaVenture, Russ and Fenby. Nay: 0. Motion carried.

10. Unfinished Business

B. Communication from Assistant City Solicitor Piques re: 2 South Bolton St.- Request by Attorney Aykanian.

Mr. LaVenture read the 12-17-20 letter from Assistant City Solicitor Piques into the record. The letter reviewed the "Release from Plan Restriction" for the benefit of Atty. Sem Aykanian relating to a 1985 ANR plan for his property at 74 Main Street and 2 South Bolton Street. Assistant Solicitor Piques stated that in his opinion, there is no statutory authority for the Planning Board to release or amend a prior endorsed ANR plan, and that a new ANR plan would have to be prepared for consideration by the Planning Board. Mr. Piques further explained that an endorsement of an ANR plan is not an "approval", so it cannot be bound by MGL Chapter 41 Section 81W for the ability to modify or amend an approval of a plan.

On a motion by Chris Russ, seconded by Mr. Elder, the Board voted to accept and file the correspondence. Yea: Elder, Fay, LaVenture, Russ and Fenby. Nay: 0. Motion carried.

On further discussion on this matter:

Attorney Aykanian commented that he is looking for some direction from the Planning Board on subdividing his property. Atty. Aykanian stated the notation "not to be considered a buildable lot" is not called for by statute and is done as a common practice, which he agrees with. Atty. Aykanian surmised, if the Planning Board can place the note on the plan, it stands to reason they should be allowed to have the note removed from the plan. Chair Fenby reminded Atty. Aykanian that the Legal Department has given their opinion to the Planning Board, and they must follow that opinion. Ms. Fenby further explained that discussing the legality of the Legal Department's opinion should be directed to the Legal Department.

Atty. Aykanian questioned Assistant Solicitor's reference in his letter to having another ANR plan prepared, stating that the original plan was prepared by the City's engineers when he did not own the property, so how would he be able to recreate the original ANR plan (without the subject note - "not to be considered a buildable lot") if the lot does not conform to zoning and if he did not own the property at that time? Mr. Fay spoke on seeking a creative solution to this issue, suggesting the creation of condominiums for the property or drawing up a 99-year lease on the subject building. Mr. Fay questioned Mr. Piques whether the Planning Board could vote to recommend that the City not enforce the restriction on the plan. Attorney Piques was reluctant to speculate. He mentioned that the Community Development Authority had already released their rights in the note restriction and thought this was worth exploring as a possible solution.

Atty Aykanian stated that a postponement on a decision regarding this matter is acceptable, and that he would work with the Legal Department and the Building Commissioner on a solution.

If the matter can be resolved where building permits could be issued for interior work on the property at 2 South Bolton Street, then this matter would not need to be before the Planning Board. If he needs to re-visit this matter with the Planning Board, he would contact the Planning Board Administrator to be placed on a future Planning Board agenda.

3. Approval Not Required

A. Engineering Review Letter: ANR Application – 107 South Street/119 South Street/Mt. Pleasant Street (Vote)

Applicant: Matthew Jackson, PO Box 586, Marlborough MA 01752

Engineer/Land Surveyor: Dillis & Roy, 1 Main St., Suite 1, Lunenburg, MA 01462

Plan dated 12-01-20.

Deed References: Middlesex Registry of Deeds Book 54715, Page 491 (107 South) and Book 65389, Page 260 (119 South)

Location and Description: 107 South St- Accessor's Map-Parcel 81-86 and 119 South St. – Accessor's Map-Parcel 81-85.

Mr. LaVenture read the December 16, 2020 review letter from Assistant City Engineer Collins into the record. Mr. Collins explained that the purpose of the plan is to subdivide parcels to the rear of 107 South Street and 119 South Street to create a buildable lot with frontage on Mount Pleasant St. (Shown as Lot 2 on the plan). Lot 2 has the required area, required frontage and meets Lot Shape requirements for a buildable lot in a Residence A-3 zone. The existing Lot 1 at 107 South St. and the property at 119 South St. remain in conformance. On a motion by Mr. Elder, seconded by Mr. LaVenture, the Board voted to accept and file the correspondence and to endorse the referenced ANR plan as approval not required under the subdivision control law. Yea: Elder, Fay, LaVenture, Russ and Fenby. Nay: 0. Motion carried.

B. 181 Boston Post Road (Winske) – Request for re-endorsement, Plan of Land Dated September 28, 2020, Revised October 15, 2020, Revised December 09, 2020. Communication from Robert J. Parente, Representative. Engineering Review Letter (Vote)

Mr. LaVenture read the December 14, 2020 letter from Robert Parente, P.L.S. as well as the December 16, 2020 review letter from Assistant City Engineer Collins into the record. The letters explained that some of the new lot corner pins that were installed during the survey were not labelled on the plan previously endorsed by the Board on 10-19-20.

It was suggested by Engineering that the plan be revised to include the additional information and to request that the Board re-endorse the plan for recording. (Note: The previous plan with the omissions, dated 10-15-20, was not recorded.) On a motion by Mr. Elder, seconded by Mr. LaVenture, the Board voted to accept and file the correspondence and to endorse the 12-09-20 referenced ANR plan as approval not required under the subdivision control law. Yea: Elder, Fay, LaVenture, Russ and Fenby. Nay: 0. Motion carried.

4. Public Hearings (None)

5. Subdivision Progress Reports

A. Goodale Estates

i) Request for Reduction of Performance Bond (Vote)

Mr. LaVenture read the Dec. 16 letter from Assistant City Engineer Collins RE: Goodale Estates – Bond Reduction into the record. Engineering has reviewed the status of the construction of the roadway and has detailed the remaining work and proposed completion schedule.

Mr. Collins provided a review of the bond status and has determined the cost to complete the remaining work for the subdivision is \$123,000, a reduction of \$82,000. Mr. Fay asked Mr. DiPersio to confirm that the proposed \$123,000 is enough to cover the costs of any necessary restoration should the first course of pavement show signs of deterioration.

City Engineer DiPersio said that the recommended bond includes a contingency for any required repairs. On a motion by Mr. Russ, seconded by Mr. LaVenture, the Board voted to accept and file the correspondence, and approve the reduction of the bond securing the completion of the subdivision to \$123,000.

Yea: Elder, Fay, LaVenture, Russ, Fenby. Motion carried.

ii) **Communication from Solicitor Grossfield - Second Amendment to the Performance Agreement – (Vote)**

Mr. LaVenture read the December 16 email communication from Solicitor Grossfield into the record.

Solicitor Grossfield confirms that the document “Second Amendment to Subdivision Performance Agreement Secured by Surety Bond - Goodale Estates Subdivision” is in proper legal form. Mr. Fay requested verification that the Board extended the time for completion on the subdivision, which was confirmed. (December 31, 2021). On a motion by Mr. Fay, seconded by Mr. Elder, the Board voted to accept and file the correspondence and to grant Chair Fenby the authority to sign the document on the Board’s behalf. Yea: Elder, Fay, LaVenture, Russ, Fenby. Nay: 0. Motion carried.

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

7. Definitive Subdivision Submissions (None)

8. Signs (None)

9. Correspondence (None)

10. Unfinished Business

A. Definitive Subdivision Application - 76 Broad St. 4-Lot Subdivision

Applicant: W.R.E., LLC, 319 Stow Road, Marlborough, MA 01752

Engineer: Hancock Associates, 315 Elm St., Marlborough, MA 01752. Robert DiBenedetto, Representative.

Attorney Sandra Austin, Counsel.

(Note: Submission Date: 09-09-20, **Decision Due: Meeting Prior to January 22, 2021**)

Chair Fenby requested a motion to waive the full reading of the December 16, 2020 correspondence from Hancock Associates Re: Four Lot Subdivision – 76 Broad St. Response to Engineering Division review comments. On a motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to waive the full reading of the 8-page document. Yea: Elder, Fay, LaVenture, Russ, Fenby. Nay: 0. Motion carried.

The letter details several plan modifications, identifies 7 requested waivers, and includes responses to Engineering plan comments. Ms. Fenby requested that the engineers walk the Board through the proposed waivers. Mr. Fay requested that Mr. DiPersio and Mr. DiBenedetto identify which waivers were associated with Board requests, and which are practical considerations of the design. The waivers, he reminded them, must be in the public’s best interest and not inconsistent with the subdivision control law.

Requested Waivers

§A676-12. Streets. B. Alignment (5) [30’ ROW roundings] – Instead of a complete 30’ radius, the proposed roundings end at the abutting properties.

Originally, the plan showed easements to create the required roundings, but the City Engineer indicates that there is no need for the roundings in this instance. This approach is acceptable to Engineering. Infrastructure is not located in this area, and the waiver avoids the need for separate easements to create the roundings.

§A676-12. Street. C. Width. (1) (a) [Min 50’ width] – The minimum width is 49.2 feet at Station 1+75, at the first small bend in the right-of-way roadway.

City Engineer DiPersio explained that due to the property configurations, there is a small “pinch point” where the ROW is slightly less than 50’. The area is approximately 4 square feet on the 70-72 abutter.

While a "land swap" was preferred by Engineering, this approach is acceptable. There will be a negligible reduction in the 50' ROW in a small section.

§A676-12. Street. D. Grade. (3) [Vertical curves] – The grade break at the proposed crosswalk is greater than 1% (from 2% to 4.9%).

This item was discussed with City Engineer Thomas DiPersio, and a waiver from the required vertical curve at this location would allow a flattened cross slope in the sidewalk. This is acceptable to Engineering.

§A676-20. Sidewalks, grass plots, trees. – The proposed sidewalk is shifted away from the granite curbing and reduced to 5.5 feet in width, creating a landscaping strip on either side of the proposed roadway. This cross section was preferred by the Board. Street trees are proposed in the landscaping strip in sections outside of the proposed lots. Street trees are also proposed in the additional right-of-way at the southeastern end of the roadway, to match the required tree count for this length of roadway. This item was discussed with Assistant City Engineer Timothy Collins.

§A676-23. General. A. [Street acceptance] – The proposed roadway deviates from the standard cross-section in Appendix F as described in waiver request §A676-20.

This waiver refers again to the preferred grass strip cross-section.

§A676-24. Street and roadway. B. [30' curb radius] – Instead of a curb radius that matches the required ROW rounding radius of 30' (per §A676-12B), the proposed curb radii are chosen to ensure the proposed sidewalk is outside the abutting properties. The west (#84 Broad) curb radius is 25 feet. The east (#70-72 Broad) curb radius is 22 feet.

The 22' radius is acceptable to City Engineer Thomas DiPersio.

§A676-28. Trees. A. [Tree location] – Street trees are proposed in the landscaping strip in sections outside of the proposed lots. Street trees are also proposed in the additional right-of-way at the southeastern end of the roadway, to match the required tree count for this length of roadway (24 trees). Two trees are placed within the proposed lots, but not at 40-ft intervals.

The City Engineer finds the alternate tree placement acceptable.

Mr. Fay indicates that all waivers on the cover sheet have been addressed and summarized that most are resulting from the Board's requests. City Engineer DiPersio and Hancock Engineer DiBenedetto reviewed other minor plan revisions. Mr. Russ asked for additional information on the dispersion of water from the basin. City Engineer DiPersio said that the outflow is dispersed for the length of the level spreader. The configuration will provide for a reduced flow to adjacent property up to a 100-year storm event. The fencing configuration was also discussed. City Engineer DiPersio was OK with the design.

Attorney Sandra Austin was present to discuss the subdivision decision timeline and the timeline for document preparation. She indicates that her client is agreeable to an extension for time on the decision until the mid-February timeframe. She proposes to submit a "request for extension of the vote" as well as a draft decision document and draft covenant prepared for the January 11th meeting.

10. Unfinished Business

C. Working group discussion – Planning Board Rules and Regulations

i) Forms, Fees and Cross-Sections Update Discussion

Mr. LaVenture provided an update to the Board of the working group's most recent meeting on December 18. He thanked the Engineering Division and Legal Dept. for their work and participation. Mr. LaVenture summarized the meetings discussion points and provided the proposed timeline for the coming months:

January meetings – complete fee schedule update, “bless” new cross-sections, updated forms, review existing Engineering Division Rules & Regs change proposals, and refer all to Legal for review.

February meetings – complete review of Board suggested Rules & Regs change proposals, refer to Legal for review, and advertise for public meeting to share proposed changes.

March meetings – hold one or more public meetings as needed to work through the entire Rules & Regs proposed changes.

Late Mar/early Apr – Vote to approve desired updates to the rules and regulations and follow appropriate procedures for adoption and recording of new regulations.

Fees Schedule Discussion:

Mr. LaVenture lead the discussion of proposed changes to the Planning Board fee structure. The fees were last updated in 1991. Mr. LaVenture described the rationale of the working group’s fee recommendations.

Based on:

- review of the Planning Board fee schedules of multiple MA communities,
- the Bureau of Labor Statistics Consumer Price Index inflation calculator, and
- sample calculations performed by the City Engineer

The following updates are presented for discussion:

- ANR: \$50 filing fee and \$50 for each lot becomes \$100 and \$100
- Preliminary: \$200 filing fee and \$1/linear foot becomes \$400 and \$2/linear foot
- Definitive: \$500 filing fee and \$2/linear foot becomes \$1000 and \$3/linear foot
- Inspection: \$50 filing fee and \$1/linear foot becomes \$100 and \$2/linear foot

Possible additional fees discussed include a bond reduction request fee - \$200, request for completion extension - \$50, scenic roadway request - \$50 and subdivision inspection fee- \$100 + \$2/linear foot of roadway.

Mr. Fay commended the working group for their efforts on the analysis. He commented that he felt the additional fees were valid but thought that they may be on the low side.

Assistant City Solicitor Piques joined the discussion. He commented that M.G.L and supporting case law restricts the amount a locality or local board may charge as a “fee” ...such a fee...should not be designed to raise additional revenue” as well as “a fee may only compensate the governmental entity providing the services for its expenses.” The analysis done by the Board which includes the criteria of comparable community comparisons, Consumer Price Index calculations and Engineering time/expense calculations, provides a good basis for establishing accurate fee structures in Marlborough’s regulations. He would like to do some additional research to see if there are any additional statutory regulations which could further inform fee recommendations.

Chair Fenby returned to the discussion of forms. She feels that the forms are in good draft form but could benefit from making them more user friendly for online access and submission using a pdf fillable format. As a suggestion, this task might be efficiently done utilizing MAPC or another outside entity.

Mailing procedures and costs were also discussed. Mr. Fay favors the use of outside services such as Minuteman Press (or similar) to complete mailings at the applicant’s expense. There was some discussion whether the City needed to be fully responsible, or whether the mailings can be done at the direction of the City. Mr. DiPersio and Mr. Russ confirmed that processes differ from one community to the next. Mr. Russ said that his experience is that the applicant takes the lead in preparing and mailing notices and advertisements. In Marlborough, most of the work is done by the City. While time consuming, the Planning Board Administrator indicated that advertising for preliminary and definitive subdivisions is infrequent. Marlborough typically uses certificates of mailing which have been prepared by the City and mailed by the applicants at their expense.

ii. Assignment of Next Tasks

Mr. LaVenture said that he would propose that the working group meet again prior to the next meeting to review fees and cross-sections in preparation for the next meeting. Mr. DiPersio said that the desired standard pavement widths need to be determined by the Board. Mr. Fay said a list of developments with various pavement widths would be helpful. He would like to visit the developments, park on the streets and get a sense of each variance. Mr. DiPersio will provide these examples for the next meeting.

11. Calendar Updates (None)

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

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to accept and all file items 10 and 12. Yea: Elder, Fay, LaVenture, Russ, Fenby. Nay: 0. Motion carried.

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to adjourn the meeting. Yea: Elder, Fay, LaVenture, Russ, Fenby. Nay: 0. Motion carried.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'G. LaVenture', with a long horizontal stroke extending to the right.

George LaVenture/Clerk

/kih



City of Marlborough

Office of the City Clerk

140 Main Street
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Steven W. Kerrigan

SEP 16 2019 - 8 A 10:40 City Clerk

Wilson Chu
Assistant City Clerk

Board of Registrar of Voters Meeting Minutes Monday, September 16, 2019 City Clerk's Office

Convened: 2:05 PM

Present: Registrar Linda Clark, Registrar Elizabeth Evangelous, Registrar Cindy Zomar, City Clerk Steven Kerrigan.

Also Present: Wilson Chu, Assistant City Clerk.

New Business:

1. Steve Kerrigan nominated Linda Clark as Chairman for 2019, seconded by Registrar Betty Evangelous, the motion carried unanimously.
2. A discussion held about the upcoming Municipal Preliminary Election scheduled for October 8, 2019 and the plans for the Municipal General Election scheduled for November 5, 2019.
3. A general review of the duties and responsibilities of the members of the Board of Registrars was done. We reviewed the guidelines published by the Secretary of State's Office. We also discussed how the Registrars could help on Election Day if needed.
4. Open Discussion:
 - a. The Registrars were informed on our efforts to try and get more responses from the Nursing Homes and Assisted Living facilities in the city. We explained the efforts that the Clerk's Office have done in the past and what plans we have moving forward.
 - b. The City Clerk informed the Registrars of his plan to seek relocation of the Polling Location for Ward 5 from the Senior Center. We discussed the overcrowding of the Senior Center, and the Registrars were in agreement that the move would be a good idea and offered their support of the proposed initiative.
 - c. A general discussion was held on the staffing in the office. The City Clerk explained that an offer of employment was made to a candidate; however, they declined so the process has started again.
 - d. We will plan on having a meeting in early 2020 to elect a chair for 2020 and to discuss the upcoming elections.

Adjourned 3:28 PM