

DECEMBER 6, 2021
TIME: 8:00 PM

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 DEC -2 P 1:25

CITY COUNCIL AGENDA

This meeting of the City Council will be held in City Council Chambers on Monday, December 6, 2021 at 8:00 PM. **PUBLIC ATTENDANCE IS 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, November 22, 2021.
2. From Council President Ossing: Update from Mayor Vigeant regarding COVID-19.
3. PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install two new Poles P6-51 and P6-5 on Bartlett Street, Order No 21-1008454.
4. PUBLIC HEARING on the Application for Special Permit from Attorney Brian Falk, on behalf of J & D Landscape Contractors, to construct and operate both a contractor's yard and landscape contractor's yard at the Airport Industrial Park, 101 Airport Boulevard, Unit 12, Order No 21-1008441.
5. JOINT TAX CLASSIFICATION PUBLIC HEARING with the Board of Assessors to determine the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2022.
6. Communication from the Mayor, re: FY 2022 Tax Classification Hearing Information and Tax Levy Offset Transfer Requests totaling \$1,036,642.88.
7. Communication from the Mayor, re: Gift Acceptance to the Senior Center in the amount of \$79.00 from Norah and Josephine Thomas, to be used for programming during the holiday season.
8. Communication from the Mayor, re: 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 various equipment.
9. Communication from the Mayor, re: Proposed Amended Transfer Request relative to the acquisition of 100 Locke Drive for a new Fire Station clarifying the funding sources, Order No. 21-1008416.
10. Communication from the Mayor, re: The Campus Master Development Plan.
11. Communication from Councilor Ossing and Councilor Tunnera, re: Municipal Aggregation – December 2021 Update.
12. Communication from Police Chief David Giorgi, re: Police Details for Local Roots Cannabis Crafted, 910 Boston Post Road East, Order No. 20-1008062C.

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.

13. Communication from Central MA Mosquito Control Project, re: Notice of 2022 Commission meeting dates.
14. Minutes of Boards, Commissions and Committees:
 - a) School Committee, November 9, 2021.
15. CLAIMS:
 - a) Ava Bayko, 54 Sears Road, Southborough, pothole or other road defect.
 - b) Enrique Magan, 24 High Street, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Personnel Committee

16. **Order No. 21-1008428B: Reappointment of Priscilla Ryder as Conservation Officer for a three-year term from date of Council confirmation.**

Recommendation of the Personnel Committee is to APPROVE Motion by Councilor Doucette to recommend approval of the reappointment of Priscilla Ryder, seconded by Councilor Landers, and approved as submitted. Vote 3-0.

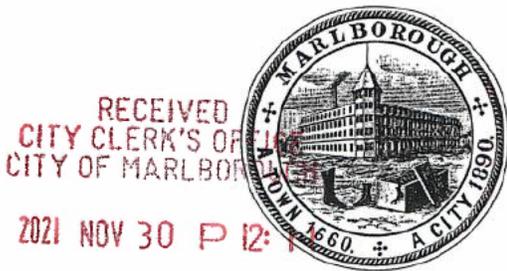
From Urban Affairs Committee

17. **Order No. 21-1008404A: Proposed Master Concept Plan and Development Agreement for the Campus at Marlborough within the RWMUOD.**

Recommendation of the Urban Affairs Committee is to APPROVE as amended. Motion by Councilor Doucette to approve the amended Development Agreement and amended Master Concept Plan incorporating prior changes and those made on November 9. The motion was seconded and carried 5-0.

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, NOVEMBER 22, 2021**

The regular meeting of the City Council was held on Monday, November 22, 2021 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Perlman & Robey. Meeting adjourned at 9:00 PM.

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

ORDERED: That the Minutes of the City Council meeting, November 8, 2021, **FILE**; adopted.

Mayor Vigeant provided the City Council with an update on COVID-19 and city events.

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

ORDERED: That the Reappointment of Councilor Michael Ossing to the OPEB Board of Trustees for a two-year term, **FILE**; adopted.

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

Suspension of the Rules requested to allow Mayor Vigeant to speak—granted.

ORDERED: That the Transfer Request in the amount of \$1,204,784.00 which moves funds from Meals Tax Revenue Account to fund FY22 bond payments associated with Parks & Recreation improvements, **APPROVED** adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:		Auditor		FISCAL YEAR:		2022			
FROM ACCOUNT:		TO ACCOUNT:		Available		Available			
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$1,287,593.92	\$1,204,784.00	27000	33086	Fund Bal-Parks & Fields Capital	\$1,204,784.00	19910009	49715	Transfer-Meal Local Option	\$0.00
Reason:		Local options meals tax funding FY22 bond payments associated with parks & fields as per the FY22 budget process							
\$1,204,784.00	Total				\$1,204,784.00	Total			

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

ORDERED: That the: Proposed Amendment to the Code of the City of Marlborough, Chapter 608 “Water” §11 “Entrance Fees” and Chapter 510 “Sewer” §4 “Building Sewer Connections” to adjust both water and sewer entrance fees based on significant demand on the system as submitted by the Mayor, referred to the **FINANCE COMMITTEE** and **CARRIED OVER TO THE 2022/2023 LEGISLATIVE SESSION**; adopted.

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. By amending Chapter 608 (“Water”), Section 608-11 (“Entrance Fees”) by **inserting a new A(2)(c)** to read as follows:

(c) Entrance fee for non-residential use with demonstrated or expected significant flows (greater than 5,000 gallons per day), or for buildings designed for uses with expected significant flows such as Good Manufacturing Practice (GMP) Buildings, shall also be subject to an additional fee of \$1.00 per square foot of building area.

- II. By **amending** Section 608-11(B)(3) to read as follows (new text shown as underlined):

Commercial or industrial subdivision or development. The entrance fee shall be \$3,000 for each connection of the secondary or branch mains or mains to the City main, plus the nonresidential entrance fee listed in § 608-11A for each service connected to the branch or secondary main, and, if applicable, the significant flow fee listed in §608-11(A)(2)(c).

- III. By amending Chapter 510 (“Sewer”), Section 510-4 (“Building Sewer Connections”) by **inserting a new A(1)(c)[3]** to read as follows:

Entrance fee for non-residential use with demonstrated or expected significant flows (greater than 5,000 gallons per day), or for buildings designed for uses with expected significant flows such as Good Manufacturing Practice (GMP) Buildings, shall also be subject to an additional fee of \$1.67 per square foot of building area.

- IV. By **amending** Section 510-4(A)(6)(c) to read as follows (new text shown as underlined):

(c) Commercial or industrial subdivision or development. The entrance fee shall be \$5,000 for each connection of the secondary or branch main or mains to the City main, plus the nonresidential entrance fee listed in Subsection A(1)(c) for each service connected to the branch or secondary main, and, if applicable, the significant flow fee listed in §510-4(A)(1)(c)[3].

- V. Effective Date. These amendments shall take effect upon passage and shall apply to connections for nonresidential uses that have not received a building permit as of the effective date of these amendments.

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

ORDERED: That the Communication from the Mayor, re: Proposed Zoning Amendment to the Code of the City of Marlborough, Chapter 650 "Zoning" §17, §18 and §32 relative to the regulation of marijuana uses incorporating recent regulatory amendments by the Cannabis Control Commission (CCC), referred to **URBAN AFFAIRS COMMITTEE**; adopted.

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

ORDERED: That the Communication from the Mayor, re: OPEB Trust Update, **FILE**; adopted.

Mayor Vigeant addressed the City Council on the proposed Master Concept Plan and Development Agreement for The Campus.

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

ORDERED:

**DECISION ON AN AMENDMENT TO A SPECIAL PERMIT
GARDEN REMEDIES, INC.**

**DECISION ON AN AMENDMENT TO A SPECIAL PERMIT
ORDER NO. 21-1008417C
X 18/20-1007318**

The City Council of the City of Marlborough hereby **GRANTS** the Application for a Special Permit to Garden Remedies, Inc. (the "Applicant") to amend an existing special permit to build and operate a Medical Marijuana Treatment Center and an Adult Use Marijuana Retail Establishment at 416 Boston Post Road, Marlborough, Massachusetts, as provided in this Decision and subject to the following Findings of Fact and Conditions.

PROCEDURAL FINDINGS OF FACT

1. The Applicant is a duly organized and existing corporation having a business address of 307 Airport Road, Fitchburg, MA 01420.
2. The Applicant is the tenant of a commercial retail unit located at 416 Boston Post Road East, Marlborough, Massachusetts, as shown on Marlborough Assessors Map 73 as Parcel 30 (the "Site"). The Site's owner is Marlboro Square, LLC with a business address of 449 Boston Post Road East, Suite 6, Marlborough, MA 01752.
3. On November 5, 2018, the City Council of the City of Marlborough voted to grant a special permit authorizing the Applicant to build and operate a Medical Marijuana Treatment Center and an Adult Use Marijuana Retail Establishment at the Site (the "Use") in accordance with Article VI, § 650-17, § 650-18(45), § 650-18(46), and § 650-32 of the Zoning Ordinance of the City of Marlborough (the "Zoning Ordinance"), recorded at the Middlesex South District Registry of Deeds in Book 71986, Page 90 (the "Original Special Permit").
4. On December 7, 2020, the City Council of the City of Marlborough voted to grant an amended special permit authorizing expanded operating hours for the Use in accordance with Article VI, § 650-17, § 650-18(45), § 650-18(46), and § 650-32 of the Zoning Ordinance, recorded at the Middlesex South District Registry of Deeds in Book 76747, Page 587 (the "Amended Special Permit").

5. On September 30, 2021, the Applicant, by and through its counsel, filed with the City Clerk of the City of Marlborough an application to modify Finding D.16 of the Original Special Permit in order to update the signage for the Use, under the provisions of Massachusetts General Laws Chapter 40A, Section 9, and the Zoning Ordinance (the "Application").
6. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, existing site plans for the Site, and proposed sign renderings (the "Proposed Signs") attached hereto as "Attachment A."
7. The Application was certified as complete by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, in accordance with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
8. Pursuant to the Rules and Regulations of the City Council for the City of Marlborough and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.
9. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on Monday, November 8, 2021. The public hearing was held at the Marlborough City Hall, 140 Main Street. The hearing was closed on November 8, 2021.
10. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic.
11. At the public hearing, no members of the public spoke in opposition to the Use or submitted written comments about the Use.
12. The Procedural Findings of Fact specified above supplement those made in the Original Special Permit and the Amended Special Permit, which are expressly incorporated in this Decision by reference.

**BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING
FINDINGS AND TAKES THE FOLLOWING ACTIONS**

- A. The Applicant has complied with all Rules and Regulations promulgated by the Marlborough City Council as they pertain to special permit applications.
- B. The City Council finds that the proposed Use of the Site, with the Proposed Signs, is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions as provided in this Decision, in the Original Special Permit, and in the Amended Special Permit. The City Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth in this Decision, in the Original Special Permit, and in the Amended Special Permit.
- C. The City Council incorporates by reference Finding C in the Original Special Permit.
- D. The City Council incorporates by reference Finding D in the Original Special Permit, except as modified in this Decision.

- E. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby GRANTS the Applicant an amendment to modify Finding D.16 of the Original Special Permit in order to update the signage for the Use as shown in "Attachment A" hereto, by deleting Finding D.16 in its entirety and inserting in its place the following:

16. Signs and signage:

Finding: The Proposed Signs are appropriate for the Use.

All other conditions of the Original Special Permit and the Amended Special Permit shall continue in full force and effect and are incorporated by reference as part of this Decision.

In accordance with the provisions of Massachusetts General Laws Chapter 40A, Section 11, the Applicant, its successors and/or assigns, at its expense shall record this Special Permit in the Middlesex South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.

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 the Communication from Solicitor Jason Grossfield, re: Request for Executive Session to discuss litigation strategy relative to WP Marlborough MA Owner, LLC v. Marlborough City Council, **MOVED TO AFTER AGENDA ITEM #20**; adopted.

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

ORDERED: That the Communication from the Planning Board, re: Favorable Recommendation on the Proposed Zoning Amendment to Chapter 650, §61 "Temporary Moratorium for Multi-Family Housing Projects" to extend the date to December 31, 2021 as requested by the Mayor, **FILE**; adopted.

Suspension of the Rules requested – Motion by Councilor Robey to remove from the Urban Affairs Committee, Order No. 21-1008414, proposed Zoning Amendment to extend the temporary moratorium for multi-family housing projects – granted.

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

ORDERED: That the Proposed Zoning Amendment to Chapter 650 §61 "Temporary Moratorium for Multi-Family Housing Projects" to extend the moratorium on the acceptance of any new multi-family housing projects through December 31, 2021, **DENIED**; adopted.

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

1. By amending Section 650-61 entitled “Temporary Moratorium for Multi-Family Housing Projects”, said zoning ordinance amendment adopted by City Council Order No. 21-1008274, in order to extend the temporary moratorium, as follows:
 - a. Section 650-61(B)(1): Delete the following words in the first sentence: “ending 90 days from the date of approval of this zoning amendment by the City Council.” and replace them with the following: “ending December 31, 2021.”

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

ORDERED: That there being no objection thereto set **MONDAY DECEMBER 6, 2021** as the **DATE FOR PUBLIC HEARING**, on the Petition from Massachusetts Electric and Verizon New England, to install two new Poles P6-51 and P6-5 on Bartlett Street, referred to the **PUBLIC SERVICES COMMITTEE**; adopted.

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

ORDERED: That the Communication from National Grid, re: Public Notice for review and comment on the 2022 Yearly Operational Plan (YOP) and Vegetation Management Plan (VMP), referred to the **BOARD OF HEALTH; CONSERVATION COMMISSION & DEPARTMENT OF PUBLIC WORKS** and **FILE**; adopted.

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

ORDERED: That the Communications from the Department of Public Utilities, re: Notice of Filing and Public Hearing on items below, **FILE**; adopted.

- a) Petition of Eversource Gas Company for approval of its Three-Year Energy Efficiency Plan for 2022 through 2024.
- b) Petition of NSTAR Gas Company (d/b/a Eversource Energy) for approval of its Three-Year Efficiency Plan for 2022 through 2024.
- c) Petition of MA Electric and Nantucket Electric for approval of its Three-Year Energy Efficiency Plan for 2022 through 2024.
- d) Petition of NSTAR Electric (d/b/a Eversource Energy) of its Three-Year Energy Efficiency Plan for 2022 through 2024.

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) School Committee, October 26, 2021.
- b) Board of Assessors, September 8, 2021.
- c) Conservation Commission, October 21, 2021.
- d) Library Board of Trustees, September 7, 2021 & October 5, 2021.
- e) OPEB Trust, November 9, 2021.

Reports of Committees:

Councilor Dumais reported the following out of the Personnel Committee:

**City Council Personnel Committee
Report and Minutes
Monday – November 9, 2021**

This meeting convened at 6:15 PM in the City Council Chamber. Public attendance was permitted. The meeting was televised on WMCT-TV (Comcast Channel 8) or Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's website, home page (www.marlborough-ma.gov).

Voting and non-voting members present: Chair Dumais; Councilors Doucette, Landers, Wagner, Robey, Navin, and Ossing.

Non-voting members absent: Councilors Perlman, Tunnera, Irish, and Oram.

10-18-21 – Order No. 21-1008428B: Reappointment of Priscilla Ryder as Conservation Officer for a three-year term from date of Council confirmation. Motion by Councilor Doucette to recommend approval of the reappointment of Priscilla Ryder, seconded by Councilor Landers, and approved as submitted. Vote 3-0

Motion by Councilor Doucette to adjourn; seconded by Chair and approved.

Meeting Adjourned: 6:25 PM

Councilor Robey reported the following out of the Personnel Committee:

**City Council Urban Affairs Committee
Report and Minutes
Monday, October 25, 2021 7:30 PM
Continued on Tuesday, November 9, 2021 6:30 PM**

Urban Affairs & Housing Committee members present for both meetings were Chairman Katie Robey, Councilor Landers, Councilor Doucette, Councilor Navin, and Councilor Wagner.

Other councilors present on October 25 were Councilors Dumais, Perlman, Oram, Ossing, Tunnera and Irish.

Other councilors present on November 9 were Councilors Dumais, Oram and Ossing.

Other councilors absent on November 9 were Councilors Perlman, Irish and Tunnera.

City Engineer Tom DiPersio was present at both meetings. Attending for the petitioner at both meetings were Kevin Sheehan, Greatland Realty; David Gillespie, Avalon Bay; Daniel Keches, Civil Engineer VHB, and Peter Tamm, attorney Goulston & Storrs.

Order No 21-1008404: Proposed Master Concept Plan and Development Agreement submitted by Attorney Peter Tamm on behalf of the Campus at Marlborough in the Results Way Mixed Use Overlay District (RWMUOD).

Reports of Committee Continued:

On October 25 the committee had received the following documents:

1. a letter from Attorney Peter Tamm dated Sept. 22, 2021 outlining the materials
2. Attachment #1 Proposed Master Concept Plan also known as Exhibit B referenced on page 2 of Dev. Agreement
3. Attachment #2 Proposed Development Agreement
4. Attachment #3 Fiscal Impact Analysis
- 5 Attachment #4 Traffic Analysis
6. Exhibit A the legal description of property, referenced on page 1 of Dev Agreement
7. Exhibit C Transportation Mitigation, referenced on page 4 Section 2.02 Transportation
8. Exhibit D Environmental Strategies, referenced on page 4 Section 2.04 Environmental Strategies
9. Email from City Engineer Tom DiPersio with his comments on the Development Agreement
10. an updated Master Concept Plan in response to comments from City Engineer Tom DiPersio as well as response from applicant to Mr. DiPersio's comments.
11. email from the mayor's office which included proposed language for phasing of the project.

The chair began discussion on the comments of Mr. DiPersio beginning with the Revised Concept Plan submitted in response to his comments. Those revisions include adding a Locus Plan showing the minimum 40% Open Space, outlining walking route on sidewalks, a Proposed Summary Table showing approximate total area of existing buildings and a Proposed Parking Summary table outlining parking areas on site, and showing the Amenity Area.

Discussion then began on the revised Development Agreement. Attorney Tamm reviewed the phasing and the impact of market conditions with plans to submit Site Plan for both the Bio-Ring 5 building and the residential component. There was discussion about the housing piece relative to phasing, the moratorium's effect on housing, and the mayor's proposal but nothing was finalized. Other changes made to the Development Agreement include outlining a process for assessment/future acceptance of Martinangelo Drive as a public way, to specify that the existing Sewer Connection Permit be allowed to lapse, and each site plan submittal would be subject to the established rules for water/sewer, and changes were made in Exhibit C -Transportation Mitigation and Exhibit D-Environmental Strategies following input from city engineer. This was postponed in committee.

Councilor Doucette moved to adjourn; it was seconded and carried 5-0. Meeting adjourned at 9:02 PM.

On November 9 the committee continued discussion on the newly revised Development Agreement. Further changes were made including changing "once constructed" to "once completed" in paragraph on parking structure under construction; updating the date on Concept Plan to October 25, 2021; removing language in Section 2.01 Housing that discusses using the contribution for affordable housing and adding in that the City Council would designate a fund to transfer the money when received in that section as well as Section 2.03 Fire/Public Safety; adding in language to 2.04 Environmental Strategies to incorporate renewable energy such as solar, wind, geothermal; adding to Exhibit D Environmental Strategies promotion of safe, shared usage of bicycles with signage and stripping.

Reports of Committee Continued:

There was a lengthy discussion on the phasing of project and mitigation with several ideas presented. Attorney Tamm offered a proposal to amend the mitigation for fire/public safety for an initial payment of \$25,000 within five days of the full execution of the Development Agreement and thereafter for a second payment of \$75,000 payable upon the earlier of (1) the issuance of an occupancy permit for the first new commercial building or (2) the passage of 36 months from date of signing the Development Agreement. This proposal was submitted to cover concerns on phasing of commercial buildings.

Councilor Doucette moved to approve the amended Development Agreement and amended Master Concept Plan incorporating prior changes and those made on November 9. The motion was seconded and carried 5-0.

The petitioner will make the changes approved at this meeting and send out a revised copy. The chair will ask for a Suspension of Rules at the November 22 meeting to have this referred to the solicitor to be put in proper form for inclusion of the December 6 agenda.

Councilor Doucette moved to adjourn; it was seconded and carried 5-0. Meeting adjourned at 9:04 PM.

Suspension of the Rules requested – granted.

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

ORDERED: That the Proposed Master Concept Plan and Development Agreement submitted by Attorney Peter Tamm on behalf of the Campus at Marlborough and within the Results Way Mixed Use Overlay District (RWMUOD), as amended by the Urban Affairs Committee, referred to the **CITY SOLICITOR TO BE PLACED IN PROPER LEGAL FORM FOR THE DECEMBER 6, 2021 CITY COUNCIL MEETING**

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

ORDERED: That the Appointment of Christopher Firicano as City Collector/Assistant Director of Finance for a 2-year term to expire the day following approval by the City Council, **APPROVED**; adopted.

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

ORDERED: That the Appointment of Donna Scalcione to the Council on Aging Board for a 4-year term from date of Council confirmation, **APPROVED**; adopted.

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

ORDERED: That the Appointment of Raymond Magee to the Council on Aging Board for a 4-year term from date of Council confirmation, **APPROVED**; adopted.

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

ORDERED: That the Reappointment of Mark Gibbs as Director of Data Processing for a 3-year term from date of Council confirmation, **APPROVED**; adopted.

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

ORDERED: That the Transfer Request in the amount of \$146,288.00 which moves funds from PEG Funds to IT Equipment to fund the purchase of an electronic time system and equipment, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS -								
DEPT: IT				FISCAL YEAR: 2022				
FROM ACCOUNT:				TO ACCOUNT:				
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$146,288.00	27000099	47750	Receipts Reserved-PEG Funds	\$146,288.00	19300006	58618	IT Equipment	\$0.00
Reason:				Implementation, setup of electronic time submittal				
\$146,288.00	Total			\$146,288.00	Total			

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

ORDERED: That the Communication from Solicitor Jason Grossfield, re: Application for Modification of Special Permit from Attorney Brian Falk, on behalf of Garden Remedies, Inc., requesting to update the signage at the Marlboro Square Retail Plaza, 416 Boston Post Road East, in proper legal form, Order No 21-1008417, **FILE**; adopted.

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

ORDERED: That agenda item #20 – Application for Modification of Special Permit of Garden Remedies, Inc., requesting an update to the signage at the Marlboro Square Retail Plaza, 416 Boston Post Road East, Order No 21-1008417, **FILE**; adopted.

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

ORDERED: That the Marlborough City Council meet in Executive Session under Purpose 3 of the Open Meeting Law, MGL Chapter 30A §21(a)(3) to “discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body” regarding the pending matter, WP Marlborough MA Owner, LLC v. Marlborough City Council (Land Court No. 21 MISC 000451), as the chair hereby declares that discussion in an open session may have a detrimental effect on the City and the City Council’s litigating position.

The City Council will not re-convene in open session after the Executive Session.

APPROVED.

Yea: 11 – Nay: 0

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

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 9:00 PM; adopted.



IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 22, 2021

ORDERED:

That there being no objection thereto set **MONDAY DECEMBER 6, 2021** as the **DATE FOR PUBLIC HEARING**, on the Petition from Massachusetts Electric and Verizon New England, to install two new Poles P6-51 and P6-5 on Bartlett Street, be and is herewith referred to the **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 21-1008454



IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 8, 2021

ORDERED:

That there being no objection thereto set **MONDAY, DECEMBER 6, 2021** as **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Attorney Brian Falk, on behalf of J & D Landscape Contractors, to construct and operate both a contractor's yard and landscape contractor's yard at the Airport Industrial Park, 101 Airport Boulevard, Unit 12, be and is herewith referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Ninety days after public hearing is 03/06/22 which falls on a Sunday, therefore 03/07/22 would be considered the 90th day.

ADOPTED

ORDER NO. 21-1008441

Public Hearing – 2022 Tax Levy

**LEGAL NOTICE
CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

Notice is given that the City Council of the City of Marlborough will hold a **Joint Tax Classification Public Hearing** with the Board of Assessors on **Monday, December 6, 2021** at 8:00 PM in Council Chambers, 2nd Floor, City Hall, 140 Main Street, Marlborough, MA to determine the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2022. Massachusetts General Laws Chapter 40, Section 56 sets forth the procedures and responsibilities under the law.

Per Order of the City Council
Michael H. Ossing, President



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 DEC -2 A 11:47

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

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

December 2, 2021

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

RE: Tax Classification Hearing/Tax Levy Offset Transfer Requests

Honorable President Ossing & Councilors:

Enclosed for your information is a recommendation that I am supporting from the Board of Assessor's and a corresponding draft motion for the Fiscal Year 2022 Tax Classification Hearing. The enclosed documentation was prepared by Principal Assessor John Valade to assist the City Council in their review of key factors before voting to set the tax rate for this fiscal year. Please note the following highlights:

- CIP Shift Factor: 1.40
- Residential Shift Factor: 0.8288
- Residential Property Valuation: 70.03%
- Commercial, Industrial, Personal Valuation: 29.97%

To reduce the Fiscal Year 2022 tax levy, pending your approval, I am submitting the following transfer requests totaling \$1,036,642.88:

- 1) Transfer in the amount of \$51,700.00 from Sale of Graves to offset the FY22 tax levy
- 2) Transfer in the amount of \$984,942.88 from the Overlay Reserve to offset the FY22 tax levy

Pending approval of the shift factor, the average single-family home in Marlborough will see an estimated property tax adjustment of \$72.00.

I will be available along with Finance Director Patrick Jones and Principal Assessor John Valade to address any questions.

Sincerely,

Arthur G. Vigeant
Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Office of the Assessors
140 Main Street
Marlborough, Massachusetts 01752
TDD (508) 460-3610
Phone: (508) 460-3779

Voted by the Board of Assessors this 30th day of November, 2021,
a release of overlay funds for the Fiscal Year as follows:

2018 \$984,942.88

Signed by the Board of Assessors

Miriam Silerstein

[Signature]

John N. Valade

Date: November 30, 2021

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor's Office

FISCAL YEAR: 2022

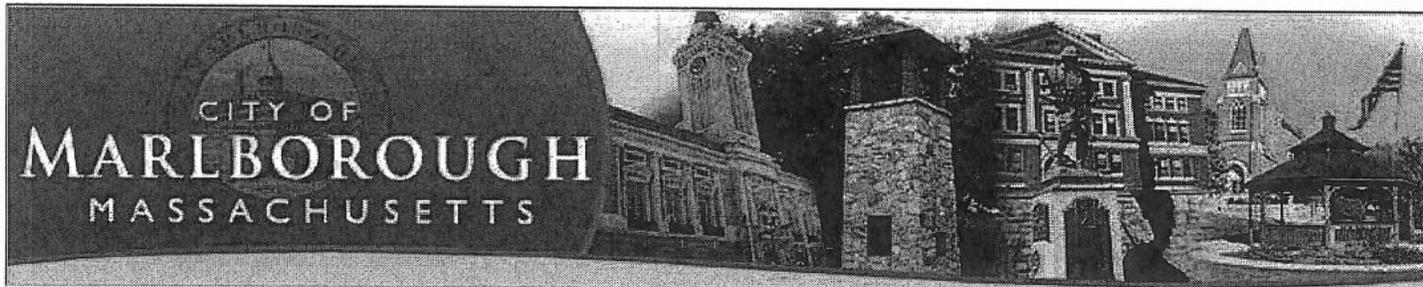
FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$51,700.00</u>	<u>\$51,700.00</u>	<u>27000</u>	<u>33020</u>	<u>Sale of Graves</u>	<u>\$51,700.00</u>			<u>To reduce FY22 Tax Levy</u>	<u>\$0.00</u>
	Reason:	<u>Sale of Graves revenue from FY21 to reduce FY22 tax levy</u>							
	\$51,700.00	Total		\$51,700.00	\$51,700.00	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT:		Mayor's Office				FISCAL YEAR:		2022	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$984,942.88</u>	<u>\$984,942.88</u>	<u>10000</u>	<u>32200</u>	<u>Overlay Reserve</u>	<u>\$984,942.88</u>			<u>To reduce FY22 Tax Levy</u>	<u>\$0.00</u>
Reason:		<u>Excess overlay from FY18 to reduce FY22 tax levy</u>							
	\$984,942.88	Total			\$984,942.88	Total			



Fiscal Year 2022
Tax Classification Hearing

December 6, 2021

Marlborough Board of Assessors

Ellen Silverstein – Chairperson

Jonathan Steinberg – Member

John H. Valade – Member (Principal Assessor)



City of Marlborough
 Office of the Assessors
 140 Main Street
 Marlborough, Massachusetts 01752
 TDD (508) 460-3610
 Phone: (508) 460-3779

FISCAL YEAR 2022

ANNUAL TAX CLASSIFICATION REPORT

City Council

Mark A. Oram
 Michael H. Ossing
 Samantha Perlman
 Kathleen D. Robey
 Laura Wagner
 David Doucette
 J. Christian Dumais
 Robert J. Tunnera
 John J. Irish
 Sean Navin
 Donald R. Landers

Board of Assessors

Ellen Silverstein, Chair
 Jonathan Steinberg
 John H. Valade

Principal Assessor

John H. Valade

Mayor

Arthur Vigeant

Finance Director

Patrick Jones

City Auditor

Diane Smith

CLASSIFICATION HEARING DECEMBER 6, 2021

Terminology

The following are definitions of terms frequently used in the discussion of tax rates.

Levy: The tax levy (or levy) is the amount of property taxes to be raised. The total amount of the approved budget less revenues from other sources like motor vehicle excise, municipal fees, and state aid is the amount to be raised from property taxation. In Marlborough, the levy to be raised is reported to the Assessors by the Finance Director. The fiscal year 2022 levy is \$110,772,481.

New Growth Revenue: Property taxes derived from newly taxable properties like new construction, additions, renovations, subdivisions, and personal property.

Levy Limit: Also referred to as the “maximum allowable levy”, the levy limit is calculated by adding 2.5 percent of the previous year’s levy limit plus new growth revenue, and Proposition 2 ½ voted overrides and debt exclusions. The fiscal year 2022 levy limit is \$155,802,418.

Levy Ceiling: The levy ceiling is 2.5 percent of the full value of the city. Based on the Marlborough aggregate valuation of \$6,996,660,789, the City cannot levy taxes more than \$174,916,520.

Excess Levy Capacity: Excess levy capacity is the difference between the actual property tax levy and the levy limit. Marlborough’s tax levy is well below the limit permitted under Proposition 2 ½.

The Fiscal Year 2022 Levy Limit and amount to be raised

The following is a calculation of Marlborough’s levy limit for fiscal year 2022.

Fiscal year 2021 levy limit	\$150,058,642
Levy increase allowed under Prop. 2 ½	3,751,466
New growth revenue	1,992,310
Proposition 2 ½ overrides	-0-
Levy ceiling	174,916,520
Fiscal year 2022 levy limit	155,802,418
Levy to be raised	\$110,772,481
Excess levy capacity	\$45,029,937

Valuations by Class before Tax Shift

<u>Major Property Class</u>	<u>Valuation</u>	<u>Percent</u>	<u>Res vs CIP%</u>
Residential	4,899,698,776	70.0291	70.0291
Commercial	1,157,201,619	16.5393	
Industrial	625,607,054	8.9415	29.9709
Personal Property	314,153,340	4.4901	
TOTAL	6,996,660,789	100.0000	

Board of Assessors Recommendation

After considering the valuations of Marlborough's residential and commercial property, and after examining the current fiscal strength of the city, the Board of Assessors recommends the adoption of a Commercial/Industrial/Personal Property (CIP) shift factor of 1.40, resulting in a residential tax rate of \$13.12 and a CIP tax rate of \$22.17.

Tax Rates

Based on the above shift factor, the Board of Assessors has calculated the following tax rates needed to raise the tax levy:

<u>Property Class</u>	<u>FY2021</u>	<u>FY2022</u>
Residential	13.80	13.12
Commercial	24.47	22.17
Industrial	24.47	22.17
Personal Property	24.47	22.17

Note that these rates are estimates only and may change upon Department of Revenue review. Were Marlborough not to shift taxes, the uniform tax rate for all properties would be \$15.83 per \$1,000 valuation.

Tax Impacts

Marlborough's single-family homeowners are benefitting from increased property values. Price appreciation in the year leading up to fiscal year 2022 (calendar year 2020) ran about 6.5 percent. Other residential property classes, including condominiums and multi-family apartment buildings, have experienced market appreciation. This increase in property values has been captured in revised assessed valuations that will appear in January's tax bills.

It is recommended that the CIP shift factor be reduced from 1.43 to 1.40 to minimize a tax increase borne by the residential class and decrease the gap between the residential and CIP tax rates. Certain classes of property saw a more significant increase, specifically residential rental properties, due to demand and general market conditions. Average commercial values increased minimally, while the average industrial valuation decreased slightly. This is primarily due to a decrease in demand for these types of properties and a decrease in expansion and new development of these classes during a difficult and challenging business climate due to the COVID pandemic.

Examples of Average Tax Changes:

<u>Property Type</u>	<u>FY22 Value</u>	<u>Avg. Tax</u>	<u>FY21 Value</u>	<u>Avg. Tax</u>	<u>Avg. Tax Change</u>	<u>% Change</u>
Single-Family Homes	\$431,183	\$5,657	\$404,682	\$5,585	\$72	1.29%
Condominiums	\$247,401	\$3,246	\$237,066	\$3,272	-\$26	-0.80%
2-Family Homes	\$412,960	\$5,418	\$352,239	\$4,861	\$557	11.46%
3-Family Homes	\$467,698	\$6,136	\$420,902	\$5,808	\$328	5.65%
Commercial	\$2,120,513	\$47,012	\$2,103,679	\$51,477	-\$4465	-8.67%
Industrial	\$2,404,974	\$53,318	\$2,501,432	\$61,210	-\$7892	-12.89%

Recommendations

The Board of Assessors recommends that the City Council adopt a Fiscal Year 2022 residential shift factor of 0.8288 with a corresponding CIP shift of 1.40, producing a residential tax rate of \$13.12 and CIP tax rate of \$22.17. Final tax rates are subject to Department of Revenue approval.

Voting a Tax Shift Factor

The Marlborough City Council votes in accordance with M.G.L., Ch. 40, Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2022 tax rates, and sets the Residential Factor at 0.8288 with a corresponding CIP shift of 1.40, pending approval of the City's annual tax recap by the Massachusetts Department of Revenue.

ORDERED:

The Marlborough City Council votes in accordance with M.G.L. Ch.40., Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2022 tax rates and set the Residential Factor at 0.8288 with a corresponding CIP shift of 1.40 pending approval of the City's annual tax recap by the Massachusetts Department of Revenue.

ADOPTED
In City Council
Order No. 21-
Adopted

Approved by the Mayor
Arthur G. Vigeant
Date:



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Arthur G. Vigeant
MAYOR

2021 DEC -2 A 11:47
Patricia M. Bernard
EXECUTIVE AIDE

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Ryan P. Egan
EXECUTIVE SECRETARY

December 2, 2021

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

RE: Gift acceptance – Council on Aging

Honorable President Ossing & Councilors:

Enclosed for your acceptance is a gift in the amount of \$79.00 from two young residents who are donating their proceeds from a lemonade stand. This gift will be used for programming during the holiday season.

I would like to take this opportunity to thank these young residents, Norah and Josephine Thomas and commend them for their thoughtfulness and learning the value of giving back to their community.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
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

November 16, 2021

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

Re: Donation

Dear Mayor Vigeant,

I am extremely delighted to submit for approval this donation in the amount of \$79.00 from Norah and Josephine Thomas. Norah (age 9) and her sister Josephine (age 7) organized a neighborhood lemonade stand this past summer and have donated all the proceeds to the Senior Center. We are so very touched by these two young girls for their thoughtfulness and would also like to commend their parents Ann and Kevin Thomas.

We will be holding a special social in December to help our seniors get in the holiday spirit and are so very pleased that Nora and Josephine will be in attendance so they can see first the benefit of their generous donation.

Sincerely,

Patricia A. Pope
Executive Director

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: Council on Aging DATE: 16-Nov-21

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia A. Pope

NAME OF GRANT: Gift

GRANTOR: Norah and Josephine Thomas

GRANT AMOUNT: \$79.00

GRANT PERIOD: _____

SCOPE OF GRANT/
ITEMS FUNDED Programing
Holiday Social

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?
None

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



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
OF MARLBOROUGH
Arthur G. Vigeant
MAYOR

2021 DEC -2 A 11:47

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

Ryan P. Egan
EXECUTIVE SECRETARY

December 2, 2021

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

RE: Grant acceptance for Emergency Management

Honorable President Ossing & Councilors:

Enclosed for your review and acceptance is a grant in the amount of \$9,500.00. This is an annual Emergency Management Performance grant (EMPG) that will be expended for procurement of supplies as outlined in Emergency Management Director Fred Flynn's enclosed memo.

I would like to take this opportunity to thank the Massachusetts Emergency Management Agency (MEMA) along with the Homeland Security (FEMA) for their continued support.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough Emergency Management

215 MAPLE ST.

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 624-6984 ■ FACSIMILE (508) 460-3795 ■ TDD (508) 460-3610

11/19/2021

Mayor Vigeant,

The Marlborough Fire Department has applied for the Emergency Management Performance Grant (EMPG) that is offered by the Massachusetts Emergency Management Agency (MEMA). The application is for the procurement of the cots, bedding, and pop-up style canopies with chairs and tables which was allowed with the funding coming from Homeland Security/FEMA. Emergency Management has been awarded a grant in the amount of \$9,500.00. Please submit this for funding to the City Council, the match for this grant is satisfied by the payment the City makes annually for the Blackboard Connect software.

A handwritten signature in cursive script, appearing to read "Frederick F. Flynn".

EMA Director Frederick F. Flynn

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: Emergency Management DATE: 11/19/2021

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Frederick Flynn

NAME OF GRANT: Emergency Management Performance Grant FY21

GRANTOR: MEMA

GRANT AMOUNT: \$9,500.00

GRANT PERIOD: 10/28/2021 to 6/30/2022

SCOPE OF GRANT/
ITEMS FUNDED assist in purchasing equipment needed to provide community service during an emerg
Cots for shelter set-up
bedding supplies for shelter
2 qty - 10x15 "pop-up" canopy
Tables and chairs for use with canopies
Replacement antennas of remote radio operation

IS A POSITION BEING
CREATED: NO

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

ARE MATCHING CITY
FUNDS REQUIRED? Matching funds are satisfied by payment of the Blackboard Connect Annual fee

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

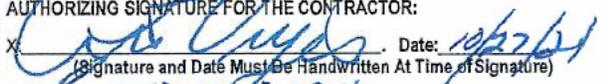
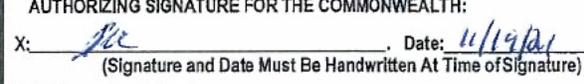
IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: no

**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**



COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM

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

CONTRACTOR LEGAL NAME:(and d/b/a): MARLBOROUGH, City of		COMMONWEALTH DEPARTMENT NAME: Massachusetts Emergency Management Agency (MEMA)	
Legal Address: (W-9, W-4): 140 MAIN STREET MARLBOROUGH, MA 01752-3812		Business Mailing Address: 400 Worcester Rd, Framingham, MA 01702	
Contract Manager: Fred Flynn	Phone:	Billing Address (if different): same	
E-Mail: fflynn@marlborough-ma.gov		Contract Manager: Lorri Gifford / Mayra Quintana	Phone: 508.820.2004
Contractor Vendor Code: VC6000192111		E-Mail: EM.Grants@mass.gov	Phone: 508.820.1407
Vendor Code Address ID (e.g. "AD001"): (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): FY21EMPG2100000MARLB	
		RFR/Procurement or Other ID Number: FFY2021EMPG	
<input checked="" type="checkbox"/> NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes all Grants - <u>815 CMR 2.00</u>) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		<input type="checkbox"/> CONTRACT AMENDMENT Enter Current Contract End Date <u>Prior to</u> Amendment: _____ Enter Amendment Amount: _____ AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under <u>815 CMR 9.00</u> . <input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or <u>new</u> total if Contract is being amended). <u>\$9,500</u>			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days % PPD; Payment issued within 15 days % PPD; Payment issued within 20 days % PPD; Payment issued within 30 days % PPD. If PPD percentages are left blank, identify reason: agree to standard 45 day cycle statutory/legal or Ready Payments (<u>M.G.L. c. 29, § 23A</u>); <input checked="" type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT: Funding for this grant is provided via a Federal Fiscal Year 2021 Emergency Management Performance Grant (EMPG) and EMPG Program funding provided under the American Rescue Plan Act (ARPA), CFDA #97.042 and has a required dollar-for-dollar match. Funds will only be used for activities outlined in the subrecipient's approved FFY2021 application and in accordance with attached Federal Terms and Conditions, and MEMA Special Conditions and Reporting Requirements.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. <input type="checkbox"/> 2. may be incurred as of _____, 20____, a date LATER than the Effective Date below and <u>no</u> obligations have been incurred <u>prior</u> to the Effective Date. <input type="checkbox"/> 3. were incurred as of _____, 20____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2022</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X:  Date: <u>10/22/21</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Arthur Vigante</u> Print Title: <u>Mayor</u>		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X:  Date: <u>11/19/21</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>David Mahr</u> Print Title: <u>Chief Administrative Officer</u>	

11/8/21 M.Q.

CASL

COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

CONTRACTOR LEGAL NAME	City of Marlborough
CONTRACTOR VENDOR/CUSTOMER CODE	VC6001192111

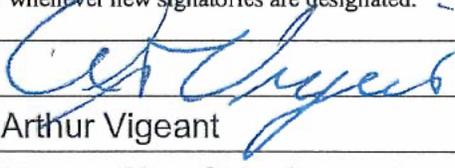
INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

NOTICE: *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
Frederick F. Flynn	Emergency Management Director

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

Signature		Date	10/27/2021
Printed Name	Arthur Vigeant		
Title	Mayor, City of Marlborough	Phone	508-460-3770
Email	mayor@marlborough-ma.gov	Fax	508-460-3698

Patricia Bernard

From: Frederick Flynn
Sent: Friday, November 19, 2021 1:16 PM
To: Patricia Bernard; Ryan Egan
Subject: EMPG21 submission to Council
Attachments: EMPG21 Finalized contract-notice to proceed.pdf; GRANT COVERSHEET -Council Submittal EMPG21.xls; Submittal to Council letter to Mayor EMPG21.pdf

Trish,

Please find the attached documents you should need to ask the council for funding of the EMPG21 grant.

Frederick F. Flynn
Emergency Management Director

Marlborough Fire Dept
215 Maple St
Marlborough, Ma 01752
508-460-3795 fax
774-245-7598 mobile

Good Morning,

Attached is your finalized/signed 21EMPG contract. Your contract performance period is **10/28/2021** with an end date of **6/30/2022**.

- **Project Revisions:** should you encounter issues with your approved project and need to revise your scope please send your request to my attention. Project revisions need to be preapproved to ensure your revisions are allowable under the EMPG program.
- **Contract Extensions:** If during your performance period you find things running behind schedule, we ask that you send us a request to extend your end date no later than April 30, 2022 as this will give us the time needed to create and finalize a contract amendment.
- **Reimbursement Requests:** as a reminder, this is a reimbursement grant so you will need to submit a reimbursement request when you have completed your approved project. Back up documentation must be submitted which includes invoices and proof of payment for items you purchased (in accordance with your approved application) and for match. Your final reimbursement request will be due, via email, July 30, 2021, which is 30 days after your contract end date. Only approved activities within your contract performance period will be allowable.

MEMA is not obligated to reimburse for activities that took place outside your contract period of performance or for activities that were not pre-approved by the EM Grants Unit.

Please contact EM Grants Unit, assistance with your project.
Thank you.

should you have any questions or need further

Lorri Gifford



City of Marlborough
Office of the Mayor

RECEIVED *Arthur G. Vigeant*
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH MAYOR

2021 DEC -2
Annika 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

Ryan P. Egan
EXECUTIVE SECRETARY

December 2, 2021

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

RE: Proposed Amended transfer request accompanied by Ordinance 21-1008416 - Acquisition of 100 Locke Drive

Honorable President Ossing & Councilors:

Enclosed for your information is a proposed amended transfer in conjunction with ordinance 21-1008416 for the acquisition of 100 Locke Drive that was moved to the Finance Committee at the September 27, 2021 City Council meeting.

This amended transfer is to clarify the funding source. The mitigation funds from Phase I of the Green District totaled \$822,500 and the transfers will be reflected as follows:

\$822,500.00 100000 35900 Undesignated Fund to Land Acquisition 19300006 58120
\$4,270,166.66 100000 35900 Undesignated Fund to Land Acquisition 19300006 58120

The not to exceed figure of \$5,092,666.66 is based on recent assessed property values of the property identified to the City's Assessors Map as Map 54, Parcel 14, 100 Locke Drive, as noted in my letter dated September 23, 2021. We anticipate receiving the formal appraisal in the coming weeks.

I hope we can discuss this matter by the first of the New Year and look forward to addressing any questions you may have.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor FISCAL YEAR: 2022

Available Balance	FROM ACCOUNT:				TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	
<u>\$12,002,160.00</u>	<u>\$4,270,166.66</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$5,092,666.66</u>	<u>19300006</u>	<u>58120</u>	<u>Land Acquisition</u>	<u>\$0.00</u>
	Reason:	For acquisition of parcel at 100 Locke Drive							
<u>\$12,002,160.00</u>	<u>\$822,500.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	_____	_____	_____	_____	_____
	Reason:	_____							
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____							
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____							
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
	Reason:	_____							
	<u>\$5,092,666.66</u>	Total			<u>\$5,092,666.66</u>	Total			

Department Head signature: _____
 Auditor signature: *[Signature]*
 Finance Director signature: *[Signature]*



City of Marlborough
Office of the Mayor

RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH
Arthur G. Vigeant
 MAYOR

2021 DEC -2 A 11:47
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

Ryan P. Egan
 EXECUTIVE SECRETARY

December 2, 2021

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

RE: The Campus Master Development plan

Dear Councilors:

At the last City Council meeting I addressed the Council on The Campus Project and Councilor Oram had asked for the information I was working off of. Enclosed I have included the current 40B listing as of 11/16/21. Council President Ossing is correct regarding the new listing and the census will not be "official" until next year, but without your actions, the affordable numbers will not change to any substantial degree.

Based on the estimated new housing numbers provided by Steve Kerrigan as requested by President Ossing, that includes the new census, we will be at 10.53%. The Council President and I have had substantial discussions on residential projects, and as you can see from his email he and I have agreed on the number of projects you and the City will be facing. If you include the list of projects approved by the Council and add in the affordables from the Green District, we would be at 10.01%. Again, this does not include individual housing units with the exception of the Goodale Estates. Any new projects will put us under the 10%. Again, the President is correct, we can push this problem off to our elected officials that will be here in 10 years, but that's not the way I govern.

Councilors concerned about the affordables at the Urban Affairs meeting should be more concerned today. And Councilors concerned at the Urban Affairs meeting on the phasing should also be concerned today.

With regard to the comments that there is a difference between a special permit and a development agreement, you, the Council, approve both. You are asking for something they are not allowed to do by right and have the ability to add protective language and mitigation.

We must be prudent as we move forward with additional housing projects, including The Campus, to require at least 10 percent affordable housing as was required with the Green District. We are at 10% today with projects approved.

The Council President also brought up the need for new growth. Keep in mind that housing projects, even these large projects are taxed at the residential tax rate. 40% less than a commercial building on the same site.

I thank you for your consideration of two proposed amendments to the proposed master development agreement before you that will include the sequencing clause in proper form from the City Solicitor and a requirement to provide ten percent of affordable housing units.

Sincerely,

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

Arthur G. Vigeant
Mayor

Enclosures

per city clerk 10/20/21

OCCUPANCY STATUS



Note: This is a modified view of the original table produced by the U.S. Census Bureau. This download or printed version may have missing information from the original table.

Label	Marlborough city, Massachusetts
▼ Total:	17,547
Occupied	16,733
Vacant	814

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Marlborough

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
1825	n/a	29 Pleasant St.	Rental	42	Perp	No	DHCD
1826	n/a	397 Bolton St.	Rental	60	Perp	No	DHCD
1827	Liberty Hill Apts	240 Main St.	Rental	125	Perp	Yes	DHCD
1828	n/a	20 Front St.	Rental	7	Perp	No	DHCD
1829	Lambert Street	Lambert St	Ownership	2	Perp	No	DHCD
1830	Roosevelt Street	Roosevelt Street	Ownership	2	Perp	No	DHCD
1832	Lincoln St	Lincoln St	Ownership	2	Perp	No	DHCD
1835	271 Boston Post Road	271 Boston Post Road	Ownership	1	Perp	No	DHCD
1838	Dow Place	Dow Place	Ownership	2	Perp	No	DHCD
1840	35 High Street	35 High Street	Ownership	1	Perp	No	DHCD
1841	Emmett Street	Emmett Street	Ownership	1	Perp	No	DHCD
1842	Academy Knoll	22 Broad Street	Rental	81	2036*	No	HUD MassHousing
1843	Coolidge Manor	55 Howland Street	Ownership	2	Perp	No	DHCD
1844	Countryside Village	450-460 Boston Post Road	Rental	118	2029	No	DHCD DHCD HUD
1845	Crystal Brook	Crystal Brook Way	Ownership	4	Perp	No	DHCD

11/16/2021

Marlborough
Page 1 of 3

This data is derived from information provided to the Department of Housing and Community Development (DHCD) by individual communities and is subject to change as new information is obtained and use restrictions expire.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Marlborough

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
1846	Greater Marlboro Residence B	235 Pleasant St.	Rental	8	2033*	No	HUD, MassHousing
1847	Greater Marlboro Residence A	90 Onamog St.	Rental	12	2033*	No	HUD, MassHousing
1848	Indian Hill	Dicenzo Boulevard	Ownership	25	Perp	No	DHCD
1849	Lincoln St. in Marlborough	496-498 Lincoln St.	Rental	36	2032	No	DHCD
1851	Mechanic Street	57 Mechanic St.	Rental	27	Perp	No	DHCD
1852	Options Mechanic Street Project	153 Mechanic St	Rental	6	2044	No	FHLBB HUD
1853	Prospect St. Apartments	120 Prospect St.	Rental	7	2035	No	FHLBB HUD
1854	The Meadows, The Ledges at New Horizons	370 & 420 Hemenway Street	Rental	120	2032	No	DHCD
1855	Stevens Housing	25 Stevens St.	Rental	8	2034	No	HUD
1856	Jefferson at Wheeler Hill	Donald Lynch Boulevard	Rental	274	2042	Yes	FHLBB
1857	Avalon Orchards	81-119 Boston Post rd East	Rental	156	Perp	Yes	MassHousing
4355	DDS Group Homes	Confidential	Rental	68	N/A	No	DDS
4578	DMH Group Homes	Confidential	Rental	34	N/A	No	DMH
4684	Pleasant Gardens	515 Pleasant Street	Ownership	5	2103	Yes	FHLBB
6703	Fairfield Green	155 Northborough Road (off of Crane Meadow Road)	Rental	302	Perp	Yes	MassHousing

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Marlborough

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
8150	Shane's Lane	37 Russell St	Ownership	2	perp	YES	<i>MassHousing</i>
9386	Christopher Heights	84 Chestnut St	Rental	83	2058	NO	<i>DHCD</i>
10012	The Preserve @ Ames	155 Ames Street	Rental	225	Perp	YES	<i>MassHousing</i>
Marlborough Totals				1,848	Census 2010 Year Round Housing Units		16,347
					Percent Subsidized		11.30%

Mayor

From: Mike Ossing
Sent: Friday, October 1, 2021 6:39 AM
To: Mayor; Patricia Bernard; Ryan Egan
Cc: Mike Ossing
Subject: Agenda Item 6 - Clarification - Housing Projects

Mayor

Agenda item #6 indicates there are 10 approved projects and six potential projects totaling nearly 2000 units.

Based on the items I am tracking (see details below), there are 9 permitted projects (totaling 798) and 8 potential projects (totaling 805) for a little over 1603 units.

I want to ensure your information aligns with my information (or let me know where my information is not correct) so I can be prepared to discuss on Monday evening if questions arise.

Mike

New residential permits:

Permits approved by the Council:

- Jefferson Street – 11 – working
- Green District – 475 – working (clearing trees Jan 2021)
- Rail Trail – Ash Street – 13 - working
- Goodale – 10 - working
-
- E on Main – 70
- Tavern on the Green (Rowe) – 55 (wants to increase to 84 – 62 one bed/11 two bed)
- Crowley Drive – 130 (senior living)
- Rail Trail – Mechanic Street – 11
- Commonwealth Heights – 23
-
- Total – 798 permitted (509 working and 289 permitted and ready to go)

Permits in Review:

- The Campus – 100 (RWMUOD approved June 2021) – In Urban Affairs September 2021

Projects Discussion stages:

- – 160
- – 23
- – 200
- – convert commercial to 35 apartment
- – 258 units
-
- potential for 29 house subdivision
- Total of 705 in discussion stages

Total housing working/permitted/in review: 1603

Permits Denied:

- McGee Farms – 140 (was 188) -
- Marylin Green – 36 – (now WooHoo – 40)
- Zoning Change for Commonwealth Heights – 120 units

Total denied - 296

Completed:

- Avalon Expansion – 123- (2020)



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CITY OF MARLBOROUGH

2021 DEC -1 P 4: 53

Marlborough City Council
Robert J. Tunnera
Michael H. Ossing
140 Main Street
Marlborough, Massachusetts 01752
(508) 460-3711 TDD (508) 460-3610

December 1, 2021

Honorable Members
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: Municipal Aggregation – December 2021 Update

Dear Honorable Members:

In accordance with Order No.19-1007578B, this correspondence informs the City Council of the third quarter 2021 savings from the approved fixed price contract with Inspire that will provide stability and predictability and on a yearly average be lower than the National Grid Fixed Basic Service Rates during the same period. The contract with Inspire runs through the January 2024 meter reads.

Colonial Power has compiled the third quarter 2021 data and the City residents saved over \$64,479 in their electricity bill compared to the National Grid Basic Service rate. Refer to the table in Attachment 1 and the graph in Attachment 2.

As a reminder, the City contract with Inspire is 100% National Wind Renewable Energy Credits (RECs). The savings are even greater when compared to the National Grid Green options.

Looking ahead to the fourth quarter 2021, the City rate is lower than the National Grid Winter Basic Service rate of 0.14821 \$/kWh. This is significant as the City residents will continue to see savings over the National Grid Basic Service rate and the requirements in order 19-1007578B will be satisfied by “on a yearly average be lower than the National Grid Basic Service rates during the same time period.”

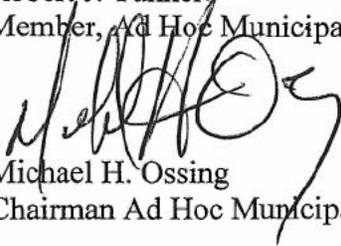
This information will be updated periodically and forwarded to the Councilors in accordance with Order 19-1007578B.

As Councilors, you can take pride in your decision to support Municipal Aggregation as we are saving our residents money on their electricity bills. Since November 2019, City residents have saved over \$3,050,000 on their electric bills with Inspire.

Sincerely,



Robert J. Tunnera
Member, Ad Hoc Municipal Aggregation Committee



Michael H. Ossing
Chairman Ad Hoc Municipal Aggregation Committee

Attachment 1: Table showing Residential Savings with Inspire

Attachment 2: 3rd quarter 2021 status report – Graph illustrating Marlboro aggregation savings

Attachment 1

Table Showing Residential Savings with Inspire

Date	NGrid Basic Service Rate (\$/kW-hr)	City Rate (\$/kW-hr)	City Residential User Savings	City Residential Commercial Industrial Savings
Fourth Quarter 2019	Nov - .13957 Dec - .13957	Nov - .09690 Dec - .09690	\$550,815	\$693,006
First Quarter 2020	Jan – Mar .13957	Jan – Mar .09690	\$812,433	\$1,034,746
Second Quarter 2020	Apr - .13957 May - .09898 Jun - .09898	Apr – Jun .09690	\$250,320	\$196,841
Third Quarter 2020	Jul – Sept .09898	Jul - .09690 Aug - .09390 Sept - .09390	\$78,989	(-\$148,635)*
Fourth Quarter 2020	Oct - .09898 Nov - .12388 Dec - .12388	Oct – Dec .09390	\$482,334	\$564,072
First Quarter 2021	Jan – Mar .12388	Jan – Mar .09390	\$624,063	\$762,033
Second Quarter 2021	Apr - .12388 May – .09707 Jun - .09707	Apr – Jun .09390	\$187,431	\$130,113
Third Quarter 2021	Jul – Sept .09707	Jul – Sept .09390	\$64,479	(-\$57,363)*
Fourth Quarter 2021	Oct - .09707 Nov - .14821 Dec - .14821	Oct – Dec .09390	TBD	TBD

- *National Grid sets different rate for commercial/industrial users that are not associated with the National Grid residential fixed Basic Service rate.
- Total residential savings from Inspire (November 2019 to March 2021) – over \$3,050,000.
- Total program savings (all rate classes) since inception in 2007 is \$7,134,000.

**CITY OF MARLBOROUGH COMMUNITY CHOICE POWER SUPPLY PROGRAM
STATUS REPORT Q3 2021**

Attachment 2

Prepared November 2021

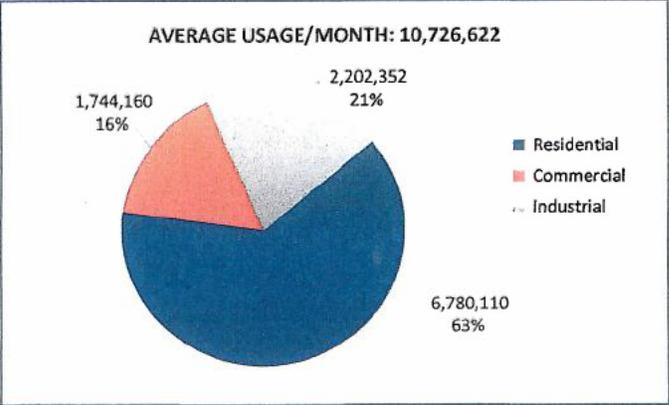
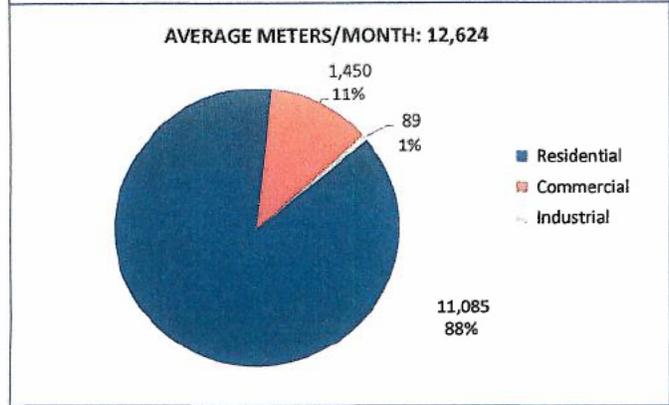
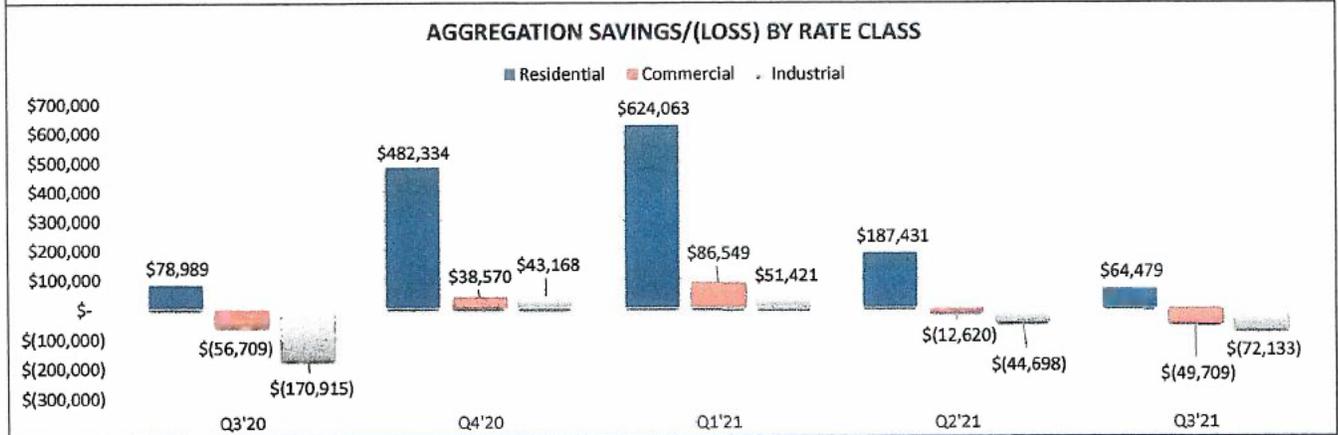
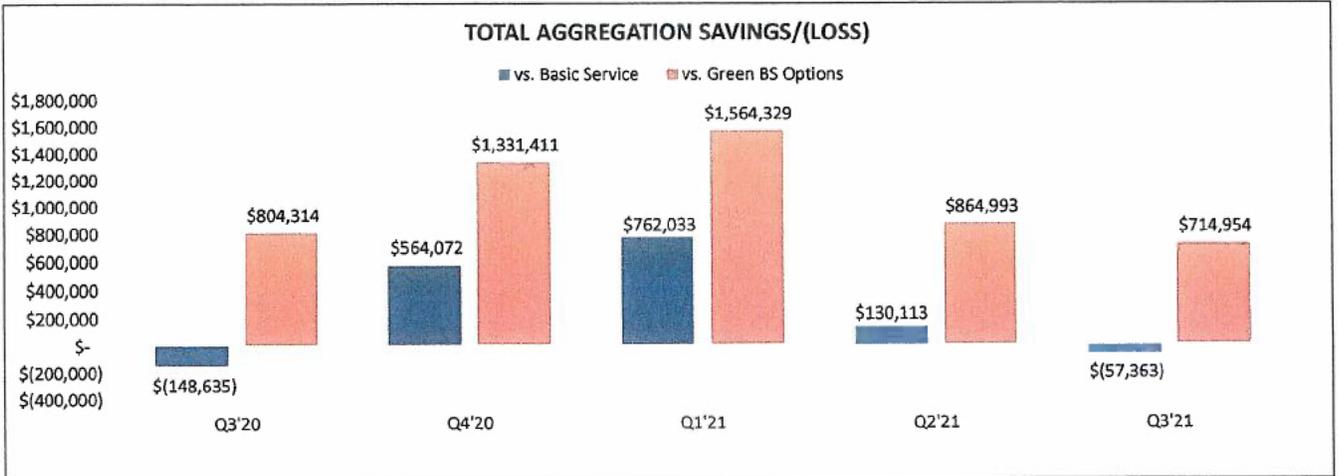
This report has been prepared by Colonial Power Group with information/data being provided by the Competitive Supplier and National Grid. The purpose of the report is to provide information about the City of Marlborough's Community Choice Power Supply Program, which currently provides competitive power supply to approximately 12,600 customers in the City. The data provided by the Competitive Supplier is not available until three months after the month it is used. For example, power is Used in January, Invoiced in February, Paid in March and Reported in April.

PROGRAM RATES			
Term	May 2019 – Nov 2019	Nov 2019 - Aug 2020	Aug 2020 - Jan 2024
Competitive Supplier	Dynergy	Inspire	Inspire
Standard (default)	\$0.09732 / kWh Meet MA Requirements	\$0.09690 / kWh 100% National Wind RECs	\$0.09390 / kWh 100% National Wind RECs
Optional	\$0.09804 / kWh 100% National Wind RECs	N/A	N/A

COMPARISON TO NATIONAL GRID RATES

[Click here for NGRID GreenUp Info](#)

As of November 2019, the City of Marlborough chose a 100% green product as its standard offering, which supports renewable energy as 100% of the power supply is offset with Renewable Energy Certificates (RECs). Prior to that the standard offering met MA Req. The City's aggregation savings are directly tied to the margin of savings between the Program's rates and National Grid's corresponding Basic Service rates as well as the level of consumption by participating consumers. Basic Service rates change twice a year or more, depending on utility and rate class. As a result, the aggregation rate may not always be lower than the Basic Service rate. The goal of the aggregation is to deliver savings over the life of the Program against the Basic Service rate. However, such savings and future savings cannot be guaranteed.





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

November 18, 2021

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

Re: Local Roots Cannabis Crafted
 910 Boston Post Road East Suite 100
 Marlborough, MA 01752

Dear President Ossing and Councilors,

Pursuant to the provisions stipulated in Special Permit No. 20-1008062C pertaining to Local Roots Cannabis Crafted located at 910 Boston Post Road East Suite 100, the Applicant has employed the Marlborough Police Department for detail officers at this site during all operating hours commencing on November 6, 2021. As designated in the Special Permit, the Marlborough Police detail is scheduled to last for the first sixty (60) days of operation. Our officers, or other local officers, have worked the designated hours of operation (Sunday- Sunday 11:00am-8:00pm). When we have been unable to fill the detail, the Department has notified Local Roots Cannabis Crafted that the detail will not be filled for that day and Local Roots Cannabis Crafted has obtained their own private detail for that detail period. Since it's opening, there have been no calls for service, no reported parking issues, and very little traffic congestion as the entry/exit point of the business is controlled by a signalized intersection. Therefore, it would be my opinion that there is no need to continue the use of a Marlborough Police detail during the hours of operation of Local Roots Cannabis Crafted at 910 Boston Post Road East Suite 100. Although the business has been open for a short amount of time, for the above-noted reasons, it would be my opinion that the provision requiring a police detail during hours of operation should be lifted as it is no longer necessary. However, should the need arise in the future to have a Marlborough Police detail on Site, we will work with Local Roots Cannabis Crafted to establish a presence and/or police details.

Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

David A. Giorgi



THE COMMONWEALTH OF MASSACHUSETTS
STATE RECLAMATION & MOSQUITO CONTROL BOARD
**CENTRAL MASSACHUSETTS
MOSQUITO CONTROL PROJECT**

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



COMMISSION CHAIRMAN
RICHARD DAY

EXECUTIVE DIRECTOR
TIMOTHY D. DESCHAMPS

TO: MA Secretary of State, MA Administration & Finance, State Reclamation & Mosquito Control Board, CMMCP member City/Town Clerks & Boards of Health

FROM: Central Massachusetts Mosquito Control Project
Timothy D. Deschamps, Executive Director



RE: 2022 Commission meeting dates

Date: November 20, 2021

This notice is provided in accordance with the Massachusetts Open Meeting Law M.G.L. c.30A. Please be advised the Central Mass. Mosquito Control Project's Board of Commission will meet at 11:00am on the following dates.

- ★ January 12
- ★ February 9
- ★ March 9
- ★ April 13
- ★ May 11
- ★ June 8
- ★ July 13
- ★ August 10
- ★ September 14
- ★ October 12
- ★ November 9
- ★ December 14

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CITY OF MARLBOROUGH
2021 NOV 29 P 3:59

NOTE: Some or all of these meetings will be held remotely pursuant to Senate Bill No. 2475, which was signed into law by Governor Baker on June 16, 2021. Each posted agenda will have specific information regarding the meeting location or call-in information.

Any changes to this schedule will be made following the rules outlined in M.G.L. c. 30A or other applicable laws.

Pursuant to 940CMR 29.03(1)(c), meeting notices for the CMMCP Board of Commission will be placed on the CMMCP website at this location: <http://www.cmmcp.org/cmmcp-board-commission> at least 48 hours in advance excluding Saturdays, Sundays and legal holidays. This notice will include the same content as required by 940 CMR 29.03(1)(b).

cc: CMMCP Board of Commission



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CITY OF MARLBOROUGH

2021 NOV 29 A 10: 29

Marlborough Public Schools

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

Call to Order

November 9, 2021

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, the Assistant Superintendent of Teaching and Learning, Mary Murphy, and the Assistant Superintendent of Student Services and Equity, Jody O'Brien. Additionally, MEA Representative Eileen Barry was 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.
3. **Presentation:** None.
4. **Committee Discussion/Directives:** None.
5. **Communications:** None.
6. **Superintendent's Report:**
Superintendent Bergeron updated the committee on the COVID-19 data for the City of Marlborough and MPS. He provided an accurate, up to date verbal report of the COVID-19 data for MPS that differs from the November 4th written report that was presented. Superintendent Bergeron announced the 2022 recipients for the John and Abigail Adams Scholarship, which are listed in his report.

www.mps-edu.org

It is the policy of the Marlborough Public Schools not to discriminate on the basis of race, gender, religion, national origin, color, homelessness, sexual orientation, gender identity, age or disability in its education programs, services, activities or employment practices.



Marlborough Public Schools

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

The Superintendent updated the committee on vaccination rates in the middle school and high school per grade; he also included the percentage of MHS faculty and staff that reported being vaccinated.

Superintendent Bergeron reported that the Board of Health and Bouvier Pharmacy worked on a plan to have a vaccine clinic for children ages 5-11. Tonight at 4:30pm he sent out an email to families about the November 20th clinic in the MHS cafeteria from 9am – 1 pm. Families can sign up, fill out a consent form, and select their time online through the link that was sent out in three languages. Buses will be run throughout the city to transport families to the clinic. Snacks will be available on site as well. There is a limited supply of vaccines available. The second dose will be given out on December 11th.

Chairman Vigeant discussed COVID-19 data from the state and from the City of Marlborough.

The MHS faculty and staff vaccination rate was from self-reported communication, so there may be vaccinated individuals who are unaccounted for in the statistic.

The students who received the John and Abigail Adams Scholarship had opted into testing last spring to be eligible for this award.

A. Assistant Superintendent of Teaching & Learning Report

Mrs. Murphy, the Assistant Superintendent of Teaching and Learning, reported that MHS senior Aiden Grocki scored a five on the AP 2-D Art and Design Exam, which is the highest possible score. A piece of Aiden's art is attached to Mrs. Murphy's report.

Mrs. Murphy also shared about staff's activities and experiences at the all-staff November 2nd Professional Development Day. The PD catalog that lists the trainings, and their descriptions, that staff could choose from was attached to her report. Educators sign up for these trainings through TeachPoint. Popular trainings are offered in the future so educators who did not take part in them have the opportunity to do so.

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

7. Acceptance of Minutes:

A. Minutes of the October 26, 2021 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 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. FY23 Budget Calendar

Mr. Dias stated that the FY23 budget calendar is ready for the committee to vote on.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve the FY23 Budget Calendar.

Motion passed 7-0-0.

B. Policy Acceptance

1. Policy 8.130 Suspension & Expulsion

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

Motion passed 7-0-0.

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Marlborough Public Schools

School Committee
District Education Center
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C. Acceptance of Donations and Gifts

Ohiopyle Prints Inc. Ohiopyle Prints Inc. donated \$130.66 to Marlborough High School.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve this donation.

Motion passed 7-0-0.

10. Reports of School Committee Sub-Committees: None.

11. Members' Forum:

Mrs. Matthews reviewed and signed the warrant.

Mrs. Hennessy shared that Dessert Theatre is being held in the Little Theater on November 19th and 20th. Tickets can and should be purchased ahead of time. There will not be dessert provided due to COVID-19 restrictions.

Mrs. Bodin-Hettinger attended and as delegate voted at the MASC meeting. She stated that all the resolutions that were presented have passed. Most of the amendments had to do with wording as opposed to content matter.

Mrs. Hennessy reminded everyone that Winter Athletic registration is open.

Chairman Vigeant stated that the Veterans Day parade will happen at 10am on Thursday morning through Main Street.

Mrs. Ryan shared that the MHS band will be performing at the parade.

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12. Adjournment:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 7:55 p.m.
Motion passed 7-0-0.

Respectfully submitted,



Heidi Matthews
Secretary, Marlborough School Committee

HM/jm
Approved November 23, 2021

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