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CITY OF MARLBOROUGH
City Council Agenda

Monday, December 18, 2023
8:00 PM

This meeting of the City Council will be held in City Council Chambers, City Hall, 140 Main Street. **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, December 4, 2023.
2. Communication from Council President Ossing, re: Appointment of Councilor Robey as City Council Representative on the Richer School Building Committee.
3. Communication from the Mayor, re: Grant Acceptance in the amount of \$19,800.00 from the MA Department of Environmental Protection, Sustainable Materials Recovery Program, awarded to the Department of Public Works to be used to offset the rising costs of processing recyclable materials.
4. Communication from the Mayor, re: Grant Acceptance in the amount of \$5,063.00 from the Brigham Family Trust, awarded to the Police Department to be used to assist in funding the Youth Police Academy.
5. Communication from the Mayor, re: Gift Acceptance in the amount of \$5,000.00 from the Estate of Ernest Ginnetti awarded to the Council on Aging to be used to assist seniors with unanticipated expenses this winter season.
6. Communication from the Mayor, re: Notification of Extension of Temporary Appointment pursuant to MGL Chapter 41 §61A of David Williams as Interim Comptroller/Treasurer for an additional 60-day term to expire February 2, 2024.
7. Communication from the Mayor, re: Notification of Temporary Appointment pursuant to MGL Chapter 41 §61A of Louis J. Turieo as Interim Parking Clerk for a period of 60-days to expire on February 1, 2024, replacing Gretta Holland who has resigned.
8. Communication from the Mayor, re: Accomplishments and Initiatives.
9. Communication from the Mayor, re: Veto of City Council Order 22/23-10088961A, Acceptance of Gikas Lane as a Public Way.
10. Communication from City Solicitor Jason Grossfield, re: Opinion on the Application for Special Permit from SUCIU LLC d/b/a Exela Storage, 846 Boston Post Road East.
11. Communication from City Solicitor Jason Grossfield, re: Proposed Zoning Ordinance Amendment to Chapter 650 "Zoning" of the Code to add a new section to create the "Red Spring Road Overlay District" (RSR), in proper legal form, Order No. 23-1008951.

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.

12. Communication from Code Enforcement Officer, Ethan Lippitt, re: Application from ViewPoint Sign and Awning on behalf of Best Western Royal Plaza Hotel for replacement of a Free-Standing EMC Sign at 181 Boston Post Road West.
13. Communication from Code Enforcement Officer, Ethan Lippitt, re: Application from Barlo Signs on behalf of Kennedys Restaurant and Market for installation of a Free-Standing EMC Sign at 247 Maple Street.
14. Communication from Attorney Sem Aykanian, on behalf of SUCIU LLC, d/b/a Exela Storage re: Request to Withdraw without Prejudice, the Application for a Special Permit to add additional storage units to a nonconforming storage facility, to be located at 846 Boston Post Road East within the Wayside District.
15. Communication from Attorney Brian Falk, on behalf of the Red Spring Road Homeowners Association, Inc., re: Proposed Agreement Right of First Refusal, Red Spring Road 10-acre parcel.
16. Communication from the Public Employee Retirement Administration Commission (PERAC) re: Required FY25 Appropriation in the amount of \$11,219,878.00.
17. Communication from Central MA Mosquito Control Project, re: Notice of 2024 Commission meeting dates.
18. Minutes of Boards, Commissions and Committees:
 - a) Commission on Disabilities, June 12, 2023.
 - b) Cultural Council, November 15, 2023.
 - c) Library Trustees, September 5, 2023 & October 3, 2023.
19. CLAIMS:
 - a) Nanci Buchan, 65 Country Lane, other property damage and/or personal injury.
 - b) Johanna Haagens, 29 Violetwood Circle, pothole or other road defect.
 - c) Lynn Hubbard, 149 Main Street, #11, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

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 – Teona C. Brown
 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, DECEMBER 4, 2023**

The regular meeting of the City Council was held on Monday, December 4, 2023, at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Perlman & Robey. Meeting adjourned at 9:31 PM.

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

ORDERED: That the Minutes of the City Council meeting, NOVEMBER 27, 2023, **FILE;** adopted.

That the PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install one Joint Owned Pole (25-25) on Hayes Memorial Drive beginning at a point approximately 350' north/northwest of the centerline of the intersection of Nickerson Road for new commercial service at 1000 Nickerson Road, Order No. 23-1009015, all were heard who wish to be heard, hearing closed at 8:03 PM., all were heard who wish to be heard, hearing closed at 8:10 PM; adopted.

Councilors Present: Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Ossing, Perlman & Robey.

Suspension of the Rules requested – Motion by Councilor Landers to remove from the Public Services Committee, Order No. 23-1009015 – granted.

Suspension of the Rules requested – granted.

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

ORDERED: That the Petition from Massachusetts Electric and Verizon New England, to install one Joint Owned Pole (25-25) on Hayes Memorial Drive beginning at a point approximately 350' north/northwest of the centerline of the intersection of Nickerson Road for new commercial service at 1000 Nickerson Road, be and is herewith **APPROVED WITH THE FOLLOWING CONDITIONS;** adopted.

1. The location shall be marked out for approval by the Engineering Division prior to the work.

STANDARD CONDITIONS

1. Any necessary easements are to be obtained from affected property owners.
2. A street opening permit must be applied for by the proposed contractor performing the work.

3. The contractor performing the work must obtain a street opening bond with the City of Marlborough.
4. The contractor shall provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
5. A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way and or private property unless permission is granted in writing by the property owner.
6. The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).
7. Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
8. Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
9. Trenches are to be paved or completely backfilled and compacted at the end of each workday. Trenches are never to be left unattended.
10. Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.

That the PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install one Joint Owned Pole on Simarano Drive beginning at a point approximately 50' southeast of the centerline of the intersection of Simarano Drive and Bay Drive installing a midspan pole between pole 10 and pole 8-50 and install a 900 KVAR on it, Order No. 23-1009016, all were heard who wish to be heard, hearing closed at 8:06 PM; adopted.

Councilors Present: Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Ossing, Perlman & Robey.

Suspension of the Rules requested – Motion by Councilor Landers to remove from the Public Services Committee, Order No. 23-1009016 – granted.

Suspension of the Rules requested – granted.

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

ORDERED: That the Petition from Massachusetts Electric and Verizon New England, to install one Joint Owned Pole on Simarano Drive beginning at a point approximately 50' southeast of the centerline of the intersection of Simarano Drive and Bay Drive installing a midspan pole between pole 10 and pole 8-50 and install a 900 KVAR on it, be and is herewith **APPROVED WITH THE FOLLOWING CONDITIONS**; adopted.

1. The location shall be marked out for approval by the Engineering Division prior to the work.

STANDARD CONDITIONS

1. Any necessary easements are to be obtained from affected property owners.
2. A street opening permit must be applied for by the proposed contractor performing the work.

3. The contractor performing the work must obtain a street opening bond with the City of Marlborough.
4. The contractor shall provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
5. A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way and or private property unless permission is granted in writing by the property owner.
6. The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).
7. Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
8. Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
9. Trenches are to be paved or completely backfilled and compacted at the end of each workday. Trenches are never to be left unattended.
10. Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.

That the 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 2023, all were heard who wish to be heard, hearing closed at 9:08 PM; adopted.

Councilors Present: Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Ossing, Perlman & Robey.

Assessors Present: Silverstein, Steinberg & Valade.

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

ORDERED: That the Transfer Request in the amount of \$51,600.00 (Fifty-one thousand, six hundred dollars) which moves funds from Sale of Graves to Reduce the FY 2024 Tax Levy, **APPROVED;** adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		Mayor's Office				FISCAL YEAR:		2024	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$51,600.00</u>	<u>\$51,600.00</u>	<u>27000</u>	<u>33020</u>	<u>Sale of Graves</u>	<u>\$51,600.00</u>			<u>To reduce FY24 Tax Levy</u>	<u>\$0.00</u>
Reason:		<u>Sale of Graves revenue from FY23 to reduce FY24 tax levy</u>							
	\$51,600.00	Total			\$51,600.00	Total			

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

ORDERED: That the Transfer Request in the amount of \$564,579.15 (Five hundred sixty-four thousand, five hundred seventy-nine dollars & fifteen cents) which moves funds from Overlay Reserve to Reduce the FY 2024 Tax Levy, **APPROVED**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		Mayor's Office				FISCAL YEAR:		2024	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$564,579.15</u>	<u>\$564,579.15</u>	<u>10000</u>	<u>32200</u>	<u>Overlay Reserve</u>	<u>\$564,579.15</u>	<u>To reduce FY24 Tax Levy</u>			<u>\$0.00</u>
Reason:		<u>Excess overlay from FY20 to reduce FY24 tax levy</u>							
\$564,579.15		Total		\$564,579.15		Total			

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

ORDERED: That the Marlborough City Council votes in accordance with MGL Chapter 40, §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 2024 tax rates and set the Residential Factor at 0.8346 with a corresponding CIP shift of 1.44 pending approval of the City's annual tax recap by the Massachusetts Department of Revenue, **APPROVED**; adopted.

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 Gift Acceptance in the amount of \$2,000.00 from the Mobile Home Village Association, awarded to the Council on Aging to be used to purchase new equipment and games for the card room at the Senior Center; adopted.

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

ORDERED: That the Transfer Request in the amount of \$2,000,000.00 (two million dollars) which moves funds from Undesignated Fund (Free Cash) to Richer School Feasibility Study Fund to be used for the feasibility study phase of the MA School Building Authority's (MSBA) process, referred to the **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		Mayor				FISCAL YEAR:		2024	
FROM ACCOUNT:						TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$9,602,846.40</u>	<u>\$2,000,000.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$2,000,000.00</u>	<u>19300006</u>	<u>52690</u>	<u>Feasibility Study-Richer</u>	<u>\$0.00</u>
Reason:		<u>Feasibility study for Richer School</u>							
\$2,000,000.00		Total		\$2,000,000.00		Total			

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

ORDERED: That the Reappointment of Christopher J. Firicano as City Collector/Assistant Finance Director for a two-year term to expire on November 23, 2025, **APPROVED**, adopted.

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

ORDERED: That the Communication from City Solicitor Jason Grossfield, re: Request for Executive Session to discuss litigation strategy relative to JW Capital Partners, LLC and Marlborough TOTG LLC v. City of Marlborough (Land Court No. 23 MISC 000199), **MOVED TO THE END OF AGENDA & FILE**; adopted.

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

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed Zoning Ordinance Amendment to Chapter 650 "Zoning" of the Code relative to Definitions, Affordable Housing, and the Marlborough Village District (MV), in proper legal form, Order No. 22/23-1008721K, **MOVED TO ITEM #16 & FILE**; adopted.

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

ORDERED: That the Communication from the Planning Board, re: Negative Recommendation on the Proposed Zoning Amendment to Chapter 650 "Zoning" to amend §22 "Retirement Community Overlay Districts" to include Map 39, Parcels 5 and 26B located on Robin Hill Street, Order No. 23-1008964, **FILE**; adopted.

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

ORDERED: That the Communication from property owner, re: Opposition to the Proposed Zoning Amendment to Chapter 650 "Zoning" to amend §22 "Retirement Community Overlay Districts", **FILE**; adopted.

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

ORDERED: That the Communication from residents, re: Opposition to Proposed Amendment to City Code, Chapter 650 "Zoning" by adding a new section to create the "Sasseville Way Residential Overlay District", **FILE**; adopted.

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) Planning Board, October 2, 2023 & October 23, 2023.

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

ORDERED: That the following CLAIMS, referred to the **LEGAL DEPARTMENT**; adopted.

- a) Estate of Anna Gleason, 6 Gleason Street Ext., other property damage and/or personal injury.

Suspension of the Rules requested – granted.

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

ORDERED: That the Communication from the Marlborough Regional Chamber of Commerce (MRCC), re: Proposed Zoning Ordinance Amendment to Chapter 650 "Zoning" of the Code relative to Definitions, Affordable Housing, and the Marlborough Village District (MV), Order No. 22/23-1008721, **FILE**; adopted.

Suspension of the Rules requested – granted.

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

ORDERED: That the Communication from Attorney Brian Falk on behalf of Pulte Homes of New England LLC and on behalf of property owner Denali Belle LLC, re: Request to Withdraw Without Prejudice, the Proposed Zoning Amendment to Chapter 650 “Zoning” to amend §22 “Retirement Community Overlay Districts”, Order No. 23-1008964, **APPROVED**; adopted.

Suspension of the Rules requested – granted.

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

ORDERED: That the Communication from Attorney Gemma Cashman on behalf of Trammell Crow Company and on behalf of property owner Boston Scientific, re: Request to Withdraw Without Prejudice, the Proposed Amendment to City Code, Chapter 650 “Zoning” by adding a new section to create the “Sasseville Way Residential Overlay District”, Order No. 23-1008941, **APPROVED**; adopted.

Yea: 6 – Nay: 5

Yea: Wagner, Dumais, Brown, Irish, Landers, Ossing.

Nay: Doucette, Navin, Oram, Perlman, Robey.

Suspension of the Rules requested – granted.

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

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Proposed Amendment to City Code, Chapter 650 “Zoning” by adding a new section to create the “Sasseville Way Residential Overlay District”, in proper legal form, Order No. 23-1008941, **FILE**; adopted.

Councilor Robey reported the following out of the Urban Affairs Committee:

**City Council Urban Affairs Committee
November 30, 2023
Minutes and Report**

This meeting convened at 7:00 PM in the Council Chamber and was open to the public. The meeting was televised on WMCT-TV (Comcast Channel 8/Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city’s home page, www.marlbrough-ma.gov.

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

Also present were Councilors Brown, Dumais, Irish and Ossing & Perlman. Councilors Oram arrived at 7:52 PM.

Presenters are listed with the appropriate order.

The chair took the items out of order from the agenda.

Order No. 23-1008941: Proposed Amendment to City Code, Chapter 650 Zoning by adding a new section to create the "Sasseville Way Residential Zoning Overlay District."

This meeting is continued from November 15, 2023. Present for petitioner were Attorney William Pezzoni, Day Pitney; Attorney Michael Flannery, Goulston & Storrs; Mark Shraiberg, VP Development Management, Trammell Crow Co.; and Patrick Sullivan, Senior Associate, Trammell Crow Co.

The chair read through item for this order including a response from Solicitor Grossfield on question of validity of the zoning amendment and if they met the definition in MGL c40A, §5. His opinion is the petition is presented by both the individual owner of land that would be affected by the zoning change and the prospective purchaser, and the initiation of the zoning amendment complies with requirements. The chair read the letter from Boston Scientific, owner, stating they had a contract with Trammell Crow co. to purchase the property.

Members had received a red-lined copy of document showing changes from the Nov. 15 meeting as well as additional edits. The chair began to go through the document to highlight items-

E. Affordable Housing was amended by solicitor to simply state "...dwellings shall be subject to provisions of §650-26 of Zoning ordinance as adopted and in effect as of November 30, 2023." Consensus of committee was to keep this language.

F. Dimensional requirements language in (3) was cleaned up by solicitor including language in (ii) no portion of any multifamily building shall be located less than 150 feet from any portion of a single family dwelling located outside the SWRO district..." Members had no issue with 150 feet, but Councilor Doucette suggested replacing the word "any" before portion be replaced with "the closest" so it would read "150 feet from the closest portion..." Consensus was to make this change.

F (6) Listed the total number of dwelling units to 13 units per acre. The chair said she had questioned the math taking F (1) which stated the minimum acreage requirements were 23 acres X the 13 units per acre to total 299 units when D(1)(a) states the total number of dwelling units shall not exceed 286. Rather than using the solicitor's suggestion to amend, the petitioner agreed to strike F(6) in its entirety.

This order received a neutral recommendation from the Planning Board.

The chair opened this up for discussion with suggestion we begin with a motion.

Councilor Navin moved to deny Order 23-1008941-Zoning amendment to create Sasseville Way Residential Zoning Overlay District; seconded by Councilor Wagner. Councilors Wagner, Navin Doucette, Landers, Perlman, Oram and Ossing all offered comments. **The motion to deny carried 5-0.**

The chair stated the solicitor will take the document used tonight and make the changes agreed to by the committee to create the final document. He will prepare a cover letter with the document and send out to councilors. The chair will ask for a suspension at the December 4 Council meeting to add to agenda for a vote.

Order No. 23-1008964: Proposed Zoning amendment to Chapter 650 Zoning to amend §22 Retirement Community Overlay Districts to include Map 39, Parcels 5 and 26B located on Robin Hill Street currently located in the LI District to accommodate an over 55 community combining both townhouses and multifamily components for a new condominium ownership neighborhood.

Reports of Committee Continued:

Present for the petitioner were Attorney Brian Falk, Mirick, O'Connell, DeMallie & Lougee, LLP; Robert Michaud, P.E. MDM Transportation Consultants; Mark Mastroianni, VP Land Planning & entitlements, Pulte Homes of New England LLC and Essek Petrie from Pulte Homes New England.

The chair read through the items for this order including-

- the solicitor's reply to the Planning Board asking if the initiation of this matter complied with ML c. 40a, §5. The solicitor's opinion was that it did meet the requirements.
- The Planning Board's negative recommendation
- information from MDM Transportation
- a red-lined copy of changes to original proposal based on comments from the Planning Board.

The chair opened it up to Attorney Falk to discuss the project and the most recent amendments to the document. The chair will ask the solicitor to rule on whether a new public hearing is required with the changes made to the original document.

Pending that ruling, this will remain in committee and will be added to the December 5th meeting.

Order No. 23-1008951: Proposed Zoning Amendment to Chapter 650 Zoning of the code to add a new section to create the "Red Spring Overlay District."

Present for this were Attorney Brian Falk and Mr. Robert Durand, President Red Spring Shores (the condo association of Red Spring Road). Also present were Tin Htway, Building Commissioner and Thomas DiPersio, City Engineer. Councilor Oram recused himself from this discussion.

The chair read through the documents for this including the Planning Board's favorable recommendation and an updated, red-lined zoning amendment. Attorney Falk discussed the order and changes made. Commissioner Htway and City Engineer DiPersio briefly discussed their concerns. The chair brought up a map that she was given by Priscilla Ryder from Conservation that included the lines for each property. The petitioner was asked to provide a similar map that could be included with document and help guide the committee to decide if dimensional requirements should be added.

This order will be held in committee and added to the December 5th agenda for further discussion.

Councilor Doucette moved to adjourn, it was seconded and carried 5-0. Meeting adjourned at 9:27 PM.

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

ORDERED: THAT, PURSUANT TO SECTION 5 OF CHAPTER 40A OF THE GENERAL LAWS, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT CHAPTER 650 OF THE CODE OF THE CITY OF MARLBOROUGH, AS MOST RECENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

- I. By amending Chapter 650 (Zoning), Section 650-5 (Definitions; word usage), Subsection B, by inserting a new definition for “Area Median Income (AMI)” and “Eligible Household”, and amending the existing definition for “Mixed Use”, to read as follows: (new text shown as underlined, deleted text shown as ~~striketrough~~):

AREA MEDIAN INCOME (AMI)

The Housing Area Median Family Income set forth in or calculated from regulations promulgated by the United States Department of Housing and Urban Development pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974, determined annually for the Metropolitan Statistical Area that includes the City of Marlborough and adjusted for family size.

ELIGIBLE HOUSEHOLD

A household whose gross household income does not exceed the corresponding percentage of AMI specified in Section 650-26.

MIXED USE

- (1) A combination of permitted (Y) or special permit (SP) residential/business uses as listed in §650-17, Table of Use Regulations, for a particular zoning district, located on the same lot and arranged vertically in multiple stories of a structure or horizontally adjacent to one another in one or more buildings.
- (2) ~~The To achieve a mix of residential to business uses, such as retail or restaurant, uses shall be that is balanced and compatible, and shall contribute to a vibrant downtown atmosphere, including a combination of ground floor street front uses, such as retail or restaurant.~~
- (3) ~~G~~ground floors of buildings fronting streets or public accessways shall be ~~reserved for restricted to nonresidential~~ public business/commercial uses, except as specified below:

Dwelling units shall be allowed on ground floors of a buildings ~~if (a) The building that is set behind another a mixed-use building that has business commercial uses on the ground floor and residential on other floors so long as the building set behind does not face a public way. or (b) The residential portion of the ground floor of a building is set behind street front nonresidential uses within the same building.~~

- II. By amending Chapter 650 (Zoning), Section 650-17 (Table of Uses), by striking “Y” and replacing it with “SP” for the following specific uses, in the MV zoning district, to read as follows: (new text shown as underlined, deleted text shown as ~~striketrough~~):

	Zoning District Abbreviations													
	RR	A - 1	A - 2	A - 3	R B	R C	R C R	N B	B	C A	L I	I	MV	Ways ide
Business Use														
Hotels (41)	N	N	N	N	N	N	N	S P	S P	S P	S P	S P	¥ SP	N
Hotels with conference facilities and commercial uses (21)	N	N	N	N	N	N	N	N	S P	S P	S P	S P	¥ SP	N
Mixed-Use Development (42)	N	N	N	N	N	N	N	S P	S P	N	N	N	¥ SP	SP

III. By amending Chapter 650 (Zoning), Section 650-18 (Conditions for uses), Subsection A, paragraphs 41 and 42, as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

(41) Hotels within the Marlborough Village District are by ~~rights~~special permit, and subject to site plan approval by the City Council with input from department staff who participate in administrative site plan review as provided under § 270-2. See in § 650-34B special provisions for site plan review by City Council of hotels in the Marlborough Village District.

(42) Mixed-use development, including multifamily residential uses, shall ~~not~~ be subject to special permit provisions for multifamily uses. In the Wayside District, multifamily dwelling shall be allowed only as part of a mixed-use development. Mixed-use development may include vertically mixed uses in a single building or horizontally mixed uses in which multiple buildings create the mix of uses on a single parcel. Each individual building may include a single use with multiple uses occurring next to each other and within multiple buildings on the single parcel.

IV. By amending Chapter 650 (Zoning), Section 650-26 (Affordable Housing), to read as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

§ 650-26. Affordable housing.

The purpose of this section is to provide that multifamily uses include an affordable component to ensure the city remains above the state's required inventory of affordable units.

A. This section 650-26 shall apply to all developments that result in or contain eight (8) or more dwelling units, in all zoning districts, for the following types of uses: multifamily dwelling(s) or mixed-use development containing multifamily dwelling(s). This section shall apply as set forth above unless an exception is otherwise stated in this section 650-26. Compliance with this section shall be made a condition of any special permit that is required for the development.

All special permits granted to applicants to construct multifamily dwellings, or mixed-use development containing multifamily dwelling(s), thereby increasing the number or density of residential dwellings to a number or level greater than that allowable as a matter of right under the zoning classification for the subject parcel shall require the following.

(1) Developments of ~~20~~8 or more units.

- (a) Number of on-site affordable units. ~~The A development subject to this section 650-26 shall i) provide that at least 125% of the dwelling units to be constructed for homeownership or rental purposes will be made available at affordable prices to eligible home buyers or renters, or ii) if authorized by a majority of the City Council, provide a sum not less than \$50,000 per affordable dwelling unit that would have been required in Item i) above to be deposited as directed by the City Council into the fund for economic development created by Chapter 126 of the Acts of 2011 or into another fund designated by the City Council. If when applying the specified percentage to the total number of units to determine the required number of affordable units, the resulting number of affordable units includes a fraction of a unit, this fraction, if equal to or over one-half, shall be rounded up to the next whole number. ;~~
- (b) Eligibility for affordable units. All affordable units must be eligible for inclusion on the state's Subsidized Housing Inventory (SHI). The affordable units shall be available to households at no more than eighty percent (80%) of AMI in accordance with SHI requirements. After initial occupancy, the gross household income of an eligible household shall be verified annually to determine continued eligibility and rent.
- (~~b~~c) Local preference. The development plan shall provide that all legally permissible efforts shall be made to provide 70% of the affordable dwelling units to eligible residents of the City of Marlborough.
- (~~d~~e) Distribution of affordable units. Dwelling units to be sold or rented at affordable prices shall be integrated into the overall development to prevent physical segregation of such units.
- (~~e~~d) Appearance. The exterior of the affordable units shall be designed to be compatible with and as nearly indistinguishable from the market rate units as possible.
- (~~f~~e) Minimum and maximum floor areas. Affordable housing units shall have a gross floor area not less than the minimum required by the State Department of Housing and Community Development under the regulations created under the authority of MGL Chapter 40B.
- (~~g~~f) Period of affordability. Limitations and safeguards shall be imposed to ensure the continued availability of the designated affordable units ~~for a minimum of 99 years or in perpetuity~~. Such limitations and safeguards may be in the form of deed restrictions, resale monitoring, requirements for income verification of purchasers and/or tenants, rent level controls and the like.

- (hg) Limitation on change in affordability. In no event shall any change in affordability occur if the minimum percentage of affordable units required in the entire City under MGL Chapter 40B has either not been met at that time or such change in affordability would cause the City to fall below that percentage.
- (ih) Staging of affordable and market-rate units. No more than 50% of the building permits for the market-rate units shall be issued until construction has commenced on 30% of the affordable units. No more than 50% of the occupancy permits for the market-rate units shall be issued until 30% of the occupancy permits for the affordable units have been issued. The City Council may modify this provision for developments under 50 units.
- ~~(i) Alternate site. The City Council may allow the developer to build some or all of the affordable housing required by Subsection A(1)(a) on an alternate site ¹ within the City, provided that the City Council determines that this is in the best interest of the City and orders that this specific condition be attached to the special permit. The location of the alternate site shall either be specified at the time of approval for the special permit or selected within six months of said application and shall then be subject to approval by the Housing Partnership Committee or its successor, by the City Council if otherwise required by this Zoning Ordinance and by any other proper authority as may be required by law. The development of the alternate site shall comply with Subsection A(1)(b), (e), (f), (g), (h) and (i) of this section, and the staging of development on the alternate site shall be governed by Subsection A(1)(h) applied to all units on both the main and alternate sites.~~
- (j) Guaranty of performance. No final certificate of occupancy shall be issued for any unit within a development subject to this section until all actions necessary to preserve the affordability of the affordable units in compliance with this section and include the affordable units on the subsidized housing inventory, including without limitation, a deed restriction, regulatory agreement and declaration of restrictive covenants, and/or any other restrictive instrument necessary, and all other required documentation, have been executed and registered or recorded by the developer, in a form satisfactory to the City Solicitor. The City Council shall require security in a form satisfactory to the City Council and City Solicitor to guarantee performance, including preservation of affordability, under this subsection, and no building permit shall be issued until and unless said security has been provided.
- ~~(2) Developments of 19 or fewer units. All provisions of Subsection A(1) above applicable to 20 or more units may also be applied to developments of 19 or fewer units as the City Council finds practical.~~
- ~~(32) The provisions of this section shall not apply to a special permit for an existing retirement community, or the expansion of an existing retirement community as governed by §§ 650-21 and 650-22. This subsection will be effective pursuant to the applicable provisions of Chapter 40A of the General Laws.~~
- ~~(4) The provisions of this section shall not apply to projects which are granted special permits within the Marlborough Village District.~~
- V. By amending Chapter 650 (Zoning), Section 650-34(D)(1), to read as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

D. Design standards.

- (1) The purpose of the following design standards is to promote quality development emphasizing the City's sense of history and desire for contextual, pedestrian-scaled projects. Supporting streamlined development review, design standards are integral to the Marlborough Village District regulations and must be met as part of any special permit and/or site plan review and approval.

- (a) ~~Nonmandatory~~ In addition to the design standards, in connection with a special permit and/or site plan application in the Marlborough Village District, such applications shall be reviewed with respect to the Design Review Guidelines for the Marlborough Village District. which The guidelines will complement the design standards of this section and which will provide a guide to the desired appearance and quality of design in the Marlborough Village District. The guidelines are will be available at the Building Department and/or on the official website of the City.

- VI. By amending Chapter 650 (Zoning), Section 650-34(D)(2), to read as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

- (2) All special permit and/or site plan review and approval applications in the Marlborough Village District shall be subject to the following design standards:

- VII. By amending Chapter 650 (Zoning), by **inserting** a new Section 650-34(D)(2)(a)[4], to read as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

- [4] Facade step back. A step back in the facade of a building shall occur at the upper floor(s) for all buildings above three stories in height. For example, the fourth story of a four-story building shall be recessed from the lower three stories of the primary facade with a step back. Five feet shall be the minimum step back.

- VIII. By amending Chapter 650 (Zoning), Section 650-34(D)(2)(d), to read as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

- (d) External materials and appearance.

- [1] Predominant wall materials for all ground floors shall be brick in traditional New England colors and character, and stone. shall be red brick, stone, or precast concrete panels; wWood siding may be used where the structures are adjacent to residential districts where the intent is to blend the structure more into the existing neighborhood. Thin brick veneer, precast concrete panel finished to look like brick or stone, masonry brick panels, and Flexbrick (or a similar product) can be used on upper floors. Glass Fiber Reinforced Concrete (GFRC) panels (or something similar) can be used for a curtain wall (non-load bearing) exterior wall cladding. If painted, or coated, a nonmetallic finish is to be used. Cladding materials should be consistent on all facades with the exception of special design elements, such as turrets. Materials designed to imitate brick, e.g., faux brick, are not permitted.

- [2] The standards for all acceptable masonry construction are as follows:

- [a] Acceptable masonry construction for bricks will be of standard, fired clay, brick units bonded together with mortar. Acceptable applications include building components, such as walls, stairs, columns, arches, planter beds, etc.
- [b] ~~Utilize bBricks which are~~ should be sound, hard, well-burnt with uniform color, shape and size.
- [c] The bricks should be compact, homogeneous, free from holes, cracks, flaws, air-bubbles, spawls and stone lumps.
- [d] Frogged bricks shall be laid with the frogs pointing upwards.
- [e] Mortar specifications shall comply with relative ASTM International standards.
- [f] The properties of all other masonry units shall comply with the requirements of relevant ASTM International standards. These include concrete masonry, stone masonry and composite masonry. Masonry units are classified into the following types: solid, hollow unit, cellular, perforated and frogged.

IX. By amending Chapter 650 (Zoning), Section 650-34(E)(1)(a)[2], to read as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

- [2] Spaces in ~~city-owned~~ public garages and lots within 1,000 feet of the development can be counted to fulfill the required spaces, with payment-in-lieu required.

X. By amending Chapter 650 (Zoning), Section 650-34(E)(1)(b)[1], to read as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

- [1] Eliminate parking minimums per the existing off-street parking (§650-48) unless the use is part of a mixed-use development where off-street parking would be determined during the special permit and/or site plan review process.

XI. By amending Chapter 650 (Zoning), Section 650-34(E)(2), to read as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

- (2) Payment in lieu of parking. In the Marlborough Village District, any new commercial or mixed use structure that is required to provide parking spaces may request to make payments to the City of Marlborough in lieu of providing for all or part of the on-site required parking, not to exceed twenty percent (20%) of the required on-site parking spaces. If when applying the specified percentage to determine the maximum number of on-site parking spaces which may be subject to payment-in-lieu, the resulting number includes a fraction of a unit, this fraction, if equal to or over one-half, shall be rounded up to the next whole number. :

- (a) Payment made to the City of Marlborough in lieu of providing some ~~or all~~ of the required off-street parking spaces for a project in the Marlborough Village District (MV) shall may only be allowed by right, subject to site plan and design review authorized by special permit, in parking spaces designated for overnight parking, and subject to conditions set forth by special permit.

- (b) A one-time fee to be paid shall be ~~\$2540,000~~ (twenty-five thousand dollars) per parking space, which shall be paid prior to the receipt of an occupancy permit.

XII. By deleting Chapter 650 (Zoning), Section 650-34(E)(3), (Additional reduction in parking requirements).

XIII. By amending Chapter 650 (Zoning), Section 650-34(F), to read as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

F. Heights of structures.

- (1) To encourage redevelopment and reuse of parcels within the Marlborough Village District, minimum and maximum heights are established. Minimum heights shall be 35 feet or 2.5 stories; maximum height is 60 feet or 4 stories. ~~six stories and up to 70 feet except for where a proposed structure is within 50 feet of a residential district boundary, where the height limit shall be 52 feet. By grant of a special permit, maximum building height, including building areas within 50 feet of a residential district boundary, may be increased to seven stories and up to 85 feet.~~ Height limits do not include roof-mounted mechanical appurtenances; however, said appurtenances, and the screening required for them in § 650-34D(2)(b), shall be subject to site plan review and design standards. Rooftop mechanical equipment, including wireless communications equipment, shall be located and screened to minimize impacts on abutters and the general public. No interior space shall be occupied for any purpose above these height limits. This shall not preclude the use of a flat roof for purposes allowed in this section.
- (2) Roof decks, providing recreation and amenity areas for residents and businesses on the roof above the top story of a building, shall be encouraged in the Marlborough Village District. Roof decks may include open space areas for sitting and gardens; open air areas covered by permanent roofs (flat or sloped); indoor areas for social gathering, meetings, common kitchens, restrooms, and storage; spaces for mechanical equipment; and enclosures for elevators and stairs. The portions of a building designed as a roof deck shall be subject to maximum height restrictions, ~~as~~ but may be increased by special permit.

XIV. By amending Chapter 650 (Zoning), Section 650-41 (Table of Lot Area, Yards, and Height of Structures), District: Marlborough Village District MV, Height, and Notes #12 (as referenced therein) to read as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

<u>District</u>	<u>Height</u>
Marlborough Village District MV	Minimum: 35 feet <u>or 2.5 stories</u> ; Maximum: <u>64</u> stories: not to exceed a maximum of <u>60</u> 70 feet.

NOTES:

- 12 Within the Marlborough Village District, special permits may allow for an increase in height for a roof deck to 7 stories and up to 85 feet; also, provided that the height of any development within 50 feet of a residential district boundary, shall be stepped down and shall not exceed 52 feet except where allowed by special permit. [See § 650-34F(4).]

XV. By amending Chapter 650 (Zoning), Section 650-37 (Special Provisions Applicable to the Wayside Zoning District), Subsection H(4)(A), entitled “Mixed Uses”, by inserting the following sentence at the end of the existing subsection: Floor usage in a mixed-use development shall conform to subsection (2) of the definition of “Mixed Use” set forth in Section 650-5(B).

XVI. Effective Date. The effective date of these amendments shall be the date of passage. These amendments do not apply to any special permit or site plan approval, for which an application was submitted and/or a special permit or site plan approval was issued before the date of the first publication of notice of the public hearing pursuant to MGL c. 40A, s. 5 on these amendments.

APPROVED.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

Councilor Landers opposed.

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 c. 30A, s. 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, *JW Capital Partners, LLC and Marlborough TOTG LLC v. Marlborough City Council* (Land Court No. 23 MISC 000199), 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; adopted.

Yea: 10 – Abstain: 1

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

Motion by Councilor Dumais, 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 9:31 PM; adopted.



City of Marlborough
Office of the City Council

140 Main Street
 Marlborough, Massachusetts 01752
 Tel. (508) 460-3711 Fax (508) 460-3710 TDD (508) 460-3610
 Email citycouncil@marlborough-ma.gov

RECEIVED
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 CITY OF MARLBOROUGH
 2023 DEC 13 PM 4:48

Michael H. Ossing
 PRESIDENT

Kathleen D. Robey
 DE-PRESIDENT

Karen A. Boule
 CITY COUNCIL SECRETARY

December 13, 2023

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

Reference: Appointment of Councilor Robey as City Council Representative
 on the Richer School Building Committee

Dear Councilors:

I am asking for your support to appoint Councilor Robey as the City Council representative on the School Building Committee for the new Richer School.

The new administration will be sending the Massachusetts School Building Association (MSBA) a revised letter with individuals that will make up the School Building Committee in January 2024.

Councilor Robey was on the School Building Committee for the Goodnow Brothers school and did an impressive job representing the City Council. Councilor Robey's years of service on the School Committee and her demonstrated attention to detail on the City Council will serve the City Council and the administration well as the new Richer School project moves forward.

Thank you for your support.

Sincerely,

Michael H. Ossing
 City Council President



City of Marlborough
Office of the Mayor

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 2023 DEC 14 AM 11:52

Arthur G. Vigeant
 MAYOR

Patricia M. Bernard
 CHIEF OF STAFF

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

Failyn Bratica
 EXECUTIVE ADMINISTRATOR

December 14, 2023

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

RE: Grant acceptance for the Department of Public Works

Honorable President Ossing & Councilors:

Enclosed for your approval is a grant in the amount of \$19,800.00 through the Sustainable Materials Recovery Program Grant from the Department of Environmental Protection.

This grant supports improving recycling programs by implementing best practices. These funds will be expended to offset the rising costs of processing recyclable materials.

I'd like to thank the Department of Environmental Protection for their support.

If you have any questions, please contact Interim Commissioner, Theodore Scott.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Department of Public Works

135 NEIL STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. 508-624-6910
*TDD 508-460-3610

Theodore L. Scott, P.E.
Interim Commissioner

December 5, 2023

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

Re: Sustainable Materials Recovery Program Grant

Dear Mayor Vigeant:

The Department of Public Works was awarded a Sustainable Materials Recovery Program Grant from the Department of Environmental Protection in the amount of \$19,800. These funds, earned under the Recycling Dividends Program (RDP) and Small-Scale Initiatives grant program, provide incentives for municipalities to improve their recycling programs by implementing best practices and reward communities who practice model recycling and waste reduction programs. Funds will be expended to offset the rising costs of processing recyclable materials. I respectfully request that you submit this grant for City Council acceptance and approval. A copy of the grant acceptance form has also been attached for Council's review and consideration.

Please contact me if you require any additional information.

Sincerely,

Theodore L. Scott
Interim Commissioner

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Department of Public Works DATE: 12/5/2023

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Theodore Scott- Iterim DPW Commissioner

NAME OF GRANT: Recycling Dividends Program Grant

GRANTOR: MassDEP Sustainable Materials Recovery Program

GRANT AMOUNT: \$19,800.00

GRANT PERIOD: Calendar Year 2024

SCOPE OF GRANT/
ITEMS FUNDED Grant will be used to offset the increased cost of processing recyclable materials.

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: 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
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

September 27, 2023

Arthur Vigean
Mayor
City of Marlborough
140 Main Street
Marlborough, MA 01752

Dear Mayor Vigean,

Congratulations! It is my pleasure to inform you that the Massachusetts Department of Environmental Protection (MassDEP) has awarded the City of Marlborough Recycling Dividends Program funds under the Sustainable Materials Recovery Program. The City of Marlborough has earned 11 points and will receive \$19,800.

The Sustainable Materials Recovery Program (SMRP) was created under 310 CMR 19.300-303 and the Green Communities Act, which directs a portion of the proceeds from the sale of Waste Energy Certificates to recycling programs approved by MassDEP. This year, we are awarding \$5.2 million in SMRP funding to 283 municipalities and regional groups.

Recycling programs play a vital role in limiting our dependence on landfills and incinerators, reducing greenhouse gas emissions, and supporting economic activity in the Commonwealth. Recycling Dividend Program funds foster investment in local programs including recycling equipment, organics diversion, outreach and education, pilot programs, school recycling, toxics reduction, and more. Please refer to the [RDP Approved Expenses List](#) for more information. MassDEP has invested in developing nationally recognized tools to assist municipalities with reducing recycling contamination and improving public awareness of smart recycling practices. We encourage you to utilize the [Recycling IQ Kit](#) and [Recycle Smart MA](#) website and to consult with your MassDEP [Municipal Assistance Coordinator](#) for assistance in implementing these best practices.

To accept your grant award, please sign and return the attached RDP Contract via email before January 15, 2024. After we receive your signed RDP contract, funds will be sent to your community. Should you have any questions, please email Rachel Smith at Rachel.Smith@mass.gov.

Thank you for your continued commitment to recycling and waste reduction in Massachusetts.

Sincerely,

Bonnie Heiple
Commissioner



City of Marlborough
Office of the Mayor

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Arthur G. Vigeant
MAYOR

Patricia M. Bernard
CHIEF OF STAFF

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

Jailyn Bratica
EXECUTIVE ADMINISTRATOR

December 14, 2023

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

RE: Grant acceptance for the Police Department

Honorable President Ossing & Councilors:

Enclosed for your approval is a grant in the amount of \$5,063.00 from the Marlborough Brigham Family Trust.

This grant will assist the police department in funding the annual Marlborough Police Youth Academy.

I'd like to thank the Trustees of the Marlborough Brigham Family Trust for their continued support in funding this successful program.

If you have any questions, please contact Police Chief David 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

December 5, 2023

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

Dear Mayor Vigeant:

The Marlborough Police Department has received a grant award check in the amount of \$5,063.00 from the Trustees of the Marlborough Brigham Family Trust. The award has been offered to our department as an award to assist the department in funding our annual Marlborough Police Youth Academy. Lt. Daniel Campbell applied for the grant on behalf of the department, and he detailed the department's need for the funding to help offset some of the expense incurred during the course of the academy. The funding from this grant award allows us to continue the program which has been successful and is well-received by the Marlborough community.

Attached is a copy of the email which our department received from Trish Pope of the Marlborough Brigham Family Trust, a Notice of Grant Award, as well as copy of the check. I am requesting that the donation be forwarded to the City Council for approval. Should you have any questions, please do not hesitate to let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Giorgi". The signature is stylized with a large, sweeping "D" and "G".

David A. Giorgi
Chief of Police

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Police DATE: December 5, 2023

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief David A. Giorgi

NAME OF GRANT: Marlborough Brigham Family Trust

GRANTOR: The Trustees of the Marlborough Brigham Family Trust

GRANT AMOUNT: \$5,063.00

GRANT PERIOD: _____

SCOPE OF GRANT/
ITEMS FUNDED Grant award to support funding for Marlborough Police Department Youth Academy

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**

David Giorgi

From: Daniel Campbell
Sent: Monday, November 27, 2023 10:01 AM
To: David Giorgi
Subject: Re: Marlborough Brigham Family Trust - Congratulations

Good Morning Trish,

I will attend the ceremony on behalf of the Marlborough PD.

Thank you,

Dan Campbell

Marlborough Brigham Family Trust - Congratulations

Dear Daniel Campbell,

The trustees of the Marlborough Brigham Family Trust are pleased to inform you that after careful consideration this year's grant applicants, we are awarding **\$5063** toward your request for funding for the Marlborough Police Department.

In total, we receive 26 applications for this round of grant awards. We were very encouraged not only by the level of interest of our community organizations in this funding opportunity, but even more so by the quality and diversity of the programs the grant applicants detailed. Funding of all requests is not feasible, but we believe the funds we are able to award will help these organizations be well on their way to implementing some terrific programs.

A brief Grant Award ceremony will take place at the Marlborough Public Library on this **Wednesday, November 29th at 5:00pm**. We apologize for the short notice and kindly request you RSVP to this event as soon as

possible. (If you cannot attend, we will put your check in the mail and request you deposit by 12/31/23.)

Congratulations on your award!

Sincerely,

The Trustees of the Marlborough Brigham Family Trust



City of Marlborough
Office of the Mayor

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 2023 DEC 14 AM 11:35

Arthur G. Vigeant
 MAYOR

Patricia M. Bernard
 CHIEF OF STAFF

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

Jailyn Bratica
 EXECUTIVE ADMINISTRATOR

December 14, 2023

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

RE: Gift Acceptance for Council on Aging

Honorable President Ossing & Councilors:

Enclosed for your approval is a gift acceptance in the amount of \$5,000.00 in memory of Ernest Ginnetti that will assist seniors with unanticipated expenses this winter season.

I'd like to thank the family of Ernest Ginnetti for their generosity and support to our senior population.

If you have any questions, please contact COA Executive Director Trish 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

December 4, 2023

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

Re: Gift in memory of Ernest Ginnetti

Dear Mayor Vigeant,

I am pleased to submit to you a gift in the amount of \$5000.00 to the Council on Aging/Senior Center in memory of Ernest Ginnetti. Mr. Ginnetti was a revered member of our Chess Club. He was always willing to pick up a game or teach someone how to play chess. We are truly honored to receive this very generous gift. Once approved we will use this money to assist seniors with unanticipated expenses this winter season.

As always, 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: 4-Dec-23

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia Pope

NAME OF GRANT: Memorial Donation

GRANTOR: Estate of Ernest Ginnetti

GRANT AMOUNT: \$5,000

GRANT PERIOD: open

SCOPE OF GRANT/
ITEMS FUNDED Memorial Gift in memory of Ernest Ginnetti
Funds will be used to assist seniors with unanticipated expenses this
winter season

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
FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT**



City of Marlborough
Office of the Mayor

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2023 DEC -1 PM 4:35
Arthur G. Vigeant
MAYOR

Patricia Bernard
CHIEF OF STAFF

Juilynn Brutica
EXECUTIVE ADMINISTRATOR

December 1, 2023

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

RE: 60 Day Appointment Extension – Acting City Comptroller

Honorable President Ossing and Councilors:

David Williams's interim appointment as acting Comptroller of the Treasurer's office will expire on December 4th. I am notifying you that I have extended Mr. Williams's interim appointment as acting Comptroller for an additional 60 days.

Although Mr. Williams has been here for a short period of time, he has been able to acclimate quickly taking over all financial responsibilities and is managing his staff while reviewing and updating protocols.

If you have any questions, please feel free to contact my office.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

Part I	ADMINISTRATION OF THE GOVERNMENT
Title VII	CITIES, TOWNS AND DISTRICTS
Chapter 41	OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS
Section 61A	APPOINTMENT OF TEMPORARY OFFICERS UPON VACANCY OF CERTAIN OFFICES; TENURE; BOND; REMOVAL; POWERS AND DUTIES

Section 61A. If the office of city auditor, city treasurer, city collector of taxes or other officer having charge of a city department is vacant, or if any such officer, because of disability or absence, is unable to perform his duties, the mayor, without confirmation by the city council, any provision of a city charter to the contrary notwithstanding, shall appoint a temporary officer to hold such office and exercise the powers and perform the duties thereof until another is duly elected or appointed and has qualified according to law, or the officer who was disabled or incapacitated resumes his duties; but no such temporary officer shall be appointed under this section for a period longer than sixty days. Any such temporary officer shall be sworn and give bond for the faithful performance of his duties in accordance with the provisions of law applying to the officer whose place he fills, and if he fails so to do within ten days after his appointment the mayor shall rescind the appointment and appoint another.



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City of Marlborough
Office of the Mayor

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Jalyn Bratica
EXECUTIVE ADMINISTRATOR

December 1, 2023

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

RE: 60 Day Temporary Appointment – Parking Clerk

Honorable President Ossing and Councilors:

I am notifying you that I've appointed Louis Turieo as our interim Parking Clerk as said office is vacant. Mr. Turieo has over 30 years in the Marlborough Police Department and is more than qualified to take on this temporary role.

I'd like to take this opportunity to thank Mr. Turieo for assisting us during this time of transition.

If you have any questions, please feel free to contact my office.

Sincerely,

Arthur G. Vigeant
Arthur G. Vigeant
Mayor

Enclosures

Part I	ADMINISTRATION OF THE GOVERNMENT
Title VII	CITIES, TOWNS AND DISTRICTS
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City of Marlborough
Office of the Mayor

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2023 DEC 14 AM 11:35

Arthur G. Vigeant
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Patricia M. Bernard
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Jailyn Bratica
EXECUTIVE ADMINISTRATOR

December 14, 2023

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

RE: Vigeant Administration Accomplishments

Honorable President Ossing & Councilors:

For informational purposes, I am submitting a list of accomplishments and initiatives that my administration has been able to put forth during my tenure as Mayor.

With the support of our elected state officials, we have been able to heavily invest in our public safety, schools, seniors, and upgraded and expanded our conservation areas. We have received seven Massworks infrastructure grants under three state administrations totaling over \$17 million enabling us to upgrade 55 miles of roadway: 46% of all our city streets. Our public housing facilities have undergone renovation, as well as most of our parks and playgrounds. Most recently, our public library's substantial expansion project has been accomplished and we introduced our first public art initiative completing a vibrant mural on South Bolton Street. None of this could have come to fruition without a dedicated staff to make it happen.

I would like to recognize our devoted team of department heads and their staff who have been involved in improving city services and enhancing our community. The Marlborough Economic Development team has been pivotal in our successes as well as the boards and commissions members' support. In addition, I would like to thank the staff at WMCT-TV for capturing it all.

A lot of these endeavors would not have been possible without the support of the City Council, and I wish to thank each of you as well.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

Roadway reconstructed and/or resurfaced: 291,144 feet (55.1 miles)

Water mains replaced and/or cleaned & lined: 72,975 feet (13.8 miles)

Sewer mains replaced and/or lined, or installed: 59,922 feet (11.3 miles)

Over 1,200 Lead Water Services replaced

Four sewer pump stations reconstructed

Backup water pump station constructed

Middle School Turf Field

High School Baseball/Soccer Turf Field

High School Softball Turf Field

Middle School Natural Grass Baseball Field

Ghiloni Park Dek Hockey Rink

Ghiloni Park Splash Pad

Stevens Park Splash Pad

Ward Park Improvement Project

Memorial Beach Improvement Project

John Street Playground Improvements

Stevens Park Playground Improvements

Ghiloni Park Parking Improvement Project

Hudson Street Landfill Capping and Post-closure Use Project underway

Lake Williams Boardwalk Project underway

Peterson Street	2013	3,359	Reconstruction (reclaim)				
Corland Street	2012	1,544	Reconstruction (reclaim)				
Russell Lane	2012	824	Reconstruction (reclaim)				
First Street	2012	785	Reconstruction (reclaim)				
Maple Terrace	2012	415	Reconstruction (reclaim)				
Royce Road	2012	1,355	Reconstruction (reclaim)				
MacQuarrie Drive	2012	500	Reconstruction (reclaim)				
Masdenell Drive	2012	430	Reconstruction (reclaim)				
Reservoir Street	2012	3,015	Reconstruction (overlay)				
Parmenter Street	2012	5,687	Reconstruction (overlay)				
Curtis Avenue	2012	2,365	Reconstruction (overlay)				
Bellefleur Avenue	2013	618	Reconstruction (reclaim)				
Hudson Street (Union Street to Bolton Street)	2013	3,872	Reconstruction (reclaim)				
Miles Standish (Girard Road to Cul-de-sac)	2013	475	Reconstruction (reclaim)				
Bolton Street (Main Street to Union Street)	2014	2,960	Reconstruction (overlay)			2060	Sewer Main Replacement
Brimsmead Street	2014	1,346	Reconstruction (reclaim)				
Tremont Street	2014	1,210	Reconstruction (reclaim)				
Church Street	2014	4,297	Reconstruction (reclaim)	2915	Water Main Replacement		
Greenwood Street (Church Street to Maple Street)	2014	1,008	Reconstruction (reclaim)	1008	Water Main Replacement		
Plymouth Street	2014	355	Reconstruction (reclaim)				
Howe Street	2014	1,600	Reconstruction (reclaim)				
Rogers Avenue	2014	500	Reconstruction (reclaim)				
Duck Drive	2014	500	Reconstruction (reclaim)				
Hudson Street (Union Street to Mechanic Street)	2014	953	Reconstruction (overlay)				
Broad Street (West Main Street to Lincoln Street)	2014	1,195	Reconstruction (overlay)	1195	Water Main Clean & Line		
Barry Road (Cook Lane to Bolton Road East)	2015	10,413	Reconstruction (reclaim)				
Farrington Lane (Southbury Street to 167 Farrington Lane)	2015	7,324	Reconstruction (overlay)	3121	Water Main Replacement	3121	Sewer Main Replacement
Girard Street	2015	555	Reconstruction (reclaim)				
Martin Street	2015	829	Reconstruction (reclaim)				
Richard Road	2015	1,255	Reconstruction (reclaim)				
Stimark Drive	2015	8,205	Reconstruction (reclaim)				
Suburb Street	2015	8,780	Reconstruction (reclaim)	8780	Water Main Replacement	8780	Sewer Main Replacement
Hosmer Street (Girard Circle to Town Line)	2016	3,595	Reconstruction (overlay)				
Howland Street	2016	1,137	Reconstruction (reclaim)	1,137	Water Main Replacement	1,137	Sewer Main Replacement
Jefferson Street	2016	1,075	Reconstruction (reclaim)	1,075	Water Main Replacement	1,075	Sewer Main Replacement
Windsor Street	2016	300	Reconstruction (reclaim)	300	Water Main Replacement	300	Sewer Main Replacement
Temple Circle	2017	550	Reconstruction (overlay)	550	Water Main Replacement		
Last Drive	2017	5,000	Reconstruction (overlay)	5,000	Water Main Replacement		
Salem Way	2017	2,350	Reconstruction (overlay)	2,350	Water Main Replacement		
Schofield Drive	2017	1,058	Reconstruction (overlay)	1,058	Water Main Replacement		
Shah Drive	2017	500	Reconstruction (overlay)	500	Water Main Replacement		
Gibbs Place	2017	400	Reconstruction (overlay)	400	Water Main Replacement		
Kelleher Street	2017	2,320	Reconstruction (overlay)	2,320	Water Main Replacement		
Ahern Road	2017	1,100	Reconstruction (overlay)	1,100	Water Main Replacement		
Beverly Drive	2017	500	Reconstruction (overlay)	500	Water Main Replacement		
Woodridge Road	2017	500	Reconstruction (overlay)	500	Water Main Replacement		
Farmington Circle	2017	1,364	Reconstruction (overlay)	1,364	Water Main Replacement		
Linda Circle	2017	1,555	Reconstruction (overlay)	1,555	Water Main Replacement		
Libby Avenue	2017	575	Reconstruction (overlay)	575	Water Main Replacement		
Elm Street (Franklin Street to Mechanic Street)	2017	1,355	Reconstruction (reclaim)	1,355	Water Main Replacement	1,355	Sewer Main Replacement
West Hill Road	2017	4,579	Reconstruction (reclaim)	4,579	Water Main Replacement	4,579	Sewer Main Replacement
Pineville Way	2017	2,000	Reconstruction (overlay)	2,000	Water Main Replacement	2,000	Sewer Main Replacement
Harper Circle	2017	600	Reconstruction (overlay)	600	Water Main Replacement	600	Sewer Main Replacement
East Main Street (Lincoln Street to Main Street)	2017	12,556	Reconstruction (reclaim)			12,556	Sewer Main Replacement
Chase Road	2018	1,700	Reconstruction (overlay)				
Reauby Street	2018	972	Reconstruction (overlay)				
Flagg Road	2018	407	Reconstruction (overlay)				
Nashoba Drive	2018	2,105	Reconstruction (overlay)				
Bradley Drive	2018	2,164	Reconstruction (overlay)				
Thompson Drive	2018	500	Reconstruction (overlay)				
Leslie Drive	2018	1,225	Reconstruction (overlay)				
Sunstar Drive	2018	570	Reconstruction (overlay)				
Diana Drive	2018	1,000	Reconstruction (overlay)				
Fuller Drive	2018	395	Reconstruction (overlay)				
Helen Drive	2018	2,890	Reconstruction (overlay)				
Ruth Drive	2018	535	Reconstruction (overlay)				
Clarke Drive	2018	860	Reconstruction (overlay)				
Priscilla Drive	2018	320	Reconstruction (overlay)				
Brigham Street	2018	8,190	1" overlay				
Lincoln Street (Pleasant Street to Broad Street)	2018	1,210	1" overlay	1,210	Water Main Replacement	1,210	Sewer Main Replacement
St Angelo Drive	2018	1,000	Reconstruction (reclaim)	1,000	Water Main Replacement	1,000	Sewer Main Replacement
Lincoln Street (Broad Street to Route 20)	2018	1,435	Reconstruction (reclaim)	1,435	Water Main Replacement	1,435	Sewer Main Replacement
Forest Street	2018	1,985	Reconstruction (reclaim)				
Forest Street/Bartlett Street (495 overpass to Northboro town line)	2018	5,800	Microsurfacing				
Concord Road (Barnum Lane to Town Line)	2019	13,256	Reconstruction (overlay)				
Roughneck Road	2019	12,400	Reconstruction (reclaim)	3,400	Water Main Replacement	3,400	Sewer Main Replacement
Wilcox Street	2019	3,445	Reconstruction (reclaim)	3,445	Water Main Replacement		
State Street	2019	1,538	Reconstruction (reclaim)	1,538	Water Main Replacement	1,538	Sewer Main Replacement
Alford Street	2019	250	Reconstruction (reclaim)	250	Water Main Replacement	250	Sewer Main Replacement
Fuller Street	2019	308	Reconstruction (reclaim)	308	Water Main Replacement	308	Sewer Main Replacement
Glen Street	2019	3,400	Reconstruction (reclaim)	3,400	Water Main Replacement	3,400	Sewer Main Replacement
Ridge Road	2019	1,111	Reconstruction (reclaim)	1,111	Water Main Replacement	1,111	Sewer Main Replacement
Johannes Drive	2019	1,220	Reconstruction (reclaim)	1,220	Water Main Replacement	1,220	Sewer Main Replacement
Bottom Street (Hudson Street to Hudson Town Line)	2019	4,545	Reconstruction (overlay)				
Maple Street (John Street to Southborough Town Line)	2019	6,040	Reconstruction (reclaim)	600	Water Main Replacement		
Woodstock Lane (Harper Circle to Farmington Lane)	2019	800	Reconstruction (overlay)	800	Water Main Replacement	800	Sewer Main Replacement
Hawkins Lane	2019	1,200	Reconstruction (overlay)	1,200	Water Main Replacement	1,200	Sewer Main Replacement
Hemlockway Street	2019	1,035	Reconstruction (overlay)	1,035	Water Main Replacement	1,035	Sewer Main Replacement
Carver Hill Road	2019	875	Reconstruction (reclaim)	875	Water Main Replacement	875	Sewer Main Replacement
Boudreau Ave.	2019	768	Reconstruction (reclaim)	768	Water Main Replacement	768	Sewer Main Replacement

Total length = 263,544,147 bp. GC content = 40.95%. 44,404,535 bp (16.85%) were mapped to the reference genome. 1,140,560,112 bp (43.31%) were mapped to the reference genome. 1,140,560,112 bp (43.31%) were mapped to the reference genome.

Marlborough Police Department updates

- **Civil Service:**
- **2016:** Successfully negotiated with both Patrol and Command unions to leave Civil Service,
 - Non-civil service allows department to have better ability to test, evaluate, research and hire the best candidates for entry-level and promotional-level positions within the department.
-
- **July 2018:** The Police Department added **two** additional patrol officers, bringing the total number of officers in the department to **50**- this marked the first time that the department had increased staffing in several decades.
 - The additional officers allowed for the creation of a dedicated full-time **Traffic Services Unit**(1 Sergeant, 2 officers).
 - traffic duties include: traffic enforcement, traffic data analysis, accident investigation/reconstruction and outreach with concerned residents.
 - Improvements to the Traffic unit's equipment includes an unmarked Traffic cruiser, new Lidar(laser) equipment and movable speed signs which not only register the speed of passing vehicles, but also counts the volume of passing vehicles and provides quantitative data which assist in effectively addressing traffic concerns.
 -
- **July 2019:** The Police Department added **two** additional patrol officers, bringing the total # of officers to **52**.
 - The additional officers allowed for the creation of two additional **School Resource Officers- Whitcomb Middle School and Assabet Valley High School**.
 - Worked with both Marlborough and Assabet Valley Superintendents to establish and fund positions.
 - Retained two older cruisers and increased the fleet to allow each S.R.O. to have vehicle at the schools at all times.
- **Accreditation Process:-** two part process involving updating the department's policies and procedures to meet the Massachusetts Accreditation Commission's as 257 mandatory standards well as 125 optional standards.
 - Awarded **Certification by the Commission in January 2017(step 1)**.
 - Awarded **Accreditation by the Commission on February 7, 2018(step 2)**.
 - Achieving Massachusetts Accreditation is a significant accomplishment for the department and is a highly prized recognition of law enforcement professional excellence.
 - M.P.D. is **one of 122** Accredited departments in Massachusetts.
- **November 2018: Do Not Knock Registry**
 - Gives Marlborough residents the ability to list address with Police Department to prevent solicitors from coming to their residence.

- **Summer 2019:** Creation and implementation of Marlborough Youth Police Academy.
 - o Offered for free to 7th grade students and graduated all 60 children from the 2 classes.

Miscellaneous:

- Have purchased and trained all officers to carry Tasers while on duty as an alternative weapon to using hand-to hand techniques or lethal force.
- Successfully negotiated Light Duty for both Patrol and Command Unions to limit # of officers out with long term injuries.
- Fitness Test for Patrol union- 2x/year as motivation to stay in shape and reduce injuries.
- Cruisers: Have purchased additional cruisers to increase # of vehicles in fleet.
 - o Currently have 29 marked/unmarked cruisers & 2 motorcycles
 - o Normally purchase/replace 3-5 cruisers each year.
- COVID-19- Implement procedural changes to maintain the well-being and safety of all department employees.
 - o Communicated with Unions about impending changes, explained reasoning, and enforced changes with no grievances or issues.
- Worked to successfully to bring all injured officers back to work or off payroll while due to involuntary retirement.
- Raised hourly pay for non-union employees(parking attendant, matrons, crossing guard) to maintain equality in pay for performing same duties.(Up to \$18/hour).

Fitness Evaluation October 2020: All patrol officers participated, very few issues, no injuries. Well received and a success. Hardest test in the state.

-Worked through Social Justice/George Floyd incident by working with community groups to discuss media reports of lack of police transparency and use of force issues. Minimal protests or disruptions in the City due to willingness to communicate with members of the public and social justice groups.

-Worked with Advocates to add a 2nd full-time mental health clinician(JDP) to the department to help address mental health crisis for the City as well as opioid epidemic. Allows City to have clinician working with officer between 8am-12am(16hrs) Monday -Friday.

-



**City of Marlborough
FIRE DEPARTMENT
215 MAPLE STREET
MARLBOROUGH, MASSACHUSETTS 01752**

**KEVIN J. BREEN
FIRE CHIEF**

**PHONE: (508) 624-6986
FAX: (508) 460-3795**

August 25, 2023

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

REF: MFD Accomplishments

Dear Mayor Vigeant:

As requested, I am forwarding a list of key accomplishments within Marlborough Fire Department (MFD) since arriving in 2015. Our collective success is possible because of your steadfast support while serving as Mayor of Marlborough. Additionally, what follows is attributable to having a capable, cohesive management team working alongside devoted firefighters who embraced positive change and are wholly committed to excellence and public service.

The impetus for positive change began after you commissioned, through Municipal Resources Inc. (MRI), a comprehensive organizational assessment of Marlborough Fire Department. This undertaking produced scores of recommendations with a roadmap for making improvements and implementing efficiencies within Marlborough Fire Department.

To date, we are pleased to include the following achievements in the listed functional areas:

MARLBOROUGH FIRE DEPARTMENT (Operations and Support Services)

- Successfully negotiated and implemented a departmental reorganization responsible for:
 - Establishing two (2) new Assistant Fire Chiefs each tasked with managing major functional areas within the department (Operations and Support Services) thus creating an effective managerial team focused on continuous quality improvement, accountability, and a leadership succession plan.

- Increased the minimum on-duty shift staffing strength from thirteen (13) line positions to fourteen (14) line positions.
 - Implemented a plan to insure Incident Commander (IC) coverage 24/7/365.
 - Increased the minimum number of credentialed line officers required to be on-duty for each work shift.
 - Established four (4) new Battalion Chief positions each overseeing one work group/shift.
 - Established four (4) new line officer positions overseeing tactical companies (Captains).
- Successfully negotiated with IAFF L1714 the withdrawal of Marlborough Fire Department from Massachusetts Civil Service Commission (CSC).
 - Established a new comprehensive hiring process to attract and hire outstanding candidates utilizing a multiple step process with thorough vetting of personnel.

-Thirty-eight (38) persons have been hired as new firefighters here at MFD since 2015.

- Established new comprehensive promotional processes to ensure high-quality candidates to fill line and staff officer positions.

-Seventeen (17) of eighteen (18) existing MFD officers have been promoted/appointed at MFD since 2015

- Successfully negotiated and implemented a new Rules and Regulations section within the Collective Bargaining Agreement (CBA).
- Successfully negotiated and implemented a new Drug and Alcohol Testing policy within the Collective Bargaining Agreement (CBA).
- Successfully negotiated and implemented a new Temporary Modified Work Program (TMWP) also known as a “light duty” work program within the Collective Bargaining Agreement (CBA).
- Established a new Emergency Medical Services (EMS) response capability by placing a new unit (Squad #1) in service to address escalating EMS (medical) calls within the city.
- Elevated the minimum on-duty shift staffing strength from fourteen (14) line positions to sixteen (16) line positions during the day shift tours (0800-1800 hours) in May 2023.
- Created a new fire prevention officer (Fire Inspector) position to support city-wide code and plans review, permitting, code compliance, enforcement, public fire education, fire investigations, and residential and commercial inspections.

REPLACEMENT of AGED FIRE APPARATUS SINCE 2015 (\$4.5M+)

- Engine #2 KME, Class A Fire Engine
- Engine #1 Pierce Impel, Class A Fire Engine
- Engine #3 Pierce Impel, Class A Fire Engine

- Rescue #1 Pierce Impel, Heavy Rescue
- Truck #1 Pierce Enforcer, 105' Tower Ladder Truck (In progress, September 2023)

- Squad #1 Ford F-550 Medium-Duty EMS Rescue and Forestry Unit
- Marine #1 Zodiac – Mil-Pro, Inflatable Boat w/ new 20 HP Outboard

- Support Unit #1 2019 Chevrolet 2500
- Support Unit #2 2020 Chevrolet 2500

- C1, Staff Car 2021 Chevrolet Tahoe
- C2, Staff Car 2016 Chevrolet Tahoe
- C3, Staff Car 2017 Chevrolet Tahoe
- C6, Staff Car 2016 Chevrolet Tahoe
- C5, Batt. Chief 2021 Chevrolet Tahoe

- Utility Trailer

PROCUREMENT of NEW TOOLS and SAFETY EQUIPMENT (\$1M+)

- Replaced complete inventory of non-compliant, Self-Contained Breathing Apparatus (SCBA)
- Replaced non-compliant Rapid Intervention team (RIT) packs (5 units)
- Replaced complete set of department's hydraulic extrication tools (jaws of life, spreaders, cutters, rams)
- Procured complete set of new air-bag rescue system.
- Procured complete set of new vehicle-rescue Para-Tek strut system
- Procured complete sets of battery, hand-operated rescue tools.
- Procured new Ocean ID ice rescue boat and related ice rescue equipment.
- Complete Replacement of ice and water rescue suits
- Purchased new forcible entry door training prop.

PERSONAL PROTECTIVE EQUIPMENT (PPE) and STRUCTURAL FIREFIGHTING ENSEMBLES (Turn-out Gear) (\$750K)

- Replaced members' Structural Firefighter Ensembles (Turn-out Gear) establishing a minimum of two (2) sets issued per member with a published replacement plan/schedule.
- Increased levels of PPE available per member reducing occupational cancer risks (hoods, gloves, wipes).

- Procured new ballistic vests, helmets, and related equipment for Active Shooter Hostile Event Response (ASHER) capability.
- Purchased new highway/road safety vests for all line personnel.
- Procured new Self-Rescue Bail-out kits for line personnel.

FIRE STATION MODIFICATIONS and IMPROVEMENTS

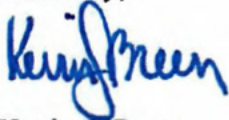
- Construction rehab Station #1 living quarters by City facility maintenance personnel
- Construction rehab Station #3 living quarters by City facility maintenance personnel
- Procured/installed new diesel exhaust removal Plymovent systems in all three (3) fire stations.
- Procured/installed new washer extractor systems for cleaning members' PPE.
- Procured/installed new PPE dryer systems for members' gear.
- Completed the reconstruction of Station #1's decontamination room for cleaning structural firefighting protective clothing ensembles and related PPE.
- New Overhead Doors installed at Station #1
- New emergency generator installed for Headquarters Station #1 Emergency Operations Center (EOC) location.
- New Bedding and Frames for all fire stations (In progress, September 2023)
- Procured new fitness equipment for our fire stations.
- Created a Fire Station Study Committee tasked with reviewing and recommending potential fire station facility locations and configurations, required station programming and space needs, comparable projects in other communities and estimated costs.

COMMUNICATIONS and INFORMATION TECHNOLOGY (IT) (\$5M+)

- Land Mobil Radio (LMR) City-wide Public Safety (Police and Fire) Radio Project (In Progress)
- New fire dispatching and fire department operations software upgrades (Alpine) with new station monitors (In Progress)
- Mobil Data Terminals (MDTs) and computer tablets in MFD Apparatus

We are pleased to summarize our departmental progress and remain available to answer any questions.

Sincerely,



Kevin J. Breen
Fire Chief

Patricia Bernard

From: Chad Carter
Sent: Wednesday, December 13, 2023 3:13 PM
To: Patricia Bernard
Subject: RE: Executive Summary of Construction Projects and Programs

Trish, I've updated some of the figures for you.

Housing

667 Elderly Housing/Nonelderly Disabled Housing – 227 units (32 are reserved for non-elderly disabled individuals)
 (Main, Bolton, Pleasant)
 689 Special Needs Housing – 7 units (20 Front St.)
 Section 8 – 138 Vouchers
 DMH – 37 Vouchers
 AHVP – 1 Vouchers

Total Units – 234

Total Vouchers - 176

Community Development

Administer CDBG Programs:

Housing Rehabilitation

Substance Abuse Prevention Program through Boys & Girls Club

Infrastructure Street Projects: (Devens St., McEnelly St., Harrison Place, Winthrop St.)

Main St. Roofing Project

Active Housing Rehab Loans from previous CDBG's – 54

Active Housing Rehab Loans from current CDBG – 14 (11 applications on waiting list)

Maintain Subsidized Housing Inventory of City – 1,848 Affordable/16,347 Total Housing Units in Marlborough (11.30% Last Submission for 2021)

Next Submission in Jan 2024 with updated 2020 Census figures

Monitoring Agent to Local Initiative Program Units – 36

Own and operate two (2) Affordable Housing Properties – 223 & 275 Mechanic St. (Previously NSP Program)

FISH #	Project Name	Budget	Amount Expended	Budget Remaining
170040	Unit Mods	\$ 36,525.00	\$ 36,525.00	\$ -
170052	Balcony Repair	\$ 91,162.80	\$ 91,162.80	\$ -
170060	Pleasant St. Mod.	\$ 11,482,509.86	\$ 11,482,509.86	\$ -
170061	Main Locks	\$ 88,346.14	\$ 88,346.14	\$ -
170062	Bolton Sliders	\$ 174,731.35	\$ 174,731.35	\$ -
170065	Main Roof Study	\$ 3,718.00	\$ 3,718.00	\$ -
170067	Main Boiler	\$ 36,384.00	\$ 36,384.00	\$ -
170068	Pleasant Boiler	\$ 9,227.69	\$ 9,227.69	\$ -
170069	THRIVE Door	\$ 9,451.93	\$ 9,451.93	\$ -
170070	Bolton G8 Mod.	\$ 24,370.37	\$ 24,370.37	\$ -
170071	Main 424 Mod.	\$ 12,887.71	\$ 12,887.71	\$ -
170073	Windsor St.	\$ 42,728.12	\$ 42,728.12	\$ -
170075	Bolton Windows	\$ 186,386.10	\$ 186,386.10	\$ -
170076	Front Vinyl Siding	\$ 42,559.36	\$ 42,559.36	\$ -
170077	Main Low Flow Toilets	\$ 93,773.73	\$ 93,773.73	\$ -
170078	Fire Pump	\$ 6,493.30	\$ 6,493.30	\$ -
170080	Bolton Fire Alarm Repair	\$ 20,474.30	\$ 20,474.30	\$ -
170081	Pleasant St. Balcony & Brick Repair	\$ 586,199.83	\$ 586,199.83	\$ -
170083	Pleasant St. Community Room	\$ 402,530.00	\$ 41,835.00	\$ 360,695.00
170084	Main St. Kitchen & Baths	\$ 80,961.87	\$ 80,961.87	\$ -
170085	Main St. Roof Replacement	\$ 1,493,185.19	\$ 1,149,833.19	\$ 343,352.00
170087	Bolton St. Hot Water Replacement	\$ 45,220.00	\$ 45,220.00	\$ -
170088	Main St. ADA Entrance	\$ 95,147.50	\$ 95,147.50	\$ -
170091	ADA Unit Upgrades	\$ 9,700.00	\$ 9,700.00	\$ -
170093	ARPA Main St. Bathrooms (1/6)	\$ 335,259.00	\$ 25,600.00	\$ 309,659.00
170095	Unit Upgrades #111 Shower	\$ 10,588.00	\$ -	\$ 10,588.00
170096	Unit Upgrades #105/#523 Gut Rehabs	\$ 115,432.00	\$ -	\$ 115,432.00
Total		\$ 15,535,953.15	\$ 14,396,227.15	\$ 1,139,726.00

From: Patricia Bernard <pbernard@marlborough-ma.gov>

Sent: Wednesday, December 13, 2023 1:47 PM

Conservation & Green Initiatives

The City has signed a twenty-two-month contract with a new electricity supplier: First Point Power with a rate of 0.14150 per kWh. **This is a 100% wind Renewable Energy Credits-- 100% renewable energy green product.** *This rate is in effect from January 2024 to November 2025.*

26-mile Panther Trail completion

33 acres of conservation land purchased & preserved adjacent to Callahan State Park adding to our 4,324.61 acres of protected land.

City continues to grow the fleet of five Electric Vehicles (EV) and has several hybrid vehicles.

12 Electrical Vehicle Charging Stations have been added: two in the municipal parking garage with four plug-ins, Ghiloni Park, Rawlings Street and four at the new municipal lot on Bolton Street.

Achieved 20% energy reduction in municipal properties in 2020.

LED Streetlight Conversion Program - 2,711 streetlights, reducing a projected 1,008,678 kWh. for an annual savings of over \$800,000 through National Grid's energy proficiency program.

LED light conversion in schools and Easterly and Westerly Water Treatment Plants

Solar panels added to four school rooftops

City Hall HVAC system upgrade in completed 2020

60% of our municipal electricity is purchased through solar net-metering agreements (Schools, City Hall, Police and Fire Stations)

Marlborough Community Development Authority receives solar credits generated from Knowlton Farm in Grafton to offset electricity costs partnering with BlueWave Renewable Energy's solar project built in 2015.

In 2012, the City created its first community garden. It is called the Cider Knoll Community Garden.

Recreation Department

1. Renovation of Memorial Beach (New Playground, Basketball Court, and Beach improvements which includes Renovated Beach House, new fencing, beautified the cove area, new picnic tables for picnic area, and new parking lot)
2. Ward Park renovation (new track, lighting, storage facility for youth groups, bathrooms, concession stand, playground, skatepark, basketball and pickleball courts)
3. 3 New Turf Fields (One multi-purpose at MHS which includes baseball, soccer and lacrosse and One girls softball field) One Multi-Purpose Turf Field at Whitcomb which included a new concession stand, bathrooms, and new track)
4. Two new Splash Pads one at Ghiloni Park and one at Stevens Park
5. New Kayak Dock located at the Hixson Boat Launch
6. New Dek Hockey Rink at Ghiloni Park
7. New walking trail at Lake Williams

Veterans Services

Since Nov 2019 This office has done the following

Filed nearly 1600 federal VA claims. This includes veteran disability, widow benefits, veteran pensions, and death benefits. The average payout of these claims is \$1550.00 a month going directly to the veteran or widow. In total this office since 2019 has recovered over \$2,000,000 for our veterans and widows.

Held 2 Veteran Resource fairs where over 200 veterans enrolled in VA Healthcare

Held 2 Medal of Liberty events, and one of the states first Medal of Fidelity events.

Had multiple veteran bowling outings.

Initiated the Veteran Pizza lunch at Linguine's where over 20 veterans get together on the 2nd and 4th Tuesday of the month.

Multiple veteran outings with the Worcester Red Sox and Worcester Railers.

Had a Vietnam Veteran (Russ Flagg) honored by the New England Patriots on the 50th Anniversary of the Vietnam War

Started the WMCT-TV Show Veteran Voices

Mapped the city's two major Cemeteries for veteran graves



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2023 DEC -8 AM 9:42

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
CHIEF OF STAFF

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

Jailyn Bratica
EXECUTIVE ADMINISTRATOR

December 8, 2023

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

RE: Veto of City Council Order No. 22/23-1008691A – Acceptance of Gikas Lane as a Public Way

Honorable President Ossing and Councilors,

I am hereby notifying you of my veto of City Council Order No. 22/23-1008691A acceptance of Gikas Lane as a public way along with easements.

Since it's been about five years since this road has been completed, I am strongly suggesting the City request a payment from the developer to cover the estimated cost of \$2,000.00 for crack sealing. As Councilor Oram noted at the November 6th Public Services meeting, the developer should have some monies in reserve to cover the cost. He's right, the developer should be paying for this. I also want verification that the developer has been paying the electricity bills for Gikas Lane's streetlights to date. Again, the City should not be maintaining unaccepted streets.

I will not sign the order until the above noted items are resolved.

I sent down a letter in July to address all the unaccepted "private" ways and the Public Service Committee has not taken up this up. There are many streets in more disrepair than Gikas Lane, as Councilor Navin noted, but why should the City accept a road that is five years old and does need minor repair. Why should the taxpayers cover this cost? To perform permanent repairs, appropriate private ways need to be accepted as "public ways." Going forward the Planning Board and the City Council need to follow through with holding the developers accountable, not releasing bonds and accepting streets prematurely.

It's not the Council's job to compare road conditions and try to find a justifiable reason to pay for this, it's up to the developer to provide a good quality road for the City.

I am hopeful that this can be resolved in the immediate future.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur G. Vigeant". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Arthur G. Vigeant
Mayor

Enclosure



City of Marlborough

Legal Department

140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752

TEL (508) 460-3771 FAX (508) 460-3698 TDD (508) 460-3610
LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

JASON D. GROSSFIELD
CITY SOLICITOR

JEREMY P. MCMANUS
ASSISTANT CITY SOLICITOR

BEATRIZ R. ALVES
PARALEGAL

December 14, 2023

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

Re: City Council Order No. 22-1008823
Special Permit Decision, 846 Boston Post Road, Marlborough

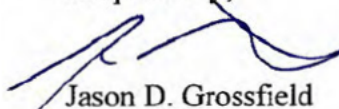
Dear Honorable President Ossing and Councilors:

In accordance with Chapter 650-59C(13) of the Marlborough Zoning Ordinance, I provide this letter regarding the legal form of the City Council's proposed findings on the above-referenced special permit application as requested at the Urban Affairs Committee meeting on December 5, 2023.

In reviewing the proposed decision, in my opinion, it is susceptible to legal challenge because the publication and mailing of notice for the public hearing on the application state the subject address as 846 Boston Post Road. See MGL c. 40A, s. 11(notices shall contain a description of the area or premises, street address). The plan for the current version of the proposed use shows a portion of the storage containers extending onto an adjacent parcel with an address of 850 Boston Post Road, Marlborough. I have conferred with counsel for the applicant and it is my understanding the applicant has filed a request to withdraw the application¹.

Please contact me if you have any questions or concerns.

Respectfully,


Jason D. Grossfield
City Solicitor

cc: Arthur G. Vigeant, Mayor
Tin Htway, Building Commissioner

¹ Please note if a request to withdraw the application without prejudice is denied, it would be necessary to vote on the merits of the application and to take all other required steps in accordance with time limitations set by law to avoid a constructive approval.



City of Marlborough

Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL (508) 460-3771 FAX (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

JASON D. GROSSFIELD
CITY SOLICITOR

JEREMY P. MCMANUS
ASSISTANT CITY SOLICITOR

BEATRIZ R. ALVES
PARALEGAL

2023 DEC 14 AM 10:18

December 14, 2023

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

Re: Order No. 23-1008951 - Proposed Zoning Ordinance Amendments re: Red Spring Road Overlay District

Dear Honorable President Ossing and Councilors:

In connection with the above-referenced item, enclosed please find the proposed ordinance amendment, as requested at the Urban Affairs Committee meeting on December 5, 2023. I have reviewed the proposed amendments and placed them in proper legal form.

I have incorporated revisions to clarify: (a) the special permit granting authority role of the zoning board of appeals in subsection C; and (b) that only one principal building shall be located in each exclusive use area and buildings shall only be located within the building envelope in subsection E(1).

Lastly, I note this office received a draft proposed "Agreement of First Refusal" regarding certain land off of Red Spring Road, referenced during discussion in committee. As the proposed agreement would be a new and separate item from the zoning amendments, it is my understanding the offeror may submit further information to the City Council with respect to any such proposal.

Please contact me if you have any questions or concerns.

Respectfully,

Jason D. Grossfield
City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor
Tin Htway, Building Commissioner

ORDERED:

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING RECEIVED FOR ITS 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 BY AMENDING AND ADDING THERETO AS FOLLOWS:

- I. Chapter 650, Article VI, entitled “Special Districts, Overlays and Special Requirements” is hereby amended by **inserting** a new Section 650-39A, entitled “Red Spring Road Overlay District”, which shall read as follows:

§650-39A – RED SPRING ROAD OVERLAY DISTRICT

- A. Purpose and Objectives. The Red Spring Road Overlay District (“RSR”) allows the application of supplemental land use controls within the boundaries of a certain overlay district as an alternative to land use controls that exist in the underlying districts. The establishment goals of the RSR are to incorporate an existing condominium neighborhood within the Zoning Ordinance, to encourage improvements to existing structures, and to regulate modifications to a unique lakeside residential community. The RSR regulates land use and not form of ownership.
- B. Location of RSR; Underlying Zoning.
 1. For the purposes of this Section (§650-39A et. seq.), the RSR is located on the southerly side of Fort Meadow Reservoir along Red Spring Road between Reservoir Street and Cullinane Drive containing approximately 40 acres as indicated on the City Zoning Map and more particularly described in Exhibit “A” annexed hereto and incorporated by reference herein.
 2. Except as specifically provided herein, the provisions of the Zoning Ordinance relating to the underlying zoning districts not otherwise impacted by this Section (§650-39A et. seq.) shall continue to remain in full force and effect. In the event of any conflict between the provisions of this Section (§650-39A et. seq.) and any other provision of the Zoning Ordinance, the provisions of this Section (§650-39A et. seq.) shall govern and control.
- C. Authority of Permit Granting Authorities.
 1. The Zoning Board of Appeals shall be the special permit granting authority in the RSR for: (a) single-family dwelling uses for purposes of §650-12 and §650-58B(3); and (b) condominium common areas, substantially as shown on Exhibit B annexed hereto as referenced below, which may not be developed except for common facilities accessible only to the condominium unit owners as authorized by special permit from the Zoning Board of Appeals.

2. The City Council shall be the special permit granting authority in the RSR for other uses allowed by special permit.
3. At the request of an applicant, the City Council may elect to vary the dimensional, parking, design, and landscaping requirements applicable to a use or structure by special permit upon finding that such change shall result in an improved design and will not nullify or substantially derogate from the intent or purpose of this Section (§650-39A et. seq.).

D. Use Regulations.

1. The following uses are permitted as of right in the RSR:
 - a. Up to 29 single-family dwellings.
 - b. Uses allowed as of right in the underlying zoning district, as set forth in the Table of Use Regulations, §650-17 of the Zoning Ordinance.
 - c. Accessory buildings and accessory uses.
2. Uses allowed by special permit in the underlying zoning district may be allowed by special permit in the RSR.
3. All uses not specified in Section 650-39A.D.1 and Section 650-39A.D.2 above shall be deemed prohibited in the RSR.

E. Dimensional Regulations for Lots in a Condominium Form of Ownership.

1. Within the RSR, multiple principal and accessory buildings and uses may be located on the same lot under a condominium form of ownership, provided that: (i) each principal building shall be located within an exclusive use area of at least 8,000 square feet and only one principal building shall be located in each exclusive use area, (ii) there shall be no yard setbacks or landscaped strips required as to exclusive use areas or minimum distances between structures, except for a building envelope within each exclusive use area set 20 feet from Red Spring Road and 15 feet from the side and rear boundaries of each exclusive use area, substantially as shown on a plan entitled "Building Setback Plan Red Spring Road Condominiums" by Chappell Engineering Associates LLC, last revised December 8, 2023, annexed hereto as Exhibit "B", and a principal or accessory building shall only be located within the building envelope, (iii) any building permit application for a new structure or expansion of an existing structure shall be accompanied by evidence that such work is authorized by the governing condominium organization, and (iv) the maximum number of exclusive use areas in the RSR shall be 29, laid out substantially as shown on Exhibit B.
2. Notwithstanding any provisions of the Zoning Ordinance to the contrary, a lot under a condominium form of ownership in the RSR shall be subject to the following dimensional requirements:

- a. Minimum Lot Area: 18,000 square feet.
 - b. Minimum Lot Frontage: none.
 - c. Minimum Front, Side, and Rear Yards: none (See Section 650-39A.E.3).
 - d. Maximum Building Height: 2 ½ stories.
 - e. Maximum Lot Coverage: 30%, over the entire RSR.
 - f. Maximum Gross Floor Area of a Single-Family Dwelling: 3,000 square feet.
 - g. Maximum Accessory Building Floor Area: for all accessory buildings in a single exclusive use area, the greater of (i) 50% of the gross floor area of the principal building, or (ii) 1,500 square feet, except as authorized by special permit from the Zoning Board of Appeals.
- 3. With the exception of structures erected prior to July 1, 2023, all structures on a lot under a condominium form of ownership in the RSR shall be set back a minimum of 15 feet from the RSR district boundary line.
 - 4. Parking for single-family dwellings on a lot under a condominium form of ownership in the RSR shall be provided as feasible. Parking for other uses within the RSR shall conform with the provisions of §650-48.A of the Zoning Ordinance.
 - 5. Driveways and roadways serving a lot under a condominium form of ownership in the RSR shall be maintained to provide safe access and egress for vehicular and pedestrian traffic and emergency services, but shall not be subject to the design standards set forth in §650-49 of the Zoning Ordinance or subdivision standards.
- F. Dimensional Regulations for Other Lots. Lots not under a condominium form of ownership in the RSR and lots created after the effective date of this Section 650-39A shall be subject to the dimensional requirements of the underlying zoning district.
- II. The Zoning Map described in § 650-8 is **amended** as stated herein and in Exhibit “A” annexed hereto. The newly established “Red Spring Road Overlay District” shall include portions of the property shown on the Assessors Map as existing at the passage of this Ordinance, which property includes the following parcel of land (herein identified by the Assessors’ Map and Parcel Number): 30-10, with the exception of a portion of said parcel with an area of approximately 10 acres as shown on the plan entitled “Plan of Land to be Excluded from ‘The Red Spring Road Overlay District’” dated November 8, 2023 annexed hereto as part of Exhibit “A”.
 - III. The City Clerk is authorized to assign other numbering for the new section 650-39A as deemed appropriate for sequential ordering in the Zoning Ordinance.
 - IV. The effective date of these amendments shall be the date of their passage.

ADOPTED
In City Council
Order No. 23-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

EXHIBIT A

The Red Spring Road Overlay District shall consist of Assessors Map 30, Parcel 10 as existing at the passage of this Ordinance, with the exception of a portion of said parcel with an area of approximately 10 acres as shown on the plan entitled "Plan of Land to be Excluded from 'The Red Spring Road Overlay District'" dated November 8, 2023 annexed hereto.

EXHIBIT B

BUILDING SETBACK PLAN




RED SPRING ROAD
AND
CULLINANE DRIVE
MARLBOROUGH, MA

FOR REGISTRY USE ONLY



SHEET INDEX

LEGEND

	STREET R.O.W. LINE
	ADJUTER PROPERTY LINE
	EDGE OF PAVEMENT
	EDGE OF TRAVELED WAY
	EDGE OF WATER
	EXCLUSIVE USE AREA LINE
	BUILDING SETBACK LINE

PLAN REFERENCES

ROAD LAYOUTS

1990 MILLIKEN STREET SANITARY LAYOUT
1990 MCNEWMAN STREET SANITARY LAYOUT
1990 OAKDALE ROAD TOWN LAYOUT PLAN 1990 OF 1990
1990 RAY ROAD TOWN LAYOUT PLAN 1990 OF 1990
1990 LINDSEYDALE ROAD TOWN LAYOUT PLAN 1990 OF 1990
1990 SPRING ROAD TOWN LAYOUT PLAN 1990 OF 1990

RECORDED PLANS
1911-1912

1402	CP	1940
1405	CP	1945
2014	CP	1948
2013	CP	1913
2011	CP	1948
2011	CP	1948

OWNER.

RED SPRING HOMEOWNERS
ASSOCIATION INC
39 RED SPRING ROAD
MARLBOROUGH, MA 01752
BOOK 79490 PAGE 386
PARCEL I.D. 30-10

**BUILDING SETBACK
PLAN**

RED SPRING ROAD
CONDOMINIUMS

1-55 RED SPRING ROAD
209 & 215 CULLINANE
DRIVE
MARLBOROUGH, MASS.

SCALE: 1" = 30'

DATE: DECEMBER 8, 2023



CHAPPELL
ENGINEERING
ASSOCIATES, LLC

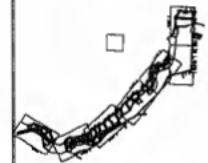
Civil Structural Land Surveying
201 BOSTON POST ROAD WEST-SURE 101
MARLBOROUGH, MA 01752
TEL (508) 481-7400
www.choppellengineering.com

COVER SHEET

ABUTTERS LIST



I CERTIFY THAT THIS PLAN CONFORMS IS BASED ON AN ON
THE GROUND SURVEY BY CHAPPELL ENGINEERING AND
CONFORMS TO MOL 250 CWR 6.00.



SHEET INDEX

LEGEND

STREET R.O.W. LINE
ADJUTER PROPERTY LINE
EDGE OF PAVEMENT
EDGE OF TRAVELED WAY
EDGE OF WATER
EXCLUSIVE USE AREA LINE
BUILDING SETBACK LINE

PLAN REFERENCES

ROAD LAYOUTS
1945 KOLTON STREET DUNNY LAYOUT
1946 KOLTON STREET DUNNY LAYOUT
1948 DELAWARE ROAD TOWN LAYOUT PLAN YEAR OF 1948
1948 ROAD FROM TOWN LAYOUT PLAN YEAR OF 1948
1948 DELAWARE ROAD TOWN LAYOUT PLAN YEAR OF 1948
1948 CHURCH ROAD TOWN LAYOUT PLAN YEAR OF 1948

RECORDED PLANS
1942 OF 1942
1942 OF 1942
204 OF 1942
1942 OF 1942
202 OF 1942

OWNER:
RED SPRING HOMEOWNERS
ASSOCIATION INC
39 RED SPRING ROAD
MARLBOROUGH, MA 01752
BOOK 79450 PAGE 386
PARCEL I.D. 30-10

**BUILDING SETBACK
PLAN**

**RED SPRING ROAD
CONDOMINIUMS**

1-55 RED SPRING ROAD
209 & 215 CULLINANE
DRIVE
MARLBOROUGH, MASS.

SCALE: 1" = 30'

DATE: DECEMBER 8, 2023



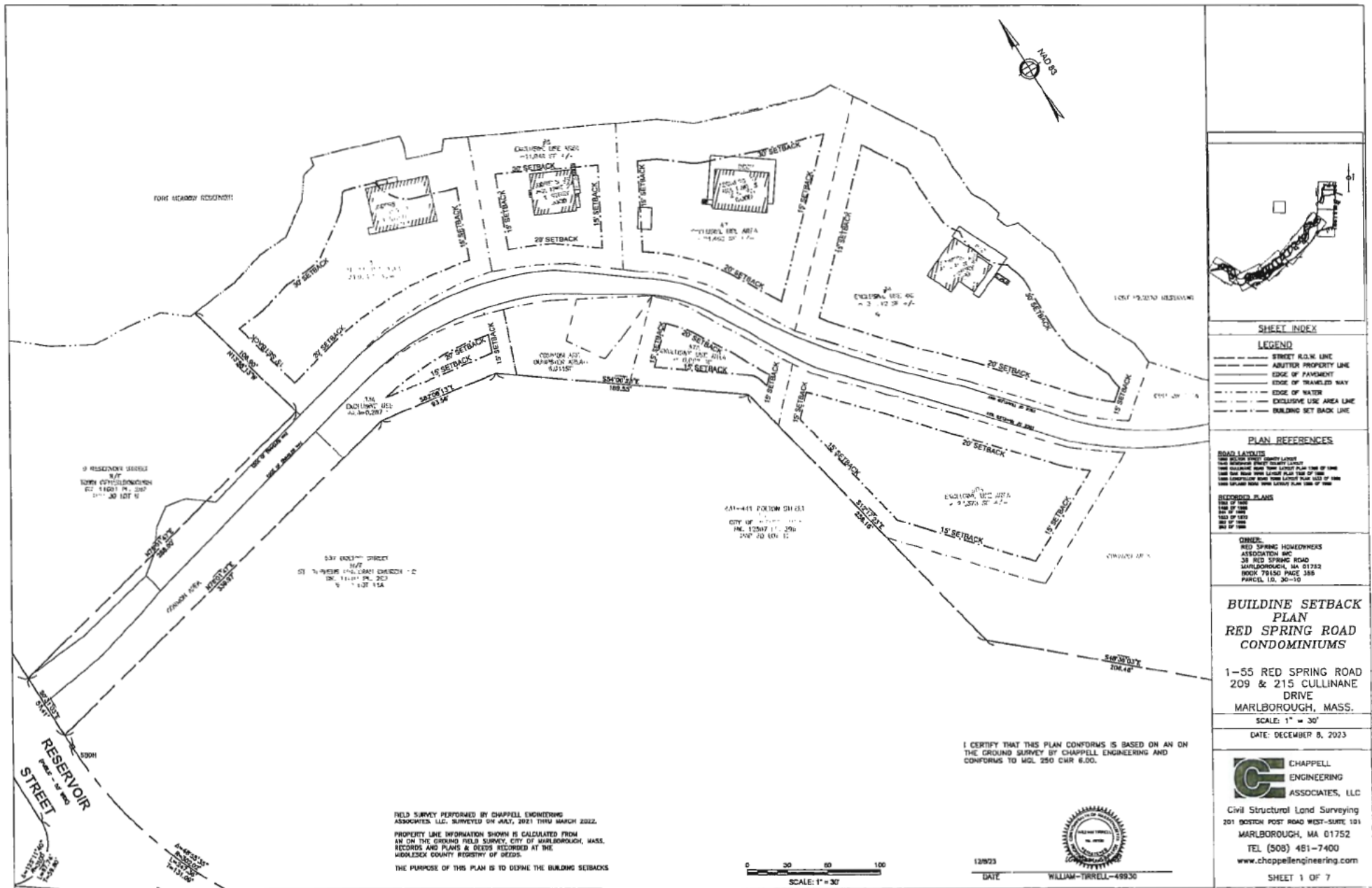
Civil Structural Land Surveying
201 BOSTON POST ROAD WEST-SUITE 101
MARLBOROUGH, MA 01752
TEL (508) 481-7400
www.choppellengineering.com

INDEX SHEET



12/02/23

DATE WILLIAM-TYRELL-49330





SHEET INDEX

LEGEND

- STREET R.O.W. LINE
ADJUTER PROPERTY LINE
EDGE OF PAVEMENT
EDGE OF TRAVELED WAY
EDGE OF WATER
EXCLUSIVE USE AREA LINE
BOUNDARY SET BACK LINE

PLAN REFERENCES

ROAD LAYOUTS

1000 MILLER STREET COUNTY LAYOUT
1000 BOWLING GREEN STREET LAYOUT
1000 BOWLING GREEN STREET LAYOUT PLAN 1960 OF 1960
1000 EAST HOGUE STREET LAYOUT PLAN 1960 OF 1960
1000 LITTLEFIELD ROAD 1000 LAYOUT PLAN 1960 OF 1960
1000 LITTLEFIELD ROAD 1000 LAYOUT PLAN 1960 OF 1960

RECORDING PLANS

1960 OF 1960
1960 OF 1960
1960 OF 1960
1960 OF 1960
1960 OF 1960

PARCEL
RED SPRING HOMEOWNERS
ASSOCIATION INC
38 RED SPRING ROAD
WARLBOROUGH, MA 01752
BOOK 79450 PAGE 368
PARCEL I.D. 30-10

BUILDING SETBACK
PLAN
RED SPRING ROAD
CONDOMINIUMS

1-55 RED SPRING ROAD
209 & 215 CULLINANE
DRIVE
MARLBOROUGH, MASS.

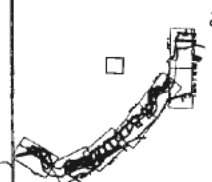
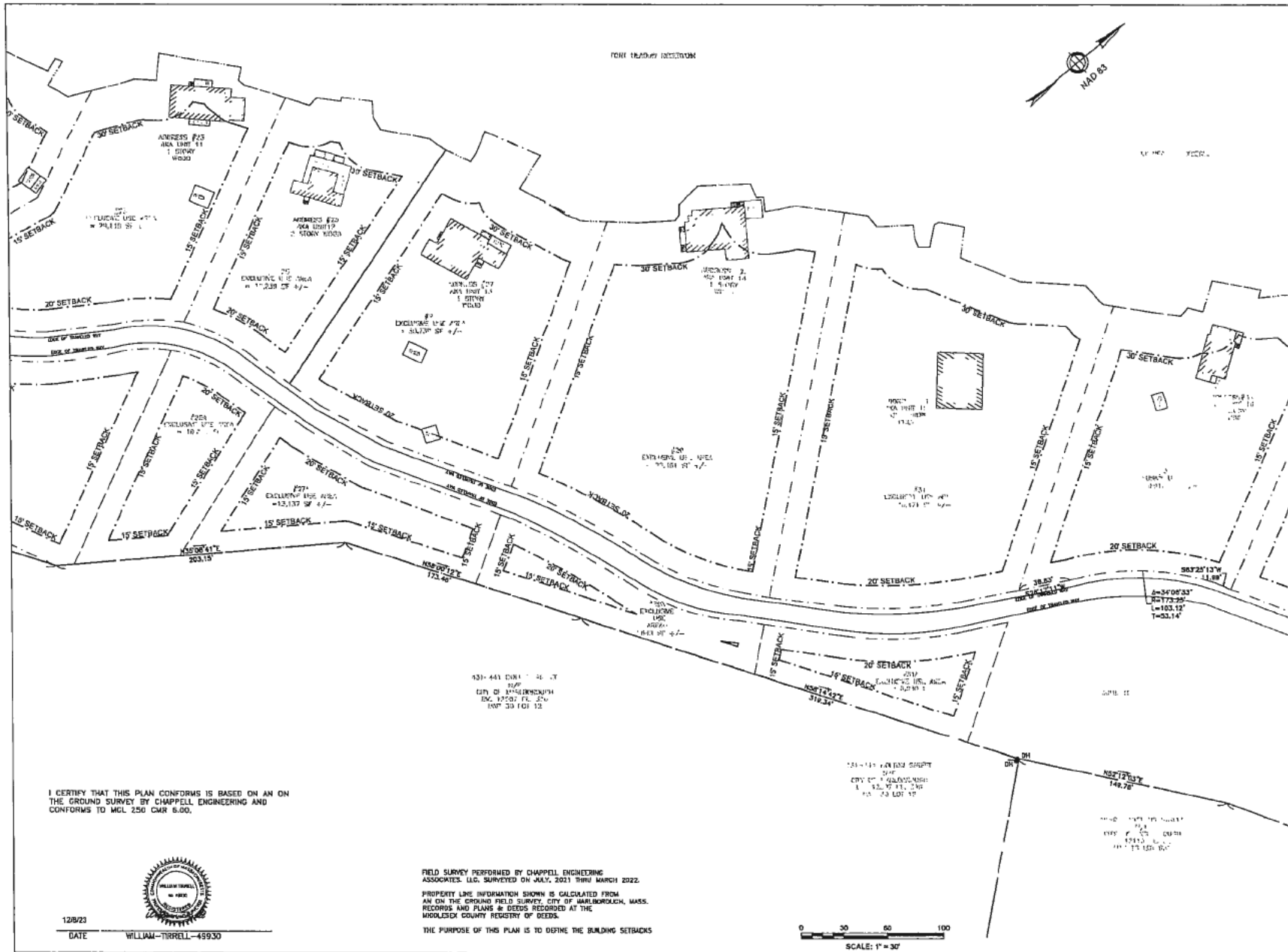
SCALE: 1" = 30'

DATE: DECEMBER 8, 2023



Civil Structural Land Surveying
201 BOSTON POST ROAD WEST-SUITE 101
MARLBOROUGH, MA 01752
TEL (508) 481-7400
www.choppellengineering.com

SHEET 2 OF 7



LEGEND

- STREET R.O.W. LINE
ADJUTTER PROPERTY LINE
EDGE OF PAVEMENT
EDGE OF TRAVELED WAY
EDGE OF WATER
EXCLUSIVE USE AREA LINE
BUILDING SET BACK LINE

ROAD LAYOUTS
1988 801-100 STREET CEMETERY LAYOUT
1946 CALDWELL STREET CEMETERY LAYOUT
1988 CALDWELL ROAD TOWN LAYOUT PLAN 1000 OF 1988
1988 1000 TOWN LAYOUT PLAN 1000 OF 1988
1988 LINCOLN ROAD TOWN LAYOUT PLAN 1003 OF 1988
1988 UPLAND ROAD TOWN LAYOUT PLAN 1000 OF 1988

RECORDED PLANS
1000 OF 1988
1000 OF 1988
044 OF 1981
1000 OF 1978
063 OF 1988
063 OF 1988

OWNER:
RED SPRING HOMEOWNERS
ASSOCIATION INC
30 RED SPRING ROAD
WARLBOROUGH, MA 01752
BOOK 79450 PAGE 388
PARCEL (D) 50-10

RED SPRING ROAD
CONDOMINIUMS

1-55 RED SPRING ROAD
209 & 215 CULLINANE
DRIVE
MARLBOROUGH, MASS.

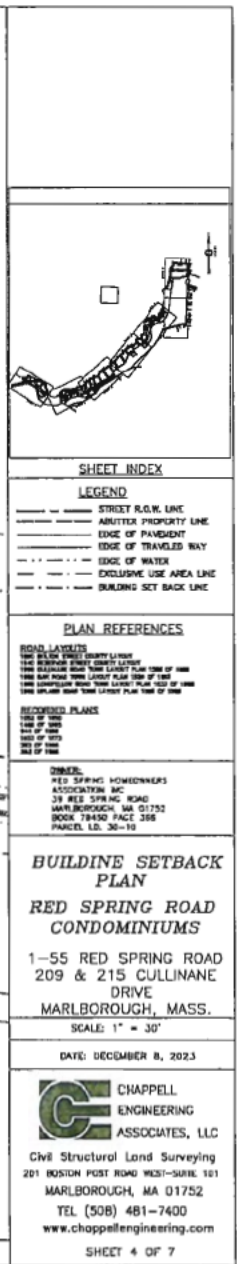
SCALE: 1" = 30'

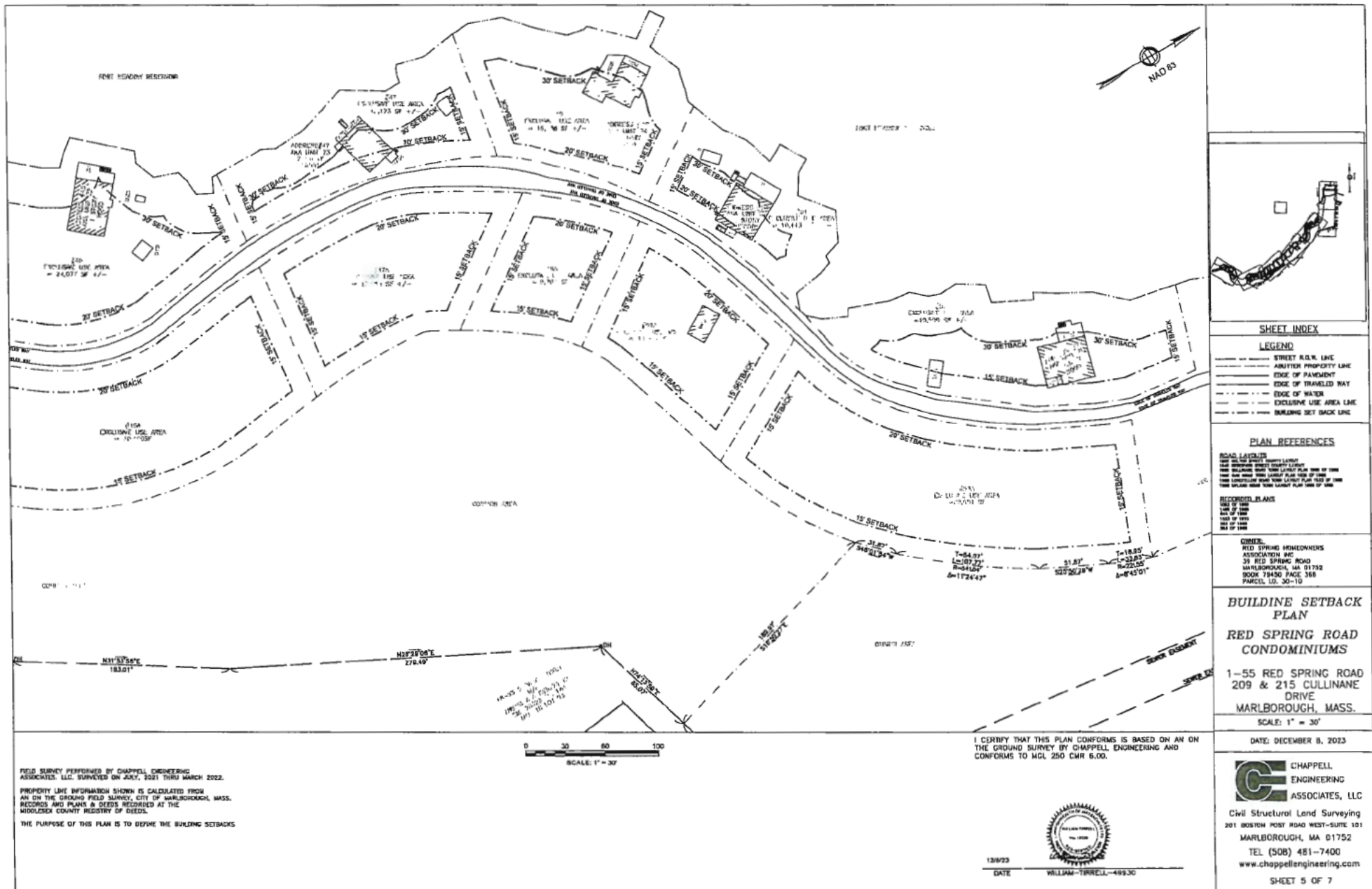
DATE: DECEMBER 8, 2023

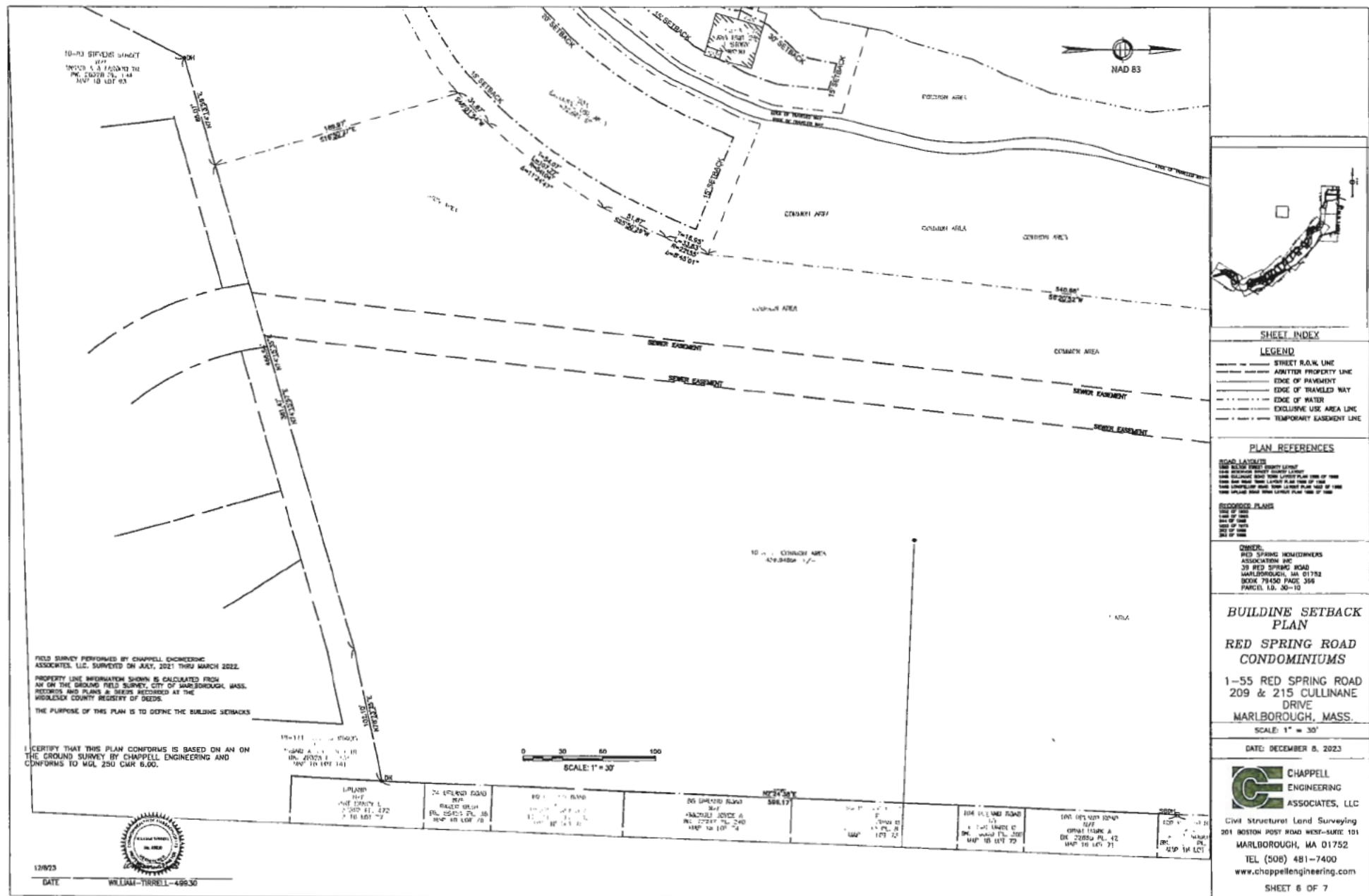


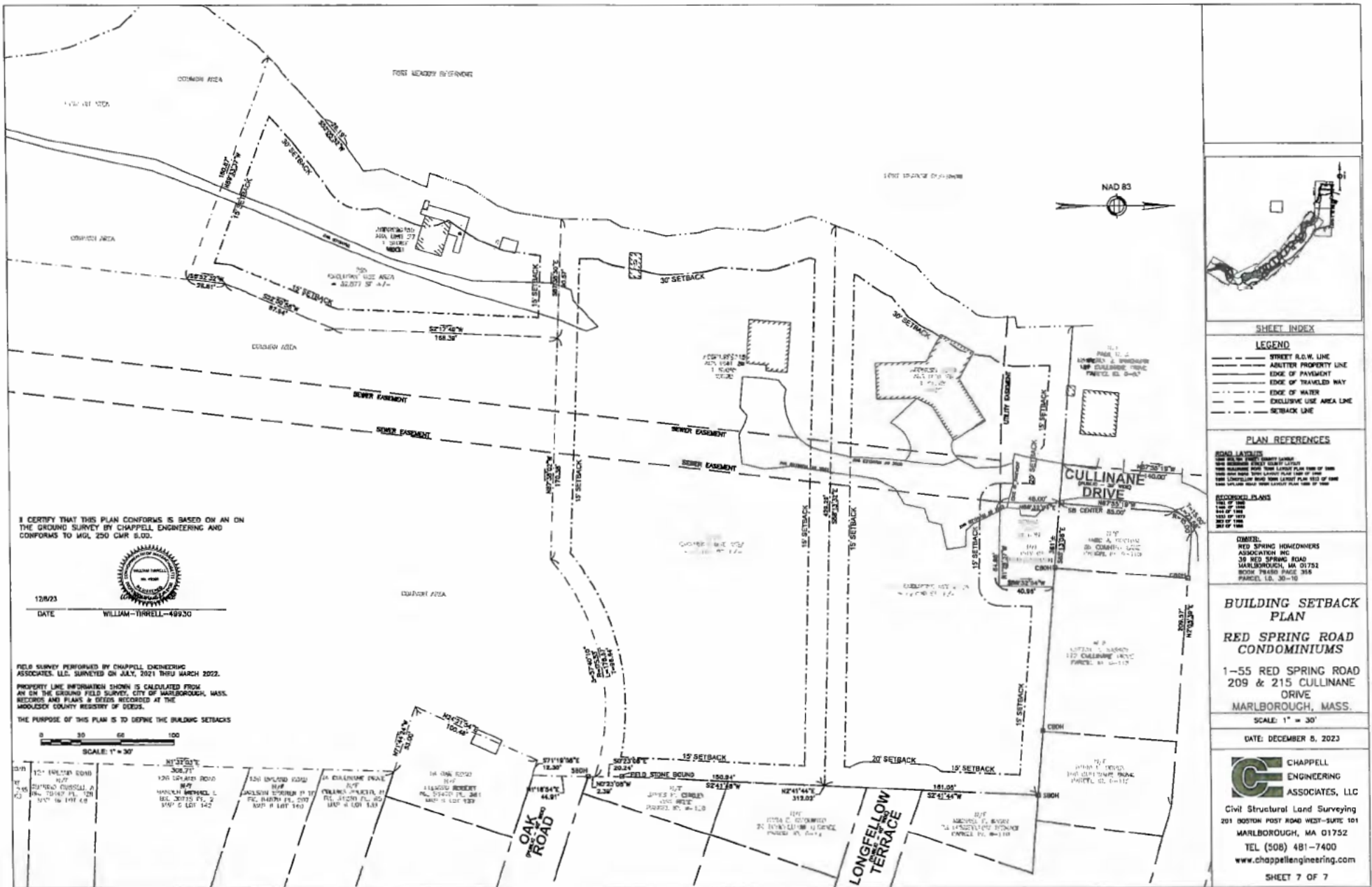
Civil Structural Land Surveying
201 BOSTON POST ROAD WEST-SUITE 101
MARLBOROUGH, MA 01752
TEL (508) 481-7400
www.chappellengineering.com

SHEET 3 OF 7









City of Marlborough
Commonwealth of Massachusetts



RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH

2023 DEC 13 AM 11:53

BUILDING DEPARTMENT
 Local Building Inspector
 140 Main Street
 Marlborough, MA 01752
 Phone: (508) 460-3776 XT 30201
 Fax: (508) 460-3736
 Email: elippitt@marlborough-MA.gov

City Council Sign Approval Form

12/11/2023

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 sign that is proposed.

Address of Location seeking approval 261 Boston Post Road West

PERMIT NUMBER: SP-23-83

Current signs upon the lot are internally illuminated and meet all requirements of the City of Marlborough Sign Code.

Current EMC signs upon the lot are in compliance with the City of Marlborough Sign Code.

Zoning District:	B/LI
Meets Current Sign Code:	YES
Planning Board Variance Needed:	NO

Code Enforcement Officer Ethan Lippitt

CC File
 City Council
 Commissioner Htway

Sign Permit ·

1340 – 261 BOSTON POST RD WEST-2023-ROYAL PLAZA SIGN ⓘ

 **Expiration Date****Active****Request Changes**
(</#/explore/request-changes/122767>)**SP-23-83****Details**

Submitted on Nov 15, 2023 at 1:03 pm

**Attachments**

8 files

**Activity Feed**

Latest activity on Dec 11, 2023

**Applicant**


David Randa

**Location**

261 BOSTON POST RD WEST, MARLBOROUGH, MA 01752

**View** ▼**Edit Workflow****Sign Permit Fee**

Paid Nov 15, 2023 at 1:04 pm

 Due: 12/15/2023**Application Review**

Completed Nov 30, 2023 at 2:00 pm

**Sign Design Review**

In Progress

**Sign Inspection**



In Progress

EL

12-3



Sign Permit
Document



Sign Inspection
Inspection



Please search the MA licensed Contractor Name or License Number. If not found please key in.

CSL Contractor's Name

CSL Business Name

DAVID J RANDA

DAVID J RANDA

CSL License #

CSL License Expiration Date

CS-076718

03/15/2024

CSL License Type

CSL License Status

Construction Supervisor

Active



35 Lyman Street
Northboro, MA 01532

508 393-8200
508 393-4244 Fax
signs@ViewPointSign.com
www.ViewPointSign.com

INTERIOR/EXTERIOR SIGNAGE

Electric
Architectural
Dimensional
Wayfinding
Channel Letters
LED/Neon
Electronic Message Centers
Digital Graphics

AWNINGS

Commercial
Backlit
Canvas
Retractable

SIGN SERVICE

ARCHITECTURAL METAL FABRICATION

VEHICLE GRAPHICS

MEMBERS

Massachusetts Sign Association
Rhode Island Sign Association
International Sign Association
Northeast States Sign Association
North East Canvas Products
Association
Industrial Fabrics Association
International

UL LISTED FABRICATORS

Owner Authorization

Date. 11/8/2023

To whom it may concern:

I Anthony J. Lacava - President, ASL Inc, Royal Plaza Marlboro, LLC Manager

Owner of the property located at
201 Boston Post Road West, Marlborough

Do hereby consent to allow Scott Spaulding of
ViewPoint Sign and Awning to act on my behalf in submitting all
necessary design review, building permits, and ZBA applications
pertaining to all signage located at the above mentioned property.

Sincerely,

Lacava Companies
Address 375 Totten Pond Road, Suite 404
Waltham, MA 02451

Telephone 781-890-4464 x11

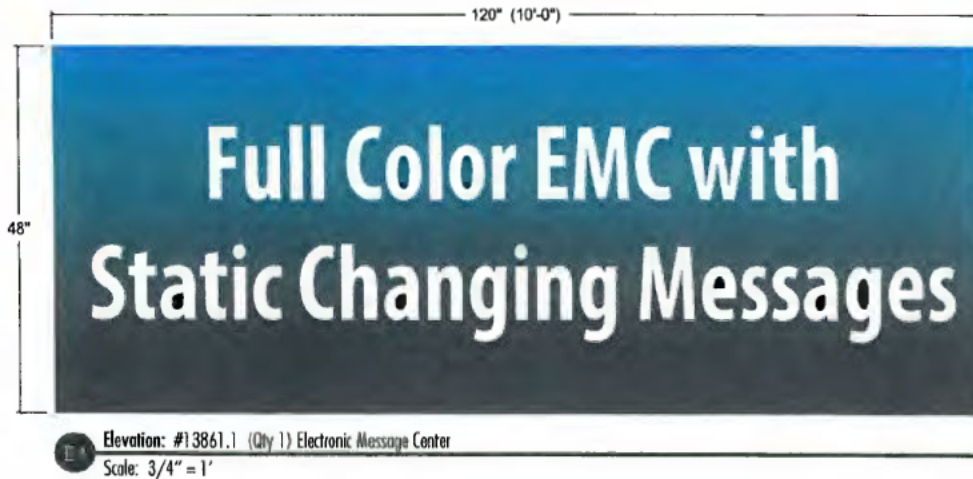
Deeded name of property

Royal Plaza Marlborough LLC

Location: 201 Boston Post Rd West

Book/Page: 28384/502



**Description:**

- (Qty 1) Electronic Message Center
 - Cirrus 9mm Full Color LED Display, double-side.
 - Replace existing EMC with new EMC.

Colors:

Electronic Message Center - 9mm Full Color LED Display

Installation:

By Viewpoint.

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code (NEC) and/or other applicable Local Electrical Codes (LEC). This includes proper grounding and bonding of the sign.



Existing:



Proposed:

Photo Scale VIF



City of Marlborough
Commonwealth of Massachusetts

RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH

2023 DEC -5 PM 4: 05



BUILDING DEPARTMENT

Local Building Inspector

140 Main Street

Marlborough, MA 01752

Phone: (508) 460-3776 XT 30201

Fax: (508) 460-3736

Email: elippitt@marlborough-MA.gov

City Council Sign Approval Form

12/5/2023

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 sign that is proposed.

Address of Location seeking approval 247 Maple Street

PERMIT NUMBER: SP-23-64

Current signs upon the lot are internally illuminated, and meet all requirements of the City of Marlborough Sign Code.

Zoning District:

CA

Meets Current Sign Code:

YES

Planning Board Variance Needed:

NO

Code Enforcement Officer Ethan Lippitt

CC

File

City Council

Commissioner Htway

Sign Permit · Add to a project

 **Expiration Date**

Active

Request Changes
(</#/explore/request-changes/114949>)



SP-23-64



Details

Submitted on Aug 11, 2023 at 1:21 pm



Attachments

9 files



Activity Feed

Latest activity on Nov 9, 2023



Applicant

Jenn Robichaud



Location

247 MAPLE ST, MARLBOROUGH, MA 01752




View ▼

Edit Workflow



Sign Permit Fee

Paid Aug 11, 2023 at 1:24 pm

 Due: 09/10/2023



Application Review

Completed Aug 11, 2023 at 2:38 pm



Sign Design Review

In Progress





Sign Permit
Document



Sign Inspection
Inspection



Details

Permit Application Status

Edit

Staff please update during the application process.

 **Permit Application Status**

Awaiting Applicant Response

Location Information

Edit

Name of Business*

KENNEDY'S

Name of Owner of Business*

TIAGO VINICIUS

Telephone Number of Business*

508 726 0504

Is this a 1 or 2 Family Dwelling?*

No

Sign Information

Edit

Type of Sign*

Free Standing

Please check all that apply:

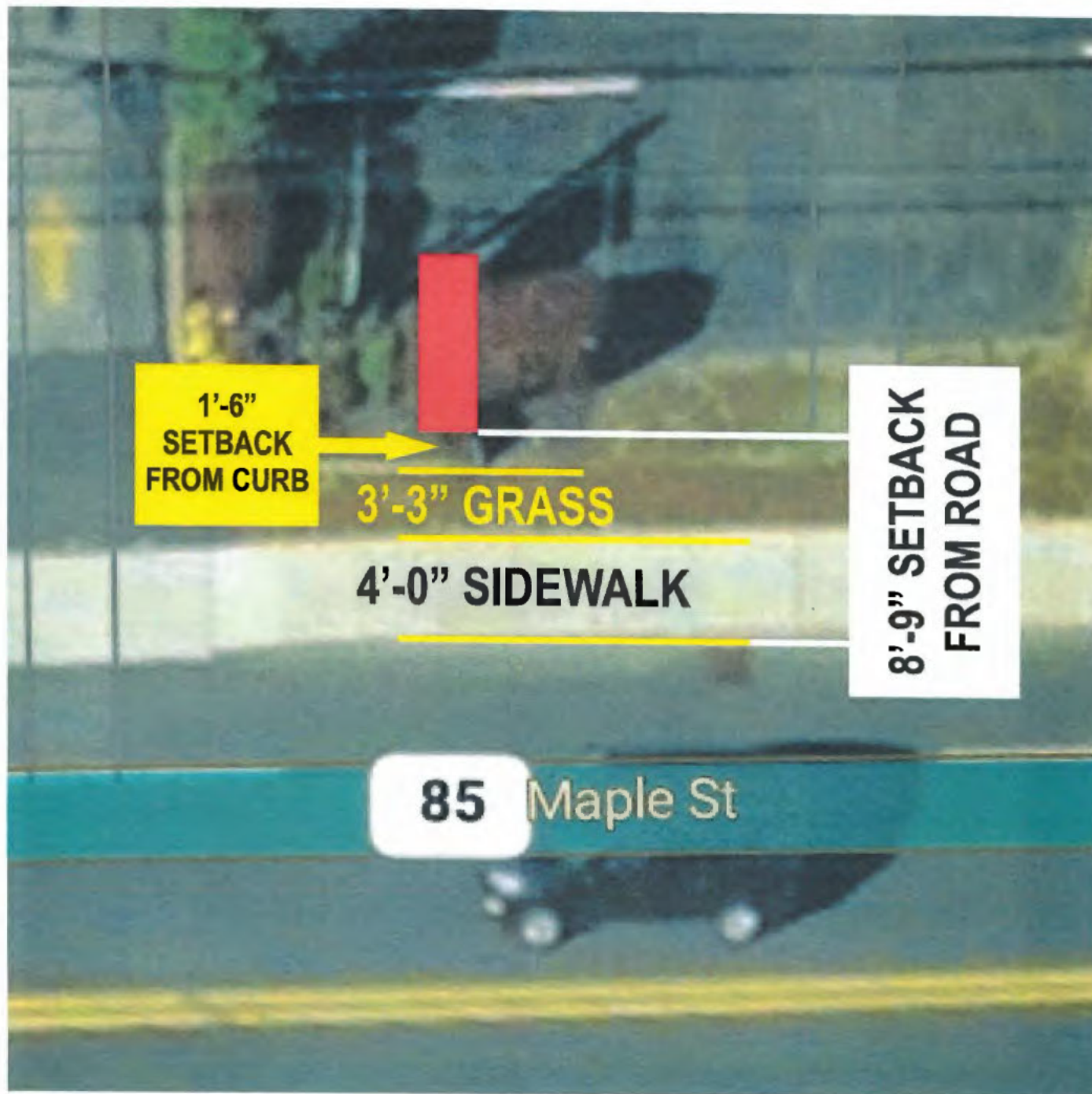
Special Permit Approval

☐

Variance Approval

☐





MA-85 SOUTHBOUND



MA-85 SOUTHBOUND

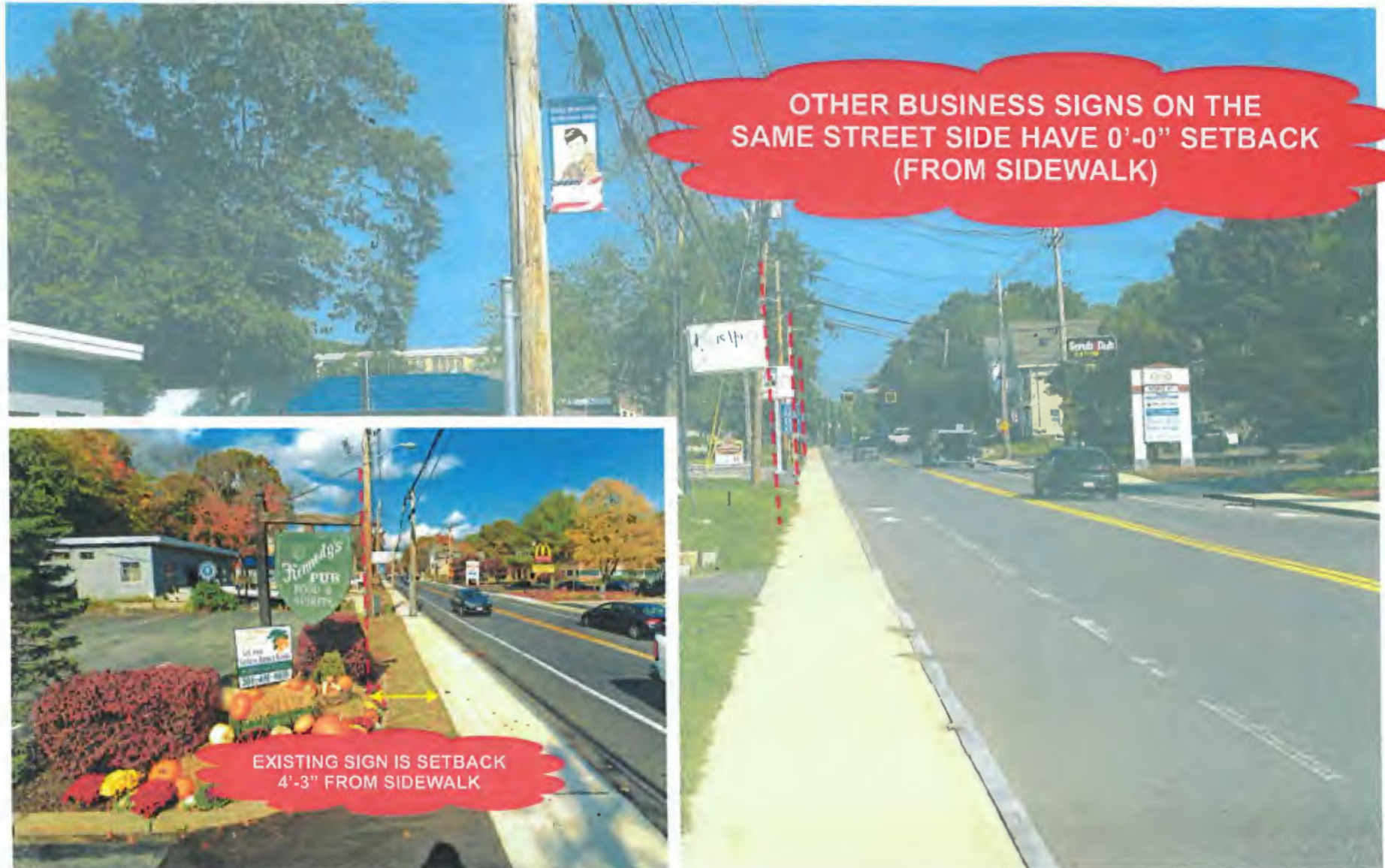


MA-85 NORTHBOUND





MA-85 NORTHBOUND



SCALE: 3/8"=1'-0"



SITE ELECTRICAL

ELECTRICAL WORK BY: ☐ BARLO ☒ OTHERS

☒ New CIRCUITS REQ: 1 AMPS: 20 VOLTS: 120

☐ Existing CIRCUITS REQ: AMPS: VOLTS:

UL REQ: ☒ YES ☐ NO LOCATION: ☒ WET ☐ DAMP ☐ DRY SERVICE SWITCH: ☒ YES ☐ NO

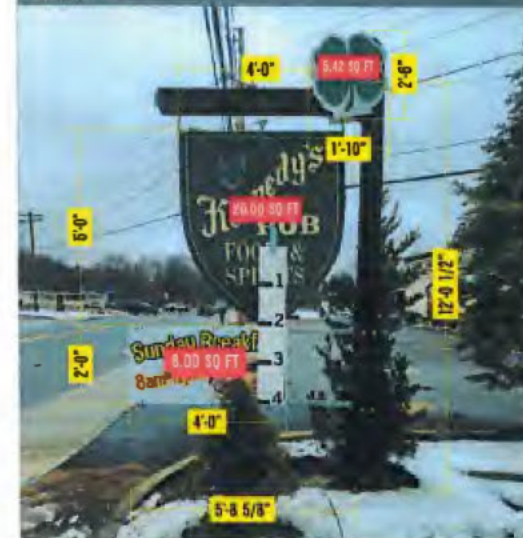
TIME CLOCK REQ: ☐ YES ☐ NO PHOTO EYE REQ: ☐ YES ☐ NO

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and in other applicable local codes. This includes proper grounding and bonding of the sign.

SIMULATED NIGHT VIEW



EXISTING SIGN



SCOPE OF WORK

REMOVE & DISPOSE (1) EXISTING FREESTANDING SIGN.

MANUFACTURE & INSTALL (1) D/F Pylon sign constructed as follows: A FABRICATED ALUMINUM PYLON SIGN POLE COVER WITH (2) S/F LED BLEED FACE CABINETS THAT HAVE WHITE ACRYLIC PUSH THROUGH COPY AND FABRICATED LED HALO-LIT BORDER (ONE MOUNTED ON EACH SIDE.) HORIZONTAL DESIGN ELEMENT TO BE VINYL APPLIED DIRECTLY TO THE FACE. BELOW SIGN WILL BE A FULL COLOR 9MM EMC. VINYL ADDRESS APPLIED TO THE POLE COVER. SIGN TO HAVE A FABRICATED BASE WITH CAP.

TOTAL SQUARE FEET: 36.35 SQ FT

EXISTING SQUARE FEET: 33.42 SQ FT

COLOR SCHEDULE - CLIENT TO VERIFY

- .125" HUNTER RED BEA
- PTM BLDG (TBD)
- PTM S/G BLACK/ 7725-12 BLACK VINYL
- WHITE ACRYLIC / 7725-10 WHITE VINYL (HORIZONTAL DESIGN ELEMENT)



INTERNATIONAL
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PROJECT APPROVAL
Client: Date:
Design: LP Date: 4/27/23
Sales: Date:
Updating: Date:
Production: Date:

KENNEDY'S RESTAURANT
247 MAPLE ST
MARLBORO, MA 01752
DESIGNER: LP
SALES REP: FSC
PM: JB
3/7/23

ITEM C
SHEET 3.0

OPTION 1

SCALE: 1/2"=1'-0"



- The light intensity for all accessory and non accessory EMC signs shall not exceed maximum luminance intensity levels of 350 (cd/m²).
- A photoelectric sensor will be installed on the sign structure and set to regulate the ambient light produced at sunset on any given day.
- The ambient light level shall determine the cello between the two maximum luminance intensity levels, measured in cfs, set forth above.
- Messages will be limited to alphanumeric characters, one color per message. No movement, simulated images, or videos.



BARLO



PROJECT APPROVAL	
Client:	Date:
Design: LP	Date: 4/27/23
Sales:	Date:
Updating:	Date:
Production:	Date:

KENNEDY'S RESTAURANT

247 MAPLE ST
MARLBORO, MA 01752

DESIGNER: LP
SALES REP: FSC
P/N: JB

3/7/23

ITEM

C

SHEET 3.1

**SEM AYKANIAN**

ATTORNEY AT LAW

74 Main Street
Marlborough, Massachusetts 01752
SemAykanian@aykanianlaw.com

t 508.485.4882
f 508.624.4110
c 508.667.9186

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
www.aykanianlaw.com

2023 DEC 13 PM 4:48

December 13, 2023

Office of the City Council
ATT: MS. KAREN BOULE
140 Main Street, 2nd Floor
Marlborough, MA 01752

RE: ORDER NO. 23-1008823 (SUCIU, LLC – EXELA STORAGE)

Dear Members of the Council:

As you know, I represent SUCIU, LLC relative to the above petition for a Special Permit currently before the City Council

A recent opinion rendered by the Office of the City Solicitor revealed circumstances which make the public hearing process faulty and which would invalidate any final vote on the project. Accordingly, on behalf of the petitioner, we would respectfully request that the petition be withdrawn without prejudice.

At this point, the plan is to re-file in 2024.

Thank you for your time and we are sorry for any inconvenience this may have caused.

Very truly yours

Sem Aykanian, Esq.

SA/ek

Brian R. Falk
Mirick O'Connell
100 Front Street
Worcester, MA 01608-1477
bfalk@mirickoconnell.com
t 508.929.1678
f 508.983.6256

December 14, 2023

BY EMAIL

Councilor Michael Ossing, President
Marlborough City Council
City Hall
Marlborough, MA 01752

Re: Right of First Refusal; Red Spring Road

Dear Councilor Ossing:

During hearings and meetings concerning the proposed Red Spring Road Overlay District, my client, the Red Spring Road Homeowners Association, Inc., stated that it intends to sell to the City or a qualifying conservation organization 10 acres of open space that are currently part of the 50-acre Red Spring Road parcel. In its recommendation to the City Council on the proposed zoning amendment, the Planning Board requested that the City secure an agreement for a right of first refusal to purchase the 10 acres in the event of a proposed sale to a third party.

Enclosed is a draft of such an agreement for a right of first refusal. This was previously provided to the Urban Affairs Committee and City Solicitor for review. Upon execution and recording, this agreement would provide that if the Red Spring Road Homeowners Association receives an offer from a third party to purchase the 10 acres, the City would have 120 days to match the offer and purchase the land for open space purposes.

The Red Spring Road Board of Trustees voted to authorize this agreement at a recent meeting. I am holding a final version of the agreement signed by the Board's President and Treasurer. Upon passage of the proposed Red Spring Road Overlay District zoning amendments, I will deliver the signed agreement to the City Solicitor to hold in escrow until the expiration of any applicable appeal periods, at which time the City may have the agreement fully executed and recorded.

This right of first refusal would give the City comfort that it has the legal right to acquire the 10 acres for open space in the event of a third-party offer. Separately, the Red Spring Road Homeowners Association plans to work with the City to sell the 10 acres to the City or a qualifying conservation organization so that this valuable land will remain protected open space in perpetuity. The right of first refusal will serve as security for the City during those discussions.

MIRICK O'CONNELL

Marlborough City Council
December 14, 2023
Page 2

Thank you for your ongoing attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'BRF', with a stylized flourish at the end.

Brian R. Falk

BRF/

Encl.

cc: Marlborough Planning Board
Marlborough Conservation Commission
Client

AGREEMENT OF FIRST REFUSAL

Marginal Reference Requested to Book 80150, Page 282

As used in this Agreement of First Refusal (this “**Agreement**”), the following terms shall have the following meanings:

**OWNER AND
ADDRESS:**

Red Spring Road Homeowners Association, Inc., a Massachusetts corporation, as Trustee of the Red Spring Shores Condominium, created pursuant to a Declaration of Trust and Bylaws dated May 17, 2022 and recorded with the Middlesex South District Registry of Deeds (the “**Registry**”) in Book 80150, Page 309, as the organization of unit owners for The Red Spring Shores Condominium, a condominium established by the provisions of M.G.L. c. 183A and the Master Deed dated May 17, 2022, and recorded with the Registry in Book 80150, Page 282, with a mailing address of 39 Red Spring Road, Marlborough, Massachusetts 01752.

HOLDER

The City of Marlborough, acting by and through its City Council, with a mailing address of Marlborough City Hall, 140 Main Street, Marlborough, MA 01752.

PROPERTY:

The land shown as “10 Acre Common Area” on a plan entitled “Condominium Site Plan Red Spring Road and Cullinane Drive,” prepared by Chappell Engineering Associates, LLC, dated March 26, 2022 and recorded with the Registry as Plan 327 of 2022.

**PERIOD OF THIS
AGREEMENT:**

A period commencing on the date of the recording of this Agreement with the Registry and terminating thirty (30) years after the date of the

recording of this Agreement, or the longest period allowed by law if the law does not allow a thirty (30) year period.

PROPOSED

PURCHASER: The purchaser named in an Offer to Purchase.

OFFER TO

PURCHASE: A bona fide, written offer from a person or entity to purchase the Property which identifies the Proposed Purchaser and which Owner has accepted subject to this Agreement.

NOTICE: Written notice given in accordance with Section 9 below.

BUSINESS

DAY(S): Any day other than a Saturday, Sunday or official Federal or Commonwealth of Massachusetts holiday.

For good and valuable consideration paid of less than \$100.00, the receipt and sufficiency of which is hereby acknowledged, Owner hereby grants to Holder, a right of first refusal with respect to the Property on the following terms and conditions:

1. During the Period of this Agreement, Owner shall not convey or transfer title to the Property, except in accordance with the terms and conditions contained in this Agreement.
2. If during the Period of this Agreement Owner receives an Offer to Purchase with respect to the Property, then Owner shall give Notice of the Offer to Purchase to Holder, including a complete copy of the Offer to Purchase. The Notice to Holder shall be referred to in this Agreement as the **"Offer Notice"**.
3. Holder shall have one hundred twenty (120) days from the receipt of the Offer Notice in which to give Notice to Owner of Holder's agreement to purchase the Property on the same terms and conditions as set forth in the Offer to Purchase. If Holder gives Notice to Owner, then Owner shall sell the Property to Holder, and Holder shall buy the Property from Owner, on the terms and conditions set forth in the Offer to Purchase. Notwithstanding the foregoing, (i) at the option of Holder, the closing shall occur at the time and place set forth in the Offer to Purchase, or at the Registry, at 10:00 A.M. on the date that is thirty (30) days after the mailing of the Notice by Holder to Owner, or the next Business Day, and (ii) the Property shall be subject to a use restriction in the deed, or in the other instruments recorded with the deed, limiting the use of the Property to open space conservation purposes.
4. If Holder does not so agree to purchase the Property within said one hundred twenty (120) day period, then Owner shall be free, for a period of ninety (90) days after the end of such one hundred twenty (120) day period, to convey the Property, but only to the Proposed Purchaser, and only on the terms and conditions set forth in the Offer to Purchase. If Owner conveys the Property to a Proposed Purchaser on the terms and conditions set forth in the Offer to Purchase, then this Agreement shall terminate with respect to the Property. If Owner does not

so convey within the applicable ninety (90) day period, then title to Property shall remain subject to this Agreement.

5. If Holder agrees to purchase the Property but thereafter fails to fulfill its obligation to do so, then Holder shall no longer have a right of first refusal on the Property as set forth in this Agreement.

6. Any arrangement for the purpose, or having the effect, of circumventing this Agreement shall be considered a conveyance or transfer subject to the terms and conditions of this Agreement. This Agreement shall not prevent the mortgaging of the Property. This Agreement shall terminate if the Property is sold following a foreclosure sale or otherwise on the foreclosure of the mortgage or by deed in lieu of foreclosure. Owner agrees to provide Holder with Notice of any foreclosure sale. This Agreement shall not apply to any transfer of title by operation of law not covered above but the title of those taking thereby shall remain subject to this Agreement.

7. This Agreement is to be construed as a Massachusetts contract, is not subject to any oral understandings, or written understandings not set forth herein, and may be canceled or amended only by a written instrument executed by Owner and Holder.

8. This Agreement shall be for the benefit of Holder and its permitted successors and assign. Holder may not assign this Agreement without Owner's prior written consent, which may be granted or denied in Owner's sole and absolute discretion.

9. All notices and other communications pursuant to this Agreement shall be in writing and shall be deemed given upon the earlier of the fifth (5th) Business Day after posting by certified mail, return receipt requested, postage charges prepaid, or on the next Business Day following delivery to an overnight delivery service such as Federal Express or U.S. Postal Service Express Mail, freight charges prepaid, in each case addressed or delivered to the respective parties at their respective addresses set forth in the preamble to this Agreement (or to such other addresses designated by any party at any time by Notice to the other parties in the manner set forth herein).

10. Time is of the essence of this Agreement.

11. If any of the terms of this Agreement or any application thereof shall be invalid or unenforceable, the other provisions and any other application of such provisions shall not be affected thereby. Without limiting the foregoing, if by operation of law the effectiveness of this Agreement is restricted in time, it shall remain in effect as long as permitted.

12. This Agreement shall be recorded with the Registry.

13. If any obligation to be performed hereunder is to be made or performed on a day other than a Business Day, it shall be deemed to be performed in a timely manner if done on the next succeeding Business Day.

[Signatures on next page]

EXECUTED UNDER SEAL this _____ day of December, 2023.

**Red Spring Road Homeowners
Association, Inc., Trustee of The Red
Spring Shores Condominium**

Robert Durand, President

Peter Mongeau, Treasurer

CITY OF MARLBOROUGH

Michael H. Ossing, President
Marlboborough City Council
Date: _____ 2023
Duly Authrorized by a Vote of the
Marlborough City Council on
_____, 2023

Approved by Mayor
Arthur Vigeant
Date: _____ 2023

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ____ day of December, 2023, before me, the undersigned notary public, Robert Durand personally appeared, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as the voluntary act of Red Spring Road Homeowners Association, Inc., Trustee of the Red Spring Shores Condominium.

Notary Public

Printed Name: _____

My Commission Expires: _____

[Seal]

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ____ day of December, 2023, before me, the undersigned notary public, Peter Mongeau personally appeared, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as the voluntary act of Red Spring Road Homeowners Association, Inc., Trustee of the Red Spring Shores Condominium.

Notary Public

Printed Name: _____

My Commission Expires: _____

[Seal]

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

On this ____ day of December, 2023, before me, the undersigned notary public,
 _____ personally appeared, proved to me through satisfactory evidence
 of identification, which was _____, to be the person
 whose name is signed on the preceding or attached document, and acknowledged to me that ____
 signed it voluntarily for its stated purpose as the voluntary act of the City of Marlborough.

Notary Public

Printed Name: _____

My Commission Expires: _____

[Seal]

PERAC

RECEIVED
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CITY OF MARLBOROUGH
2023 DEC -8 PM 12:25

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., Chair

JOHN W. PARSONS, ESQ., Executive Director

Auditor DIANA DIZOGLIO | KATHLEEN M. FALLON | KATE FITZPATRICK | JAMES J. GUIDO | RICHARD MACKINNON, JR. | JENNIFER F. SULLIVAN, ESQ.

MEMORANDUM

TO: Marlborough Retirement Board
FROM: John W. Parsons, Esq., Executive Director
RE: Appropriation for Fiscal Year 2025
DATE: December 5, 2023



Required Fiscal Year 2025 Appropriation: **\$11,219,878**

This Commission is hereby furnishing you with the amount to be appropriated for your retirement system for Fiscal Year 2025 which commences July 1, 2024.

Attached please find the portion of the Fiscal Year 2025 appropriation to be paid by each of the governmental units within your system. The allocation by governmental unit was determined by Sherman Actuarial Services as part of their January 1, 2023 actuarial valuation.

The current schedule is due to be updated by Fiscal Year 2026.

The amounts shown in this letter reflect an assumed payment date of July 1. The Housing Authority typically makes its payments in October, November, and December (on average assumed November 15). The adjusted payment for the Housing Authority is \$91,167.

If you have any questions, please contact PERAC's Actuary, John Boorack, at (617) 666-4446 Extension 935.

JWP/jfb
Attachment

cc: Office of the Mayor
City Council
c/o City Clerk

p:\actuarial\approp\approp25\fy25 for web\marlborough approp 25.docx



Breakouts

	<u>Total</u>	<u>City</u>	<u>Fire</u>	<u>Police</u>	<u>School</u>	<u>Water</u>	<u>Sewer</u>	<u>Housing</u>
(1) Payroll of Active Participants	\$38,056,581	\$10,399,335	\$7,238,790	\$7,263,033	\$10,882,427	\$1,395,078	\$423,288	\$454,631
Percentage of Total Payroll	100.00%	27.33%	19.02%	19.08%	28.60%	3.67%	1.11%	1.19%
(2) Normal Cost								
(a) Employee	3,463,432	951,279	679,999	675,109	944,383	131,485	40,081	41,095
(b) Employer	953,877	181,757	250,003	214,672	290,341	13,226	(878)	4,761
(c) Expenses	365,000	93,622	76,846	73,522	102,025	11,957	3,239	3,789
(d) Total Employer Normal Cost	1,318,877	275,379	326,849	288,194	392,366	25,183	2,361	8,550
(a) Accrued Liability	269,971,241	67,989,463	68,597,755	65,814,399	52,119,242	12,129,420	1,127,852	2,193,112
(4) Total Employer Contribution								
(a) Amortizations	9,060,031	2,281,675	2,302,089	2,208,682	1,749,082	407,054	37,850	73,599
(b) Employer Normal Cost	953,877	181,757	250,003	214,672	290,341	13,226	(878)	4,761
(c) Administrative Expenses*	<u>365,000</u>	<u>93,622</u>	<u>76,846</u>	<u>73,522</u>	<u>102,025</u>	<u>11,957</u>	<u>3,239</u>	<u>3,789</u>
(d) Total Appropriation	\$10,378,908	\$2,557,054	\$2,628,938	\$2,496,876	\$2,141,448	\$432,237	\$40,211	\$82,149
(e) As a percentage of Payroll	27.27%	24.59%	36.32%	34.38%	19.68%	30.98%	9.50%	18.07%
(5) Fiscal 2025 Appropriation	\$11,219,878	\$2,764,244	\$2,841,952	\$2,699,190	\$2,314,962	\$467,260	\$43,470	\$88,805
Percent of Total Appropriation	100.00%	24.64%	25.33%	24.06%	20.63%	4.16%	0.39%	0.79%
(6) Fiscal 2026 Appropriation	\$11,682,752	\$2,878,283	\$2,959,196	\$2,810,545	\$2,410,466	\$486,537	\$45,263	\$92,469
Percent of Total Appropriation	100.00%	24.64%	25.33%	24.06%	20.63%	4.16%	0.39%	0.79%



RECEIVED
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CITY OF MARLBOROUGH
DEC -1 AM 11:44

THE COMMONWEALTH OF MASSACHUSETTS
STATE RECLAMATION & MOSQUITO CONTROL BOARD

CENTRAL MASSACHUSETTS MOSQUITO CONTROL PROJECT


114 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: 2024 Commission meeting dates

Date: November 27, 2023

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 10 | ★ July 10 |
| ★ February 14 | ★ August 14 |
| ★ March 13 | ★ September 11 |
| ★ April 10 | ★ October 9 |
| ★ May 8 | ★ November 13 |
| ★ June 12 | ★ December 18 |

NOTE: Some or all of these meetings will be held remotely pursuant to Ch. 2 of the Acts of 2023 signed into law by Gov. Healy on March 29, 2023. Each posted agenda will have specific information regarding the meeting location and/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

RECEIVED
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CITY OF MARLBOROUGH
2023 DEC -1 AM 5:48

MARLBOROUGH COMMISSION ON DISABILITIES MINUTES FOR
MEETING JUNE 12, 2023
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL

ATTENDEES: DEB MCMANUS, BARBARA ALLEN, JOHN USINAS, DAVID DOUCETTE, LINDSAY JAWOREK, WAYNE STANLEY SR., DAVID LA BOSSIERE, AND GUEST, JONATHON FRIEDMAN.

MEETING CALLED TO ORDER AT 4:04PM

MINUTES: READ BY BARBARA ALLEN. MOTION TO APPROVE BY JOHN USINAS. SECONDED BY DAVID LA BOSSIERE 6-0.

TREASURER'S REPORT: \$8,846.08. MOTION BY BARBARA ALLEN TO ACCEPT. SECONDED BY WAYNE STANLEY SR. 6-0 APPROVED TO ACCEPT THE REPORT.

OLD BUSINESS:

- THE CITY OF MARLBOROUGH POSTED A NOTICE ON THE CITY'S FACEBOOK PAGE, REGARDING CARS PARKING ON SIDEWALKS. SINCE MANY ARE EXPERIENCING A SIMILAR PROBLEM WITH TRASH AND RECYCLING BINS BLOCKING SIDEWALKS, LINDSAY JAWOREK VOLUNTEERED TO CONTACT THE DEPARTMENT OF PUBLIC WORKS ABOUT THE ISSUE.
- DAVID DOUCETTE REPORTED THAT CORRECTION TO THE BRAILLE INSIDE ELEVATOR IN CITY HALL THAT IS NOT TO ADA CODE (TOO HIGH ON PANEL) IS IN PROGRESS WITH THE DEPARTMENT OF PUBLIC WORKS.
- DAVID DOUCETTE COLLECTED OUR EMAIL ADDRESSES AND TELEPHONE NUMBERS TO BE MADE AVAILABLE TO EACH

OTHER AND THE PUBLIC. EITHER DAVID DOUCETTE OR DEB MCMANUS WILL DISTRIBUTE THE LIST TO THE BOARD MEMBERS.

- CONFLICT OF INTEREST TRAINING (ETHICS TRAINING) STILL MUST BE COMPLETED BY SOME OF THE COMMISSION MEMBERS.
- NO NEW INFORMATION REGARDING ACCESSIBILITY IN THE HOSPITAL ICU.
- NO NEW INFORMATION REGARDING MASS HEALTH BENEFITS.
- PER DEB MCMANUS, WE HAVE NOT RECEIVED ANY APPLICATIONS FOR SUMMER CAMP ASSISTANCE. SHE SEND APPLICATIONS TO THE BOYS AND GIRLS CLUB. LINDSAY JARWOREK WILL PROVIDE INFORMATION TO THE MARLBOROUGH PUBLIC SCHOOLS AND RECREATION DEPARTMENT.
- DEB MCMANUS WAS SWORN IN BY THE CITY CLERK FOR HER REAPPOINTMENT TO THE COMMISSION. MR. FRIEDMAN HAS APPLIED FOR OUR VACANCY.
- WE DISCUSSED THE COST OF PROVIDING AMERICAN SIGN LANGUAGE INTERPRETERS AT PUBLIC EVENTS. BARBARA ALLEN NOTED THAT RECENT COST IS \$500 PER INTERPRETER FOR EVENTS AND MUST HIRE ENOUGH TO ROTATE EVERY 30 MINUTES. IF MEMBERS OF THE PUBLIC NEED THIS ACCOMMODATION, NOTICE SHOULD BE REQUESTED IN ADVANCE.

NEW BUSINESS:

- DEB MCMANUS NOTED CONCERN REGARDING ADA COMPLIANCE OF THE ACCESSIBLE ENTRANCE IN THE BACK OF UNIQUE DENTAL CARE LOCATED AT 11 COURT STREET, MARLBOROUGH. THE RAMP IS STEEP, DOES NOT HAVE A RAILING, AND THE BUTTON TO OPEN THE DOOR IS LOCATED TOO HIGH TO EASILY REACH. DAVE DOUCETTE AGREED TO REPORT IT FOR REVIEW WITH "SEE CLICK FIX" ON COMMONWEALTH CONNECTOR.
- JOHN USINAS INFORMED US THAT THE LIONS CLUBS INTERNATIONAL IS HAVING ITS CONVENTION IN BOSTON FROM JULY 7TH TO JULY 11TH.
- MOTION MADE BY BARBARA ALLEN TO HOLD NEXT MEETING ON JULY 10TH DUE TO THE HOLIDAY. SECONDED AND PASSED.

MOTION TO ADJOURN: MOTION BY BARBARA ALLEN AND SECONDED BY DAVE DOUCETTE. ACCEPTED 7-0

ADJOURNED AT 5:00 PM.

NEXT MEETING: MONDAY, JULY 10, 2023 AT 4:00PM, CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH FLOOR.

**RESPECTFULLY SUBMITTED,
BARBARA ALLEN, SECRETARY**

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CITY OF MARLBOROUGH

2023 DEC -8 PM 3:41



Marlborough Cultural Council Meeting Minutes

Date: Wednesday, November 15, 2023 at 6:30 PM

Location: Marlborough City Hall, Memorial Hall on 3rd floor

After approve, email as Word doc to:

skerrigan@marlborough-ma.gov

wchu@marlborough-ma.gov

imcintyre@marlborough-ma.gov

mpeltier@marlborough-ma.gov

Members Present:

Mary Avery	Andrea Bibi
Harmony Larson	Marcia Waldman
Amanda Mayo	Jagruti Seemungal

Members Absent:

Kathy Oliver Jones	
Beatrice "Bea" Mullony	

I. Call to Order at 6:41pm.

II. Review of Minutes

- September meeting minutes approved. Jagruti made a motion to approve, Mary seconded. Approved unanimously.

III. Updates on Current Grantees & Council Operations

- Mayor's Mural ribbon cutting is on Thursday 11/16 @ 10am. Harmony, Amanda & Andrea to attend.
- Several other 2023 Grantees have submitted paperwork for grant payments.
- 2024 Review Process & Considerations -
 - Updated score sheet reviewed and adopted. Recommend we use this for live discussion of each project.
 - Prioritize the schools (note that Richer didn't apply this year)
 - Prioritize first time applicants

- Ask applicants who have multiple applications which one is their top priority
- Approach: signature project vs. spreading the funds too thin

IV. Reports from Workgroups

- N/A

V. Review of Items for Future Discussion

- Non-voting meeting on Zoom on Tues 11/21 @6:45pm. Thurs 11/30 tentative additional date.
- Next meeting: December 6, 6:30pm. (Voting meeting)
- Council-led project: 2025 cycle. Discuss after the 2024 cycle is completed in January.

VI. Adjournment. 7:47pm.

Marlborough Public Library Board of Trustees

Meeting Minutes

September 5, 2023

Meeting held at the Walker Building

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CITY OF MARLBOROUGH
2023 DEC -1 PM 2:53

The meeting was called to order by Nena Bloomquist at 7:05 PM.

Board Members attending:

Bill Brewin
Nena Bloomquist
Fred Haas, Chair
Jason Homer
Samantha Khosla
Rustin Kyle (remote)
Robyn Ripley

Also attending:

Sara Belisle, Library Director
Morgan Manzella, Assistant Library Director

Documents Reviewed/Referenced:

Agenda

Meeting Minutes for May 2, 2023 and June 6, 2023 and August 8, 2023

Trust Fund/ State Aid Reports for June – August 2023

Director's Report

Meeting Room policy

1. Trustee Fund/State Aid Reports: Director Belisle reported that there has not been much spending this quarter. She prefers spending from the building account and is saving the State Aid funds for later. A motion was made and approved to accept the Trustee Funds/State Aid Reports for June – August (Ripley, Khosla).
2. Minutes: A typographical error in the August 8 report on staffing will be fixed. The spelling of Ms. Simopoulos name in the June 6 report will be corrected. A motion was passed to approve the minutes as amended from May 2, 2023, June 6, 2023, and August 8, 2023 (Brewin, Ripley).
3. Director's Report:

Building Project:

Temporary Library at the Walker building closed on August 11 and the library collection was moved the week of August 14 into the following week. The team had some coordination issues with Tucker the library shelving company as they didn't identify what pieces of shelving were missing from our order until the Friday before the move. This resulted in the moving company having to box and leave about 15% of the collection, the majority in the children's room. Library staff were not permitted in the building to do some work until Monday August 28 per the approval of the building commissioner. Staff have spent the week unboxing all 280 boxes and doing some shifting of the collections. Overall, Director Belisle reported that the closing of the Walker Building was successful.

Tucker delivered and installed the missing pieces they were shipped by the factory, but there are still some missing components that we are waiting for. It could take 2 weeks for them to arrive and be installed. There are some missing or broken furniture pieces that need to be replaced along with an additional order of furniture we didn't anticipate knowing we needed.

The mason believes he received all the terracotta pieces in one shipment including the front pediment. He is working initially on the window and hopes to complete that work by mid-September. The courtyard bluestone is delayed in two shipments, first in September for the cap on the retaining walls and then the steps of the amphitheater are delayed until late November. The Local History Room will not be completed until mid-November.

The building has still not received its TCO but the team anticipates that happening soon. At that point, discussion about opening day can begin. Director Belisle still hopes for the last week of September.

Ms. Khosla asked about the status of technology inside the building. Director Belisle reported that all the public PC's are in place and networked. The staff computers and peripherals are set up as is the self-checkout. She had to reschedule the Time Management system set up to September 20. The security gates are in and the meeting rooms are ready.

Staff

The last of this part-time staff in circulation and children's have been on-boarded. A part-time Reference Librarian position has been posted.

A finance committee meeting has been tentatively scheduled to be September 11 to review the new library positions and page pay increase. Trish Bernard will let Director Belisle know when that meeting is and if she needs to attend.

Teen Librarian Rachel Stone and Children's Librarian Jennie Simopoulos applied and were accepted in the Building Equity-Based Summers cohort through MBLC. This comes with a programming stipend along with learning opportunities on how to create summer reading programs that are built on a foundation of equity. They begin their training this fall and will extend through 2025. This is a national program and only 5 applications from Massachusetts were accepted.

Kerry Mahoney has been working hard to market on social media the new library. The response has been tremendous.

4. Marlborough Public Library Foundation:

Ms. Bloomquist reported that we have 159 Champions Donors to date. We have received a \$50,000 donation from BJ's and \$100,000 from the State of Massachusetts thanks to State Representatives Gregoire and Gentile. Total funds raised to date are \$1,749,319.78.

5. Policy Subcommittee: Meeting Room Policy, see attached

Director Belisle reported that the city's legal department has reviewed the policy and made a few suggestions. The line about the use of alcohol being at the discretion of the Library Director has been removed. Mr. Brewin felt the room fees were too low but Director Belisle said she purposely kept them low as many libraries have no room fee at all. Nonprofit organizations will pay no fee. The afterhours fee is determined by the DPW based on the custodian rate.

6. Old Business: Ms. Bloomquist read a thank you note form a Trustee scholarship recipient, Anjali Sangappa.

7. New Business:

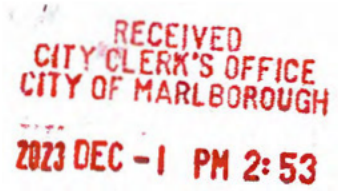
Director Belisle was contacted by the original sculptor of the bronze animals in the Children's Sculpture Garden. The sculptures, originally made in 1995, are currently in storage. The sculptor has offered to take them to his studio to be resurfaced and reinvigorated to return them to their original condition. The process would take about a month and cost \$5000. The plan is to install them in the courtyard outside the lower entrance. The Trustees will discuss this again next month.

8. Adjournment:

A motion was passed to adjourn at 7:57 PM (Bloomquist, Khosla).

Respectfully Submitted,

Nena Bloomquist
Trustee



Marlborough Public Library Board of Trustees
Meeting Minutes
October 3, 2023
Meeting held at the Marlborough Public Library

The meeting was called to order by Fred Haas at 7:07 PM.

Board Members attending:

Tom Abel (remote)
Bill Brewin
Nena Bloomquist
Fred Haas, Chair
Samantha Khosla
Rustin Kyle
Janice Merk
Robyn Ripley

Also attending:

Sara Belisle, Library Director
Samantha Perlman, Marlborough City Councilor

Documents Reviewed/Referenced:

Agenda
Meeting Minutes for September 5, 2023
Trust Fund/ State Aid Reports for September 2023
Director's Report

Proceedings:

1. Minutes: A motion to accept the minutes for the September 5, 2023 meeting as amended to show that the Meeting Room Policy was approved was passed (Abel, Kyle).
2. Trust Funds/ State Aid Report: Director Belisle reported that we had to pay to ship back the old copiers now that the contract for them has expired. The Museum Pass for the Ecotarium was renewed. A motion to accept the Trust Funds/State Aid Report was passed (Merk, Ripley).
3. Director's Report:

Building Project:

As of writing this the library is scheduled to open on October 2 after a ribbon cutting ceremony at 10am. As of this meeting, the library is open.

This past month was full of punch list items for the contractors, some minor changes that needed to happen, a ton of IT work, and staff setting up all around the library.

Some changes need to be made to the walkways and as such the 1st floor entrance will not be able to be used as an entrance until those changes are made. The walkways are too steep and thus are not ADA compliant. The timing of these changes is still up in the air.

The work on the Local History room is beginning now that they have the east side window in. The Carnegie Doors my arrive as early as October 23rd.

Landscape work will continue until they can no longer plant for the season. They will pick up again in the spring once planting can happen again.

Masonry work on the front pediment continues and will hopefully be done sometime in October.

The Grice Community Room AV equipment is backordered. As of this writing the team has not received an update from the electricians as to when it will be complete.

Missing shelving from Tucker supposedly will be arriving this coming week, however there are some backordered end caps. Tucker has been very responsive to us if we have any questions and came to the library to move incomplete shelving units to the basement that would have posed a hazard upon opening day.

There has been a problem with one of the doors at the upper entrance staying open and a bee has come in.

Some additional signage may be needed to help patrons find the various sections of the library, for example, that the adult fiction and non-fiction are on the lower level now. A monitor is to be installed to the left of the upper entrance.

Staff:

Staff did an incredible job getting ready for the opening.

There is an open Part-Time Reference Librarian Position. Director Belisle has 1 interview lined up. This position continues to be tough to fill.

Director Belisle did a tour with City Council that went incredibly well. During that tour, she discussed the importance of hiring the two new full-time positions (Adult Services and Technology/Programming Librarians) and raising the pay of the pages. These are still stuck in the finance committee and no meeting has yet been scheduled. Director Belisle will advertise for these positions very soon per the mayor's office.

The schedule is tight for staffing the new library. Assistant Director Manzella is spending about 70% of her time on the reference desk and it's likely that Director Belisle will have to fill in there as well since that desk will always have to be staffed and it's tough without the 2 full time positions and 1 open part-time position.

Director Belisle would like to open the library on Sundays. As of now per the union contract, only part-time employees can work on Sundays at time and a half. Director Belisle would like to propose a change to allow full-time employees to work on Sundays for time and a half as well.

Staff will be participating in the Scarecrow contest as representatives of the library.

IT:

The IT Department is struggling with setting up the self-checks. The software from Tech Logic we purchased has not been updated since 2008 and runs on Internet Explorer, which can't be installed on the new computers. Tech Logic also requires a system installed that Microsoft calls out as vulnerable. Installing it could put the city's network at more risk of ransomware attacks. Supposedly their next update will not require this or Internet Explorer but there is no date as to when that will be available. IT is going to talk to other municipalities that use this system to see how they managed it and in the meantime Director Belisle is going to begin looking into other options with other companies. Some other companies to consider are Biblioteca, Evergreen, and Envisionware.

Set up of the public computer/printing new software through TBS has gone smoother, but still has some kinks to work out. While not as bad as Tech Logic, city IT has had to build some work around to make it more secure. The company has been much better to work with and is actively responding to requests and will be on hand all week to help the library if staff run into anything odd.

Scott Parmenter from city IT has been on hand at the library almost every day for the last few weeks and Director Belisle is grateful for all his hard work on setting up the library and still managing the schools. Mark Gibbs has been working with ProAV, the company who installed all the meeting room software, and they still have some work to complete.

There have been problems with the new multi-page scanner.

The new library calendar and museum pass software is live on the website and patrons have already been taking advantage of it.

Study Rooms and Meeting Rooms:

Study room bookings through the calendar will be going live Monday October 2 at 12pm. Meeting room bookings will go live to outside organizations once library staff and

administration feel ready to launch that service. Director Belisle believes after a month or 2 of being open she'll be ready to start accepting applications.

New Library:

Director Belisle reported that 700 items were checked out the day the library opened versus an average of 250 per day at the Walker Building. 54 new library cards were issued on the first day along with many renewals. Peak checkout times were from 5-6 PM and 6-7 PM. There was also a surge from 10-11 AM right after the opening.

4. MPLF:

Total funds raised now total \$1,872,202.09. We have 171 Champions donations to date. Janice Merk hopes we can get several more companies to donate to reach our \$2 million goal.

5. Old Business:

The original artist who created the sculptures outside the old children's library has contacted us with an offer to refurbish the sculptures before they are reinstalled outside the courtyard of the new library. Director Belisle is going to ask for more details about the process involves and the price. The Trustees asked her to offer a plaque with his name in lieu of payment.

6. New Business:

A. Samantha Khosla stated that now is the time for the trustees to turn our attention to Strategic Planning. We need to review the old plan which expired in 2022. We need to find more volunteers to reconstitute or grow groups like the Friends, the MPLF, and Parents. A Community Survey is required. We need to do a community assessment using census data. There should also be a staff survey. The Strategic Plan, which is a broad plan, should be followed by an Action Plan which is a yearly plan and more detailed. The Library Services and Technology Act (LSTA) directs that funds provided by the Institute of Museum and Library Services (IMLS) and administered by the MBLC may be used by libraries for a variety of services and programs. Once we have our Strategic Plan done, we can apply for grants through that program.

Director Belisle will send us all copies of the previous Strategic Plan and Community Survey before the next meeting.

B. A motion to spend \$600 from the O'Connell Fund to thank the staff for their hard work opening the new library was approved (Bloomquist, Khosla). Fred has will write a note to the staff expressing our gratitude.

- C. Bill Brewin wanted an update on plans for an event to celebrate the new library. The MPLF is planning a gala in February to unveil the new plaques.
 - D. Sara will have samples of the new plaques at the next meeting.
7. A motion to adjourn was approved at 8:18 PM (Merk, Ripley).

Respectfully Submitted,

Nena Bloomquist
Secretary
MPL Board of Trustees