

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 NOV 29 P 4:46

1. Minutes, City Council Meeting, November 5, 2018, Order No. 18-1007458.
2. Minutes, City Council Meeting, November 19, 2018.
3. PUBLIC HEARING On the Petition from Massachusetts Electric and Verizon New England, Inc., to install new joint owned Pole #47-5, Bolton Street, to service new school at 441 Bolton Street, Order No. 18-1007463.
4. JOINT TAX CLASSIFICATION PUBLIC HEARING with Board of Assessors to establish the percentages of tax levy for each property classification for FY2019.
5. PUBLIC HEARING On the Application for Special Permit from Marlborough TOTG, LLC d/b/a MCO & Associates, Inc., to increase lot coverage area of 80% to 84% for patio area of proposed restaurant at 57 Main Street, Order No. 18-7424A.
6. Communication from the Mayor, re: Tax Classification Hearing/Tax Levy Offset Transfer Requests totaling \$1,397,134.90.
7. Communication from the Mayor, re: OPEB and Stabilization transfer requests in the amount of \$887,745.00 which moves funds from Undesignated Fund ("Free Cash") to Undesignated Stabilization and to the OPEB Trust for stabilization and OPEB accounts.
8. Communication from the Mayor, re: Massachusetts Emergency Performance grant in the amount of \$8,900.00 awarded to the Fire Department which will be utilized to install a security access system at the Central Fire Station.
9. Communication from the Mayor, re: Massachusetts Cultural Council grant in the amount of \$5,000.00 awarded to the Department of Public Works to fund the Museum in the Streets project for the downtown area.
10. Communication from the Mayor, re: Appointment of Matt Elder to the Planning Board for a 5-year term to expire the first Monday in February, 2024.
11. Communication from City Solicitor, Donald Rider, re: request for Executive Session to discuss litigation strategy involving property off Williams Street.
12. Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: Order to Grant Deeds of Easement to MA Electric Company for Electrical Service to Marlborough High School and to the New Elementary School.
13. Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: Order to Amend City Code §270-8.1 In-building Fire Department and Police Department radio coverage.
14. Communication from DPW Commissioner John Ghiloni, re: Plowing of Private Ways, Howes Landing, off Hudson St.
15. Communication from Attorney Pezzoni re: Taxes on property at 90 Crowley Drive, relative to the Proposed Zoning Amendment regarding Multifamily Retirement Community, Order No. 18-1007452, X-Order No. 18-1007198G.

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.

16. Communication from Peter Bemis on behalf of Lacombe Business Center, LLC. re: Rezoning land off Lacombe St.
17. Communication from Peter Bemis on behalf of Stephen Vigeant, Trustee 22 Englewood Trust, re: Rezoning land off Mill St. South.
18. Communication from the Public Employee Retirement Administration Commission (PERAC) re: Required FY20 Appropriation.
19. Communication from Central Massachusetts Mosquito Control Project re: 2019 Commission Meeting Dates.
20. Minutes, Conservation Commission, September 6, September 20, & October 4, 2018.
21. Minutes, Commission on Disabilities, September 4 & October 9, 2018.
22. Minutes, Retirement Board, October 30, 2018.
23. Minutes, School Committee, October 9, October 23, & November 13, 2018.
24. Minutes, Board of Assessors, August 28, 2018.
25. Minutes, Traffic Commission, August 29 & October 31, 2018.
26. Minutes, Council on Aging, September 11, 2018.
27. CLAIMS:
 - a) Bolton St. Tavern, 587 Bolton St., other property damage.
 - b) Rev. Kazimierz Bem, 406 Lincoln St., Apt 208, pothole or other road defect.
 - c) Nam Kim Huynh, 301 Cook Lane, pothole or other road defect.
 - d) Sanjay Ahuja, 30 Danjou Dr., pothole or other road defect.
 - e) Geeta Bihari, 14 Fox Ct., Stow, pothole or other road defect

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

28. **Order No. 18-1007439 – Bond Order for \$23,780,902.00 to Fund the Library Renovation Project:** The Finance Committee reviewed the Mayor's letter dated October 25, 2018 requesting a bond order for \$23,780,902.00 to fund the renovation and construction of the Marlboro Public Library. The Massachusetts Board of Library Commissioners (voted July 12, 2018) awarded the City a grant in the amount of \$10,186,626.00 that will be used to offset the bond. Any excess costs will be made up by the Library's Capital Campaign Committee. To date the Library's Capital Campaign Committee has pledged for over \$400,000.00. **The Finance Committee took the following actions:**
 - **The Finance Committee voted 5 - 0 to approve the bond order for \$23,780,902.00 to fund the renovation and construction of the Marlboro Public Library.**
 - **The Finance Committee voted 5 – 0 to request a suspension of the rules at the November 19, 2018 City Council meeting to approve the advertising of the bond. BOND WAS PUBLISHED ON THURSDAY, NOVEMBER 29, 2018, THEREFORE CANNOT BE FURTHER ADDRESSED UNTIL AFTER THE TEN DAY PERIOD HAS ELAPSED.**

29. **Order No. 18-1007441 – Grant for \$6,219.00 for Two Electric Vehicle Charging Stations:** The Finance Committee reviewed the Mayor’s letter dated October 25, 2018 requesting the approval of a \$6,219.00 grant from the Massachusetts Electric Vehicle Incentive Program to fund 50% of the costs to purchase two Level 2 Electric Vehicle Charging stations to be placed behind City Hall. The matching funds will be from the DPW Capital Outlay – Equipment Account. **The Finance Committee voted 4 – 1 (Councilor Robey Opposed) to approve the grant with the following conditions:**
- **The two charging stations will be set up to require patrons to pay for charging their electric vehicles.**
 - **The parking spaces for the charging stations will have a 4-hour charging limit for non-municipal employees.**

From Urban Affairs Committee

30. **Order No. 18-1007422 - Communication from Peter Graham, PG Realty Trust, regarding the request to extend the reconstruction period of two years for 182 West Main Street. Motion made by Councilor Doucette, seconded by the Chair, to approve the extension of the reconstruction period until November 19, 2019. The motion carried 5-0.**

From Legislative & Legal Affairs Committee

31. **Order No 18-1007451 - Communication from City Solicitor Rider regarding Proposed Assignment of Retaining Wall Easement to 27 Jefferson LLC in order No. 18-1007245C. Councilor Delano moved to approve the transfer from the DPW to the City Council for another specific municipal purpose; namely, assignment of the easement to the LLC, its successors and/or assigns and to authorize assignment of the easement and authorize the mayor to execute the assignment. The motion was adopted 3-0.**

It was noted by Solicitor Rider that the City Council should take this as a 2-part vote with the transfer of easement requiring a 2/3 vote and the vote to authorize the mayor to execute the assignment of easement a simple majority vote.

32. **Order No 18-1007445 - Communication from City Solicitor Rider regarding Mauro Farm Subdivision-Acceptance of Open Space Parcel. Councilor Delano moved to accept from Mauro Farms LLC the deed of land identifying Parcels 20, 21, 30, 31, and 32 which are to be managed and controlled by the Marlborough Conservation Commission for the purposes of the promotion and development of natural resources, watershed protection, passive recreation and conservation. The motion was adopted 3-0.**

From Public Services Committee

33. **Order No. 18-1007444 - Communication from City Solicitor, Donald Rider, regarding Mauro Farm Subdivision - Acceptance of Nolan Way, Spenser Circle & Reagin Lane as Public Ways. Motion made by Councilor Doucette, seconded by the Chair, to approve the acceptance of Nolan Way, Spenser Circle, and Reagin Lane as public ways pending a recommendation from the Planning Board. The motion carried 3-0.**



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2018 NOV 29 A 10:47

**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
Lisa M. Thomas
140 Main St.
Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723**

NOVEMBER 5, 2018

Regular meeting of the City Council held on Monday, November 5, 2018 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Delano, Juare, Oram, Robey, Doucette, Dumais, Tunnera, Irish and Landers. Absent: Ossing. Meeting adjourned at 8:33 PM.

ORDERED: That the Minutes of the City Council meeting OCTOBER 15, 2018, **FILE**; adopted.

ORDERED: That the Minutes of the City Council meeting OCTOBER 29, 2018, **TABLED UNTIL THE NOVEMBER 19, 2018 CITY COUNCIL MEETING**; adopted.

ORDERED: That the City Council of the City of Marlborough, having, by Order No. 18-1007245C voted on October 15, 2018, approved a special permit to 27 Jefferson LLC to build and operate an 11-unit, 2-story multifamily condominium building to be located at 27 Jefferson Street in Marlborough; and

Having conditioned that approval on, in part, condition no. 16, which anticipates that the City Council consider assigning to the LLC, its successors and/or assigns, the easement rights granted to the City in 1940, as recorded at the Middlesex (South District) Registry of Deeds in Book 6397, Page 83, to construct and maintain a retaining wall on a 3'-wide strip of land located at 27 Jefferson Street, 23 Jefferson Street, and 30 Highland Street (respectively, Marlborough Assessors Map 56, Parcels 160, 161, and 162); and

Having received notification from the Commissioner of the Department of Public Works that said retaining wall easement is no longer needed by the City of Marlborough for the purpose for construction and maintenance;

NOW, THEREFORE:

1. the City Council, acting pursuant to M.G.L. c. 40, § 15A, hereby transfers said easement from the DPW to the City Council for another specific municipal purpose, namely, assignment of said easement to 27 Jefferson LLC, its successors and/or assigns, such that the LLC, its successors and/or assigns, at their sole expense, shall:
 - a. perform any and all work in the future for the purposes of reconstructing, relocating, maintaining and/or repairing the retaining wall; and

- b. record the City's assignment at the Registry, with a copy of the recorded assignment provided to the City Council's office, the Engineering Division of the Department of Public Works, and the Legal Department; and
2. further, the City Council, acting pursuant to M.G.L. c. 40, § 3, hereby authorizes the assignment of said easement, for nominal consideration, to 27 Jefferson LLC, its successors and/or assigns, and hereby authorizes the Mayor to execute the assignment of easement and to do all things as may be necessary to carry out this order.

Refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED:

DECISION ON A SPECIAL PERMIT

Application of:
Garden Remedies, Inc.

Locus:
416 Boston Post Road
Map 73, Parcel 30

**DECISION ON A SPECIAL PERMIT
ORDER NO. 18-1007318E**

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

FINDINGS OF FACT

1. The Applicant is a duly organized and existing corporation having a business address of 307 Airport Road, Fitchburg, MA 01420.
2. The Applicant is the prospective tenant of a commercial retail unit located at 416 Boston Post Road, Marlborough, Massachusetts, as shown on Marlborough Assessors Map 73 as Parcel 30 (the "Site"). The Site's owner is Marlboro Square, LLC with a business address of 449 Boston Post Road, Marlborough, MA 01752
3. In accordance with Article VI, § 650-17, § 650-18(45), § 650-18(46), and § 650-32 of the Zoning Ordinance of the City of Marlborough, the Applicant proposes to operate a Medical Marijuana Treatment Center and an Adult Use Marijuana Retail Establishment at the Site (the "Use").
4. The Site is located in the Business Zoning District with frontage on Boston Post Road (Route 20).
5. The overall Site has an area of 174,240 +/- square feet (4 acres).

6. The Use will occupy an existing retail unit at the Site with an area of 3,100 +/- square feet.
7. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit (“Application”) for the Use, as provided in this Decision.
8. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, existing site plans for the Site in accordance with Rule 5 of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit, and a set of drawings of the exterior and interior of the unit associated with the Use (collectively the “Plans”).
9. The Application was certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 4, items (a) through (m), of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
10. Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.
11. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on Monday, August 27, 2018. The hearing was closed on that date.
12. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic.
13. At the public hearing, eight members of the public spoke in favor of the Use. Two members of the public spoke in opposition to the Use.

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

- A. The Applicant has complied with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.
- B. The City Council finds that the proposed Use of the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions as provided herein. The City Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth herein.

- C. The City Council finds that the Site is located in the portion of the Business District along Massachusetts State Highway 20 (Boston Post Road) between the Sudbury town line and Phelps Street with frontage along Massachusetts State Highway 20 (Boston Post Road), in accordance with § 650-18(45)(a) and (b) and § 650-18(46)(a) and (b) of the Zoning Ordinance, and that the Site is not located within 500 feet of a school or daycare center, in accordance with § 650-32.F and § 650-32.F.1 of the Zoning Ordinance.
- D. In accordance with § 650-32.C of the Zoning Ordinance, the City Council hereby determines that any adverse effects of the Use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the particular characteristics of the Site and of the proposal in relation to the Site, based upon consideration of the following:

1. Social, economic, or community needs which are served by the proposal:

Finding: The Use will provide a safe and convenient location for patients and adults to obtain medication and marijuana infused products.

2. Traffic flow and safety, including parking and loading:

Finding: The Site will safely accommodate expected traffic flow from the Use and provide adequate parking and loading capacity.

3. Adequacy of utilities and other public services:

Finding: The Site provides adequate utilities and public services for the Use.

4. Neighborhood character and social structures:

Finding: The Use is consistent with the established retail area in the vicinity of the Site.

5. Impacts on the natural environment:

Finding: The Use will have no greater impact than the established retail uses in the area.

6. Potential fiscal impact, including impact on City services, tax base, and employment:

Finding: The Use will be revenue positive, with additional revenues coming from a local sales tax and host community agreement impact fees.

7. Hours of operation:

Finding: The hours of operation of the Use are specifically conditioned below.

8. Requiring that contact information be provided to the Chief of Police, the Building Commissioner, and the Special Permit Granting Authority:

Finding: The provision of contact information is specifically conditioned below.

9. Requiring payment of a community impact fee:

Finding: The City and the Applicant have entered a host community agreement that requires the payment of impact fees in accordance with statutory requirements.

10. Requiring the submission to the Special Permit Granting Authority of the same annual reports that must be provided to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission:

Finding: This requirement is specially conditioned below.

11. Requiring regular inspections by City officials or their agents, and access to the same records which are available for inspection to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission:

Finding: This requirement is specially conditioned below.

12. Requiring employees to undergo a criminal background check, including but not limited to CORI and an additional background check, by the Chief of Police who shall have the authority to disapprove the employment of any person(s) as a result of said background check:

Finding: This requirement is specially conditioned below.

13. Requiring surveillance cameras, capable of 24-hour video recording, archiving recordings and ability to immediately produce images, in, on, around or at the premises:

Finding: This requirement is specially conditioned below.

14. Prohibiting the sale of any materials or items unrelated to the purposes of registration by the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes:

Finding: This requirement is specially conditioned below.

15. The ability for the Business to:

- a. provide a secure indoor waiting area for clients;
- b. provide an adequate and secure pick-up/drop-off area for clients, customers and products;
- c. provide adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals;
- d. adequately address issues of traffic demand, parking, and queuing, especially at peak periods at the Business, and its impact on neighboring uses; and
- e. provide opaque exterior windows;

Finding: These requirements are specially conditioned below.

16. Signs and signage:

Finding: The signage shown on the Plans is appropriate for the Use.

17. Names of businesses, business logos and symbols, subject to state and federal law and regulations:

Finding: The name of the business, logos, and symbols associated with the Use, as provided in the Application and shown on the Plans, are appropriate for the Use.

E. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby GRANTS the Applicant a Special Permit to operate a Medical Marijuana Treatment Center and an Adult Use Marijuana Retail Establishment, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:

1. Construction in Accordance with Applicable Laws. Construction is to be in accordance with all applicable Building Codes and Zoning Regulations in effect in the City of Marlborough and the Commonwealth of Massachusetts.
2. Compliance with Applicable Laws. The Applicant, its successors and/or assigns agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Use.
3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review in accordance with the City of Marlborough site plan review ordinance prior to the issuance of the building permit, as required by § 650-32.E of the Zoning Ordinance. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions attached to the building permit, and no occupancy permit shall be issued until the Applicant has complied with all conditions. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed and approved by the City Council as the Special Permit Granting Authority.

4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of the Application, and as amended or revised during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.
5. Compliance with State Requirements. In accordance with § 650-18(45)(c) and § 650-18(46)(c) of the Zoning Ordinance, the Use shall comply with all statutes and regulations of the Commonwealth of Massachusetts for the licensure and operation of a Medical Marijuana Treatment Center and/or an Adult Use Marijuana Retail Establishment.
6. Security.
 - a. As shown on the Plans, the Applicant, its successors and/or assigns, shall maintain a secure entrance lobby / waiting area providing a physical separation between the exterior door of the unit and interior areas of the unit where marijuana and marijuana infused products are dispensed and sold, with security personnel available during operating hours to screen individuals arriving at the unit, to ensure that interior areas of the unit are only accessible to qualified patients / caregivers or persons over the age of 21 and to ensure that no individuals pose a direct threat to the health or safety of others.
 - b. The Applicant, its successors and/or assigns, shall maintain a secure pick-up / drop-off area for patients, customers, and products.
 - c. As shown on the Plans, the Use shall have opaque exterior windows.
 - d. The Applicant, its successors and/or assigns, shall maintain adequate staffing so that patients and customers may make purchases in an efficient manner to avoid queuing and impacts on neighboring uses.
 - e. The Applicant, its successors and/or assigns, shall maintain surveillance cameras capable of 24-hour video recording, archiving recordings, and the ability to immediately produce images, in, on, around, or at the Use.
7. Processing and Odors. There shall be no processing or manufacturing of marijuana or marijuana infused products as part of the Use. Marijuana and marijuana products shall be pre-packaged and sealed prior to arriving at the Site. Any odors associated with marijuana and marijuana infused products shall be limited to the interior of the unit. There shall be no onsite consumption or use of marijuana or marijuana infused products associated with the Use.
8. Hours. The maximum hours of operation of the Use shall be Monday through Saturday, 10:00 a.m. to 8:00 p.m., and Sunday from 10:00 a.m. to 5:00 p.m.
9. Contact Information. The Applicant, its successors and/or assigns, shall provide current contact information of management and staff to the Chief of Police, the Building Commissioner, and the City Council.

10. Annual Reports. The Applicant, its successors and/or assigns, shall submit to the City Council the same annual reports that must be provided to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission.
11. Inspections and Records. The Applicant, its successors and/or assigns, shall make the Use available for regular inspections by City officials or their agents, and shall provide City officials or their agents with access to the same records which are available for inspection to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission.
12. Background Checks. The Applicant, its successors and/or assigns, shall require that employees undergo a criminal background check, including but not limited to CORI and an additional background check, by the Chief of Police, who shall have the authority to disapprove the employment of any person(s) as a result of said background check.
13. Unrelated Materials. The Applicant, its successors and/or assigns, shall not make available for sale as part of the Use any materials or items unrelated to the purposes of registration by the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes.
14. Police Detail. The Applicant, its successors and/or assigns, shall employ a City of Marlborough Police detail at the Site during all operating hours for the first sixty (60) days after the commencement of operations, unless the Chief of Police determines in a letter filed with the City Council that a police detail is not necessary during certain times of the day. At the end of the 60-day period, if the Chief of Police determines in a letter filed with the City Council that a police detail is still necessary during all operating hours or at certain times, then the Applicant, its successors and/or assigns, shall continue to employ a City of Marlborough Police detail until deemed unnecessary by the Chief of Police in a letter filed with the City Council. In the event a City of Marlborough Police detail is not available when required, the Applicant, its successors and/or assigns, shall obtain a private detail.
15. Partial Use: The Applicant, its successors and/or assigns, is not required to operate all portions of the Use simultaneously. The Applicant, its successors and/or assigns, may commence either the Medical Marijuana Treatment Center portion of the Use or the Adult Use Marijuana Retail Establishment portion of the Use upon receipt of all local and state permits and licenses for the respective portion of the Use, and commence the other portion of the Use at a later date. Similarly, if either the Medical Marijuana Treatment Center portion of the Use or the Adult Use Marijuana Retail Establishment portion of the Use ceases, either temporarily or permanently, the Applicant, its successors and/or assigns, may operate the other portion of the Use.

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

Yea: 10 – Nay: 0 – Absent - 1

Yea: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juaire, Oram, & Robey.

Absent: Ossing

ORDERED: That the Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: Site Plan Permit -Site Plan Approval with Conditions – 28 South Bolton Street, Order No. 18-1007317, **MOVE TO ITEM 11**; adopted.

ORDERED: That the Communication from Attorney Pezzoni re: Proposed Zoning Amendment regarding Multifamily Retirement Community, X-Order No. 18-1007198G, **TABLED**; adopted.

ORDERED: That the Minutes, License Board, September 18, 2018 & September 26, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, July 25, 2018, **FILE**; adopted.

ORDERED: That the Minutes School Committee, September 25, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Retirement Board, August 28, 2018 & September 25, 2018, **FILE**; adopted.

Reports of Committees:

Councilor Landers reported the following out of the Public Services Committee:

Meeting Name: City Council Public Services Committee

Date: October 30, 2018

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

Convened: 6:30 PM – Adjourned: 7:09 PM

Present: Chairman Landers; Public Services Committee Members Councilors Doucette and Irish (arrived 6:32 PM); and Councilors Delano, Dumais, Ossing, and Robey; John Ghiloni (Commissioner, Department of Public Works); Tom DiPersio (City Engineer, City of Marlborough); Donald Rider (City Solicitor, City of Marlborough); Brian Dugdale (Attorney, Goulston & Storrs); Michael Sabatino (Engineer, Eversource Energy)

Order No. 18-1007426: Communication from Goulston & Storrs regarding Request to Extend Sewer Connection Permit at Marlborough, 100 Campus Drive. Attorney Brian Dugdale appeared before the Public Services Committee on behalf of his client, Hines Global REIT Marlborough Campus I LLC, to request an extension of an existing Sewer Connection Permit for the Phase Two development of the Campus at Marlborough located at 100 Campus Drive. Phase One was completed in the 1990's and Phase Two was permitted in 2005. Mr. Dugdale explained the approval of the extension for the Sewer Connection Permit lets potential tenants know there is room for growth and the community supports these projects. Mr. Dugdale indicated they have received recent interest at the site and this extension will allow them to retain that interest from potential tenants.

Motion made by Councilor Doucette, seconded by the Chair, to approve the request to extend Sewer Connection Permit for the Campus at Marlborough. The motion carried 3-0.

Motion made by Councilor Doucette, seconded by the Chair, to request a Suspension of the Rules at the November 5, 2018 City Council meeting to vote on the Sewer Connection Permit for the Campus at Marlborough.

Reports of Committee Cont'd:

Order No. 18-1007427: Petition from Eversource Energy to install 775' of 6" IP plastic gas main as a system improvement on Stow Road from the intersection of Simpson Road to the intersection of Fitzgerald Road. Michael Sabatino an engineer from Eversource Energy appeared before the Public Services Committee and explained Eversource has a model that is reviewed yearly which depicts how projects are chosen. There is a significant pressure drop in this location as it is towards the end of the system. Along Stow Road on the Fitzgerald Road side there is better pressure than at the other end near Simpson Road and connecting those two systems would balance them out and provide better service to the affected customers on Simpson Road. There was a discussion regarding the timing of the project and Mr. Sabatino explained it was estimated to be a six-week project which would have its completion at mid-December and he understood if they requested it be delayed as it was not an emergency and could wait until the spring. City Engineer Tom DiPersio spoke about the road opening deadline of December 1st and how a road cannot be opened after that date unless it was an emergency and approved by the Commissioner of Public Works or the City Council, per city ordinance. Mr. DiPersio recommended, given the size of the project, the project be delayed until the following year. Chairman Landers read the project conditions as provided by the City Engineer:

If/when the Stow Road Project commences, it should be under the following conditions:

- The exact location of the new pipe in the roadway shall be pre-approved in the field by the Engineering Division prior to the start of work.
- A traffic management plan shall be submitted to the Engineering Division for approval prior to the start of work.
- Final trench/paving requirements will be set by the Engineering Division as conditions of the road opening permit.

Motion made by Councilor Irish, seconded by the Chair, to approve the petition with conditions from Eversource Energy to install 775' of 6" IP plastic gas main on Stow Road. The motion carried 3-0.

Motion made and seconded to adjourn. The motion carried 3-0. The meeting adjourned at 7:09 PM.

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

Meeting Name: City Council Urban Affairs Committee

Date: October 30, 2018

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

Convened: 5:35 PM – Adjourned: 5:56 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Landers and Doucette; Councilors Clancy, Dumais, Oram, Ossing, and Robey; Attorney Michael Norris; and Raphael Fischetti (Applicant)

Absent: Urban Affairs Committee Members Councilors Juaire and Tunnera

Reports of Committee Cont'd:

Order No. 18-1007387: Application for Special Permit from Attorney Norris, on behalf of Raphael Fischetti, to construct a new single-family dwelling at 89 Spring Street. The Urban Affairs Committee met with Attorney Michael Norris and applicant Raphael Fischetti for a discussion of their request for a special permit to construct a new single-family house at 89 Spring Street. The lot is small, the previous house was demolished by the City and the lot was sold to the applicant as a tax foreclosure property. The applicant wants to build a two-story house versus the previous one-and-a-half-story house which means exacerbating the pre-existing, non-conformity of the lot and requires a special permit by the City Council. Ward Councilor Irish was unable to attend the meeting but sent a letter to Chairman Delano explaining he had no objection to the project but asked about their plans for the driveway, landscaping, and stone wall. Mr. Fischetti explained the driveway will be repaved but no changes to its size or location are intended, the stone wall will be repaired, and the landscaping will be maintained in neat manner. The Councilors had no objections to the application as there was no opposition from the neighbors, but they required the following additional conditions as part of the special permit:

1. Repair and maintain the stone wall.
2. Driveway shall remain the same size.
3. The structure shall be limited to three-bedrooms and six rooms total.
4. No additions shall be allowed or other structures on the property.
5. Decks may only be attached on the rear side of the house.

Motion made by Councilor Doucette, seconded by the Chair to approve the Special Permit Conditions as amended. The motion carried 3-0 (Juaire and Tunnera absent).

Motion made by Councilor Doucette, seconded by the Chair to approve the Special Permit with Conditions as amended. The motion carried 3-0 (Juaire and Tunnera absent).

Motion made by Councilor Doucette, seconded by the Chair to request a Suspension of the Rules at the November 5, 2018 City Council Meeting to refer to the Legal Department to place in proper legal form. The motion carried 3-0 (Juaire and Tunnera absent).

Motion made and seconded to adjourn. The motion carried 3-0 (Juaire and Tunnera absent). The meeting adjourned at 5:56 PM.

Reports of Committee Cont'd:

Order No. 18-1007420: Communication from Councilor Ossing regarding Funding for New School, Library Renovation and West Side Fire Station.

Councilor Ossing presented to the Urban Affairs Committee a review of the upcoming bonds for the school, library, and fire station and their impact on the City's taxes and the potential revenue from projects before the City Council. The library bond must be approved by January 2019 or lose the State's matching funds and the fire station bond request is in process. There is a need for housing across the City and Councilor Ossing presented a table of potential projects that could pay for the bonds. How can the projects be bonded while being fiscally responsible, managing the City's budget, and providing the lowest possible tax rates. The discussion focused on potential projects and they should each be taken on their own merits not only for the present but the future.

Motion made by Councilor Juaire, seconded by the Chair to accept and place on file. The motion carried 4-0 (Tunnera absent).

Motion made and seconded to adjourn. The motion carried 4-0 (Tunnera absent). The meeting adjourned at 6:48 PM.

Councilor Robey reported the following out of the Legislative & Legal Affairs Committee:

City Council Legislative and Legal Affairs Committee

Tuesday, October 30 5:15 PM-- In Council Chambers

Minutes and Oral Report

Present: Chairman Katie Robey, Councilor Delano and Councilor Landers.
Also present were Councilors Clancy, Dumais, Doucette, Oram, and Ossing.
Also in attendance was Marlborough Veteran's Agent Nick Charbonneau.

Order No. 18-1007436: That Section 9 of Acts of 2018, Chapter 218, re MGL Section 22 A1/2 of Chapter 40 be referred to the Legislative and Legal Affairs Committee and Traffic Commission. In August 2018, Governor Baker signed into law the BRAVE Act which amends several sections of MGL regarding veterans. The amendment to Section 22 A1/2 of Chapter 40 would add in a new Section 22 A³/₄ and allow a municipality to designate a parking space at city or town hall for the parking of a veteran in a motor vehicle that is owned and operated by the veteran and that displays a veteran registration plate issued pursuant to Section 2 of Chapter 90. The parking space shall be available during the normal hours of business of city or town hall for use by veterans without charge. A sign shall be erected at the space bearing words "Veteran Parking Only-this space reserved for those who have served. Unauthorized Vehicles May Be Removed At The Vehicle Owner's Expense." A violation of this subsection shall be punished by a fine of \$100 and the city or town may provide for the removal of a vehicle in the manner provided in Section 22D. The penalty shall not be a surchargeable offense under Section 113B of Chapter 175.

The committee discussed issues regarding a veteran parking in space whose car doesn't have the required plate and if we could double up with existing handicap parking space behind city hall and add veteran parking. As this was also referred to Traffic Commission and they were meeting the next day, it was decided to wait until they have met. Chairman Robey would attend and express that Legislative & Legal Affairs members were in favor of allowing this.

Reports of Committee Cont'd:

It was moved and seconded to table this matter until the Traffic Commission meets; the motion carried 3-0.

The committee adjourned at 5:35 pm.

Suspension of the Rules requested – granted

ORDERED: That the Communication from Goulston & Storrs, on behalf of Hines Global REIT Marlborough Campus I LLC, to extend sewer connection permit for Campus at Marlborough, 100 Campus Drive to December 2, 2020, **APPROVED**; adopted.

Suspension of the Rules requested – granted

ORDERED: That the Application for Special Permit from Attorney Norris, on behalf of Raphael Fischetti, to construct a new single-family dwelling at 89 Spring Street, refer to **LEGAL TO PLACE IN PROPER LEGAL FORM**; adopted.

Suspension of the Rules requested – granted

ORDERED: That the following Act of the Massachusetts Legislature be referred to the Legislative/Legal Affairs Committee and Traffic Commission for review and, if deemed appropriate, a suitable location chosen for such reserved parking space at the city hall for the parking of a veteran in a motor vehicle that is owned and operated by the veteran and that displays a veteran registration plate issued pursuant to section 2 of chapter 90: SECTION 9. Chapter 40 of the General Laws is hereby amended by inserting after section 22A¹/₂ the following section: Section 22A³/₄. (a) A municipality may designate a parking space at the city or town hall for the parking of a veteran in a motor vehicle that is owned and operated by the veteran and that displays a veteran registration plate issued pursuant to section 2 of chapter 90. The parking space shall be available during the normal business hours of the city or town hall for use by such veteran without charge. The municipality shall erect and maintain a sign designating such a parking space that shall bear the words "Veteran Parking Only – this space is reserved for those who have served. Unauthorized Vehicles May Be Removed At The Vehicle Owner's Expense". The parking space shall only be used by a veteran that meets the requirements of this subsection. (b) A violation of subsection (a) shall be punished by a fine of \$100 and the city or town may provide for the removal of a vehicle in the manner provided in section 22D. The penalty shall not be a surchargeable offense under section 113B of chapter 175, **APPROVED**; adopted.

ORDERED:

**CITY COUNCIL
MARLBOROUGH, MA**

Site Plan Permit # _____
Site Plan Approval with Conditions

Applicant: M & E Ventures Corporation, 4 Watkins Lane, Southborough, MA

Property Owner: M & E Ventures Corporation, 4 Watkins Lane, Southborough, MA

Location: 28 South Bolton Street (the "Site") being shown as Parcels 212A, 213, 222, 224, and 528 on Assessors Map 70.

Zoning District: Marlborough Village District (MV)

Plans: The following Site Plan Approval Final Conditions are based on a set of plans entitled "Proposed Site Plan of 28 South Bolton Street in Marlborough, MA" by Connorstone Engineering, Inc., said plans being comprised of Sheets 1 through 7 with the last revision date of 9-18-2018 (said set of plans hereinafter, collectively, the "Site Plans"); a landscaping plan entitled "Proposed Landscaping Plan" by Timothy Burke Architecture, dated 9-5-2018 (hereinafter, "Landscape Plan"); and a set of eight (8) architectural drawings entitled "28 South Bolton Street" by Timothy Burke Architecture, dated 3-21-18 (hereinafter, "Architectural Drawings"), all of which plans are attached hereto as Exhibit "A."

SITE PLAN APPROVAL FINAL CONDITIONS:

A. Site Conformance:

1. Construction on the Site shall be in conformance with the above approved Site Plans, Landscape Plan, Architectural Drawings, the provisions of Chapter 270 of the Code of the City of Marlborough, and the conditions stated herein.
2. All construction on the Site shall conform to the appropriate National, State and City of Marlborough codes and regulations in force for each respective discipline and be in accordance with the approved plans and permits. Codes and regulations shall include but are not limited to State Building, Plumbing, Wiring, NFPA, Zoning, DPW utility and roads, Noise and Signs.
3. No cellular communication equipment, including but not limited to a tower, may be installed at the Site without the approval of the City Council, except for equipment serving the residents and businesses of the Site.

B. Prior to Issuance of a Building Permit:

1. Construction Staging and Safety Plan:
 - a. The Applicant shall complete the project in accordance with a Construction Staging and Safety Plan (the "Construction Plan") to be approved by the Building Commissioner, Fire Chief, Police Chief, and City Engineer. Said Construction Plan shall address the building demolition phase of the project, which may take place in advance of the construction phase and under a separate demolition permit.
 - b. The Construction Plan shall provide detailed information concerning:
 - (i.) areas of the Site and adjacent property that will be marked off for the staging of construction vehicles, etc.;
 - (ii.) traffic management, detour routes if necessary, construction signage, pedestrian protection, blocked sidewalks, streets, etc.;
 - (iii.) construction fencing to enclose material and equipment;
 - (iv.) fencing and/or barricades to provide limits within the construction site for the separation of construction, pedestrian and vehicular traffic; and
 - (v.) dedicated illuminated and covered pedestrian walkways adjacent to the structure at egress paths in accordance with 780 CMR Massachusetts State Building Code and related Mass. Amendments, including but not limited to Chapters 31, 32, 33, and 34, in effect at the time the building permit application is submitted.
2. Green Building: The building plans shall show compliance with § 650-34D.(2.)(m), concerning sustainable building design, of the Zoning Code of the City of Marlborough. Prior to the issuance of Building Permits, the Building Commissioner shall review the building plans to ensure that the design incorporates green building techniques.
3. Rooftop Mechanicals: On the building plans, the elevation drawings shall show areas reserved for rooftop mechanicals and the elevator penthouse. Detail drawings illustrating the type, location, and dimensions of fencing/screening must be provided. The Building Commissioner shall confirm that the building drawings conform to the requirements of § 650-34D.(2.)(b) of the Zoning Code of the City of Marlborough regarding screening of rooftop mechanical equipment.
4. Footings: If the footings for the proposed building will be located within the City of Marlborough public way layout, an easement from City Council must be obtained prior to the issuance of any building permits.
5. Land Acquisition: Prior to the issuance of a building permit for the construction of the building, the Applicant shall acquire title to the portions of the Site currently owned by the Commonwealth of Massachusetts, and rights from the Marlborough Community Development Authority, necessary to complete the improvements shown on the Site Plans.

C. Construction:

1. Preconstruction Meeting: Prior to the commencement of construction, a preconstruction meeting shall be held on-site with the Building Commissioner, City Engineer, Conservation Officer, Fire Chief, Police Chief, and the site contractor responsible for doing the work. At this meeting said City officials will review the plans and conditions, exchange contact information including emergency contact numbers, and inspect erosion controls. A similar meeting shall be held prior to the commencement of demolition, which may take place under a separate demolition permit.
2. Use of Ways During Construction: Consistent with the Construction Plan, all areas for construction staging and offloading of building materials, as well as any excavations, long-term construction scaffolding, or other obstructions shall be coordinated to maximize public safety and to minimize interference with the customary use of public ways by vehicles and pedestrians. Permits are required for any street or sidewalk excavations or obstructions. The Police Chief shall have the discretion and authority to require additional protection and/or details as needed. The Applicant shall pay to the City the cost for every police detail which is provided by the Marlborough Police Department for the project.
3. OSHA: All Contractors shall abide by OSHA regulations as appropriate, including but not limited to OSHA-29 CFR, Section 1926, as amended.
4. Safety Official: The Applicant/ site contractor shall have on the Site, at all times during construction, a qualified Construction Safety Official. Prior to the commencement of construction, Applicant shall provide to the Building Commissioner the name and contact information of said Construction Safety Official.
5. Hours of Operation: In accordance with § 431-3B. of the Code of the City of Marlborough, excavation machinery may be operated only during the normal workweek, from Monday through Saturday, except holidays, between the hours of 7:00 a.m. to 7:00 p.m., except Sunday when all use is prohibited except with a variance from the Board of Health or as emergency work

D. Storm Water:

1. Siltation Control: The Applicant, Property Owner, and site contractor shall be responsible for protecting the City drainage system with erosion controls at all times during construction, and for notifying the Conservation Officer and the City Engineer in an expeditious manner if there is any visible siltation to the existing drainage system. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.

E. Landscaping:

1. Modifications: All modifications to the approved Landscape Plan related to changes to the kind, size and placement of plant material shall receive the prior written approval of the Conservation Officer and shall be considered a minor change.
2. Site Visit: Prior to the final signoff, the Landscape Architect shall provide an as-built planting plan and a letter of confirmation that the plan conforms to the approved plans. The Conservation Officer shall confirm by a site visit that the planting has been installed in accordance with the approved Landscape Plans, or a revision, previously approved by the Conservation Officer, of the Landscape Plans.
3. Replacement of Plantings: Following 18 months of the date of the final signoff of the site work, any plant material that has died or is dying shall be replaced by the Property Owner with a species of the same kind and size.
4. Mulch Placement: Installation of mulch at the time of planting and thereafter shall be placed so that the mulch is not in contact with the trunk of newly planted trees and shrubs as shown on the details on the Landscaping Plan.
5. Maintenance: At all times, landscaping will be properly maintained, replaced if necessary, and kept in good condition and in compliance with the Landscape Plans. This shall be an ongoing condition.

F. Driveway Design:

1. Through this decision, the City Council has determined that the alternative configuration of the proposed driveway shown on the Site Plans will adequately protect public safety and meets commonly employed engineering and planning standards, in accordance with § 650-49E. of the Zoning Code of the City of Marlborough.

G. Parking Garage:

1. The design of the parking garage access shall be such that entering and exiting from the garage is controlled by the Site's residents and business operators. The building design shall provide for adequate sight distances for vehicles exiting the garage to provide for pedestrian safety. The Applicant shall use appropriate signage at the entrance and exit to ensure pedestrian safety.
2. The parking garage is to be for the sole use of the residents of the Site. The parking garage is not intended for public use.

H. Prior to Issuance of a Certificate of Occupancy:

1. Payment in Lieu of Parking: The project contains 36 residential units, and therefore must either (i.) comply with parking space requirements, or (ii.) make a “payment in lieu of parking” for each space not provided, per § 650-34E. of the Zoning Code of the City of Marlborough. Required parking for the project is as follows:

1 bedroom units:	4 @ .75 spaces per unit =	3 spaces
2 bedroom units:	32 @ 1.25 spaces per unit =	40 spaces
Total Spaces Required		= 43 spaces

The difference between the number of parking spaces provided on the Site Plans (29) and the number of parking spaces required (43), which is 14 spaces, will be addressed in strict accordance with § 650-34E.(2)(b) of the Zoning Code of the City of Marlborough. Per said Code, a payment-in-lieu-of-parking equal to \$140,000 (\$10,000 for each of the 14 spaces required but not provided on the Site) shall be paid to the City of Marlborough prior to the issuance of the first Certificate of Occupancy for the project.

2. Work Within Public Way: All work within the public way layout, including but not limited to planting, repaving, pavement milling and overlay, pavement markings, etc., as shown on the approved plans, shall be completed prior to the issuance of the first Certificate of Occupancy.
3. Cotting Avenue Design: The Applicant shall work with the Police Department and City Engineer to meet with the Traffic Commission to consider changes to the design and direction of Cotting Avenue.
4. As-Built Plans: An as-built plan(s) must be submitted to the City Engineer for review prior to the issuance of the first Certificate of Occupancy or Temporary Certificate of Occupancy. The as-built plan(s) shall be prepared in accordance with the As-Built Plan Standards established by the City Engineer, which standards may be found on the website of the City of Marlborough. An as-built landscape plan is also required to be submitted by the landscape architect as noted in section E.2. above.
5. Time for Completion: Work as provided for on the Site Plans shall be carried into effect and completed within three (3) years following the date of issuance of the Building Permit, unless the City Council has granted in writing an extension of time for completion of the work.
6. Signage: Pursuant to § 650-34I. of the Zoning Code of the City of Marlborough, the City Council hereby retains jurisdiction over all signage of the project to the extent such signage requires a sign permit under the Sign Ordinance. The final design, material, dimensions, content, and location of all such signage, including any freestanding entry signs and the project's internal signage, shall be subject to further review and sign permit approval from the City Council and must meet the requirements of § 650-34I. of the Zoning Code of the City of Marlborough.

7. Pedestrian Signal Improvements: Since residents of the proposed units may be parking in the nearby municipal parking garage and other off-site parking areas, there may be an increase in pedestrian crossings at the intersection of South Bolton Street and Granger Boulevard. To help ensure safety for pedestrian crossings, the Applicant shall upgrade the existing pedestrian signal heads at this intersection to ADA/MUTCD-compliant signals with countdown timers and audible push button systems. Submittals for the new signal equipment shall be approved by the City Engineer prior to construction.

I. General Provisions:

1. Minor Changes: The City Council delegates to the Building Commissioner the authority to approve minor changes to the approved Site Plans. The City Council delegates to the Building Commissioner the authority to approve changes to the approved Site Plans consistent with future amendments to the Zoning Code as enacted by the City Council.
2. Enforcement: The City Council designates the Building Commissioner as the enforcing authority to bring enforcement actions for violations of this permit.

APPROVED; adopted

ORDERED: That the Funding for a New School, Library Renovation and West Side Fire Station, **FILE**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:33 PM; adopted.



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(508) 460-3775 FAX (508) 460-3723**

NOVEMBER 19, 2018

Regular meeting of the City Council held on Monday, November 19, 2018 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Delano, Juairé, Oram, Ossing, Doucette, Dumais, Irish and Landers. Absent: Robey & Tunnera. Meeting adjourned at 8:55 PM.

ORDERED: That the Minutes of the City Council meeting OCTOBER 29, 2018, **FILE**; adopted.

ORDERED: That the Minutes of the City Council meeting NOVEMBER 5, 2018, **TABLED UNTIL THE DECEMBER 3, 2018 CITY COUNCIL MEETING**; adopted.

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Change, amending Chapter 650 §34 and §41 in the Marlborough Village District, Order No. 18-1007404B, all were heard who wish to be heard, hearing closed at 8:22 PM.

Councilors Present: Delano, Doucette, Dumais, Irish, Clancy, Landers, Juairé, Oram, & Ossing.

Absent: Robey & Tunnera.

ORDERED: That the Disposition of Surplus Property – 25 East Main Street, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED:

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

1. Section 650-12, entitled “Nonconforming uses,” is hereby amended by deleting the words
“except that no special permit is needed if the alteration or expansion is to a nonconforming single- or two-family dwelling and said alteration or expansion does not increase the nonconforming nature of the dwelling,” and inserting in place thereof the following words: -

except that an alteration, reconstruction, extension or structural change of or to a lawful pre-existing nonconforming single-family dwelling or two-family house shall be governed by Section 650-58B(3).
2. Section 650-58, entitled “Provisions for Board of Appeals,” is hereby amended by adding to subsection B thereof, entitled “Powers and duties,” after sub-subsection (2), entitled “Variances,” the following new sub-subsection (3), entitled “Lawful pre-existing nonconforming single-family dwellings and two-family houses”:
 - (3) Lawful pre-existing nonconforming single-family dwellings and two-family houses.
 - (a) As of right. Lawful pre-existing nonconforming single-family dwellings and two-family houses may be altered, reconstructed, extended or structurally changed as a matter of right upon a determination by the Building Commissioner that a proposed alteration, reconstruction, extension or change would not increase or intensify the existing nonconforming nature of the dwelling or house in question. Upon such a determination, an application to the Board of Appeals for a special permit need not be made, and the owner may apply to the Building Commissioner for a building permit.

- (b) By special permit. Upon a determination by the Building Commissioner that a proposed alteration, reconstruction, extension or structural change to a lawful pre-existing nonconforming single-family dwelling or two-family house would increase or intensify the existing nonconforming nature thereof, the owner of such dwelling or house shall be required to apply to the Board of Appeals for a special permit to allow such alteration, reconstruction, extension or structural change. The Board may grant a special permit to allow such alteration, reconstruction, extension or structural change; provided, however, that the Board determines, by a finding under M.G.L. c. 40A, § 6, that the proposed alteration, reconstruction, extension or structural change shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure or use; and provided, further, that any such special permit shall comply with the requirements of the Zoning Ordinance of the City of Marlborough, as may be amended from time to time, including but not limited to Section 650-12, entitled "Nonconforming uses," as well as Section 650-59.A(1) pertaining to the powers and duties of special permit granting authorities. Application for a special permit to allow such alteration, reconstruction, extension or structural change shall be made to the Board pursuant to the procedures set forth in Subsection C(5) of this Section 650-58.
- (c) By variance. Upon the determination by the Building Commissioner that a proposed alteration, reconstruction, extension or structural change to a lawful pre-existing nonconforming single-family dwelling or two-family house would create a new nonconformity(ies), the owner of such dwelling or house shall be required to apply to the Board of Appeals for a variance to allow such alteration, reconstruction, extension or structural change; provided, however, that the Board shall decide upon a variance petition pursuant to the Board's powers and duties set forth in Subsection B(2), and pursuant to the procedure set forth in Subsection C(1)-(4), of this Section 650-58.
3. Section 650-58, entitled "Provisions for Board of Appeals," is hereby amended by adding to subsection C thereof, entitled "Procedure," after sub-subsection (4), the following new sub-subsection (5), entitled "Special permit procedure":

(5) Special permit procedure. Except as set forth below, the provisions set forth in Section 650-59.B and C, pertaining to the procedures and rules applicable to special permit granting authorities, as such provisions may be amended from time to time, shall, so far as apt, be applicable to the Board of Appeals acting upon an application for a special permit proposing an alteration, reconstruction, extension or structural change which, per the determination of the Building Commissioner, would increase or intensify the existing nonconforming nature of a lawful pre-existing nonconforming single-family dwelling or two-family house, In particular, each special permit application to the Board of Appeals filed under this subsection shall contain the information as itemized in Section 650-59.C(4), and shall be accompanied by a preliminary site plan which shall contain the information as itemized in Section 650-59.C(5).

Each application filed under this subsection shall be filed with the Office of the City Clerk in accordance with MGL Chapter 40A, on a form provided by that Office, and shall be accompanied by a filing fee in the amount calculated to be the same as for special permit applications submitted to the City Council under Section 650-59.C(3). The application for the special permit shall be made in writing by the applicant or its duly authorized agent, who shall file the following number of sets of application materials at the Office of the City Clerk, which shall keep the original and forward all copies to the Board of Appeals, which shall distribute those copies as follows:

Number of Sets	Office
8	Board of Appeals
1	Building Department
1	Office of the City Council
1	City Engineer
1	Legal Department
1	Conservation Officer (if wetlands are affected)

The Board of Appeals shall hold a public hearing on each special permit application filed under this subsection. The procedures for the public hearing and for the notice thereof to parties in interest shall be in conformance with M.G.L. c. 40A and the Zoning Ordinance of the City of Marlborough, as either or both may be amended from time to time; provided, however, that the Board shall hold the public hearing on a special permit application on the same evening as it would be holding the public hearing on any variance petition that may be associated with the same proposed work (alteration, reconstruction, extension or structural change) on the same dwelling or house.

Within 90 days after the close of the public hearing on the special permit application filed under this subsection, the Board of Appeals shall take final action on a decision to grant or deny the requested special permit; provided, however, that no special permit shall be granted by the Board under this subsection if any variance petition that may be associated with the same proposed work (alteration, reconstruction, extension or structural change) on the same dwelling or house is denied by the Board.

The Board may adopt rules and regulations for the issuance of special permits under this subsection in accordance with M.G.L. c. 40A and the Zoning Ordinance of the City of Marlborough, as either or both may be amended from time to time.

Refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE PUBLIC HEARING FOR MONDAY, DECEMBER 17, 2018;** adopted.

ORDERED: That the Communication from City Solicitor, Donald Rider, re: Special Permit for Raphael B. Fischetti, to build a 2-story single-family home, 89 Spring Street in proper legal form, Order No. 18-1007387C, **MOVED TO ITEM 24;** adopted.

ORDERED: That the Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: Proposed Zoning Amendment to Chapter 650, Neighborhood Business District, in proper form, Order No. 18-1007337C, **MOVED TO ITEM 25;** adopted.

ORDERED: That the Communication from Building Commissioner, Jeffrey Cooke, re: Application for LED Sign Special Permit for Main Street Bank, 81 Granger Boulevard, Order No. 18-1007423, **MOVED TO ITEM 12;** adopted.

Councilor Delano recused.

ORDERED: That the Communication from DPW Commissioner John Ghiloni, re: Proposed Assignment of Retaining Wall Easement, 27 Jefferson LLC, Order No. 18-1007451, X18-1007245C, **MOVED TO REPORTS OF COMMITTEE;** adopted.

Councilor Dumais recused.

ORDERED: That the request to extend time limitations on Application for Special Permit to increase the number of units from 350 to 473 on a portion of 200 Forest Street within the Results Way Mixed Use Overlay District (RWMUOD), until 10:00 PM on January 29, 2019, Order No. 18-1007314B **APPROVED;** adopted.

ORDERED: That the Communication from Christopher White, re: Request to Withdraw application for Special Permit to build a 24 x 26 garage on a non-conforming lot at 22 Brimsmead Street, Order No. 18-1007320B, **MOVED TO REPORTS OF COMMITTEE;** adopted.

ORDERED: That there being no objection thereto set **MONDAY, JANUARY 7, 2019** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Attorney Sem Aykanian to modify existing Special Permit issued to Main Street Bank, 81 Granger Boulevard on June 22, 2009, Order No. 09-1002152C, to modify permit to allow for an electronic digital display (electronic message board) sign, refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE;** adopted.

Councilor Delano recused.

ORDERED: That the Communication from Building Commissioner, Jeffrey Cooke, re: Application for LED Sign Special Permit for Main Street Bank, 81 Granger Boulevard, Order No. 18-1007423 **FILE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JANUARY 7, 2019** as **DATE FOR PUBLIC HEARING** On the Application for Sign Special Permit, Main Street Bank, 81 Granger Boulevard Marlborough to operate an electronic message center sign at its bank located at 81 Granger Boulevard, refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

Councilor Delano recused.

ORDERED: That there being no objection thereto set **MONDAY, DECEMBER 17, 2018** as **DATE FOR PUBLIC HEARING** On the Application for Special Permit from Melynda Gallagher on behalf of Lost Shoe Brewing and Roasting Company to allow for coffee roasting at their establishment within the Marlborough Village District, 19 Weed Street, refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY DECEMBER 3, 2018** as **DATE FOR PUBLIC HEARING** On Petition from Massachusetts Electric and Verizon New England, Inc., to install new joint owned Pole #47-5, Bolton Street, to service new school at 441 Bolton Street, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Communication from Weston Solutions, Inc., re: Notification of Phase I Tier Classification Submittal relative to 33 Hayes Memorial Drive, refer to **BOARD OF HEALTH**; adopted.

ORDERED: That the Notice of Filing and Public Hearing, Department of Public Utilities, NSTAR Gas Company d/b/a Eversource Energy, DPU 18-115, **FILE**; adopted.

ORDERED: That the Notice of Filing and Public Hearing, Department of Public Utilities, Massachusetts Electric d/b/a National Grid, DPU 18-118, **FILE**; adopted.

ORDERED: That the Communication from Cross Roads Industrial Park-Parcel G, re: Environmental Notification Form (EEA #15928) – Alternatives Analysis, **FILE**; adopted.

ORDERED: That the Minutes, Commission on Disabilities, July 3, 2018 & August 7, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, September 10, 2018, September 24, 2018, October 15, 2018 & October 29, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Zoning Board of Appeals, October 31, 2018, **FILE**; adopted.

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

- a) Christian Donaldson, 28 Waters Street, Millbury, pothole or other road defect.
- b) John Barrington, 397 Bolton Street, #F6, pothole or other road defect.

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee
Tuesday November 13, 2018
In Council Chambers**

Finance Committee Members Present: **Chairman Ossing; Councilors Robey, Oram, Irish and Dumais.**

Finance Committee Members Absent: **None**

Other Councilors in Attendance: **Councilors Clancy, Landers, Juairé, Doucette and Delano (present for agenda items 1 & 2).**

The meeting convened at 7:00 PM.

1. **Order #18-1007439 – Bond Order for \$23,780,902.00 to Fund the Library Renovation Project:** The Finance Committee reviewed the Mayor's letter dated October 25, 2018 requesting a bond order for \$23,780,902.00 to fund the renovation and construction of the Marlboro Public Library. The Massachusetts Board of Library Commissioners (voted July 12, 2018) awarded the City a grant in the amount of \$10,186,626.00 that will be used to offset the bond. Any excess costs will be made up by the Library's Capital Campaign Committee. To date the Library's Capital Campaign Committee has pledged for over \$400,000.00. **The Finance Committee took the following actions:**
 - **The Finance Committee voted 5 - 0 to approve the bond order for \$23,780,902.00 to fund the renovation and construction of the Marlboro Public Library.**
 - **The Finance Committee voted 5 – 0 to request a suspension of the rules at the November 19, 2018 City Council meeting to approve the advertising of the bond.**
2. **Order #18-1007440 – Bond Order for \$10,000,000.00 to Fund the New Fire Station on West Side of the City:** The Finance Committee reviewed the Mayor's letter dated October 25, 2018 requesting a bond order for \$10,000,000.00 to fund a new fire station on the west side of the City. The Finance Committee voted 5 – 0 to table the bond order until a more definitive cost estimate, location and decision on whether there will be three or four fire stations going forward. The Mayor indicated the report from the Fire Station evaluation committee should be available in late December.

Reports of Committee Continued:

- 3. Order #18-1007441 – Grant for \$6,219.00 for Two Electric Vehicle Charging Stations:** The Finance Committee reviewed the Mayor’s letter dated October 25, 2018 requesting the approval of a \$6,219.00 grant from the Massachusetts Electric Vehicle Incentive Program to fund 50% of the costs to purchase two Level 2 Electric Vehicle Charging stations to be placed behind City Hall. The matching funds will be from the DPW Capital Outlay – Equipment Account. **The Finance Committee voted 4 – 1 (Councilor Robey Opposed) to approve the grant with the following conditions:**

- **The two charging stations will be set up to require patrons to pay for charging their electric vehicles.**
- **The parking spaces for the charging stations will have a 4-hour charging limit for non-municipal employees.**

The Finance Committee adjourned at 8:54 PM.

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

Meeting Name: City Council Urban Affairs Committee

Date: November 13, 2018

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

Convened: 5:31 PM – Adjourned: 6:18 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Juare, Landers, Doucette, and Tunnera; Councilors Clancy, Ossing, and Robey; Jeffrey Cooke (Building Commissioner, City of Marlborough), Glenn Davis (Davis Architects)

Order No. 18-1007422: Communication from Peter Grahm, PG Realty Trust, regarding the request to extend the reconstruction period of two years for 182 West Main Street. The Urban Affairs Committee met with Architect Glenn Davis who appeared on behalf of Peter Grahm, owner of 182 West Main Street. Chairman Delano reviewed the site history explaining there was a fire in February of 2016 and there is a two-year time limit to rebuild which has passed. They need to review a new timetable for repairs with some reasonable assurances that the repairs will be done correctly because there are current issues with the structural integrity of the roof and roof rafters, the stairway must become ADA compliant, and the recently installed windows were not in compliance. Mr. Davis gave a summary of the site’s history as well as describing issues they have had with the insurance company especially for the code related items in the building that need to be corrected. Mr. Davis anticipated it would take three months to receive their necessary approvals from the State and City and an additional nine months for completion of the work therefore he requested an extension of a year for the reconstruction period.

Reports of Committee Continued:

It was noted for the record that petitioner was aware of the two-year reconstruction period soon after the fire. Councilors expressed general concern that the project would encounter additional delays and requested regular updates on project status over the following year. Mr. Davis agreed to submit regular reports to the Building Commissioner during the reconstruction period. This is a gentlemen's agreement, as suggested by Chairman Delano. Chairman Delano also submitted that the Building Commissioner should begin fining petitioner if work is not complete at the end of the extended date. Replying to Councilor Juaire, Mr. Davis submitted that the two submittals to the state will be complete in the next two weeks. Councilor Juaire stated he would check on the status of the state submittals prior to the final vote by the City Council.

Motion made by Councilor Doucette, seconded by the Chair, to approve the extension of the reconstruction period until November 19, 2019. The motion carried 5-0.

Order No. 18-1007320: Application for Special Permit from Christopher White, regarding Building a 24 X 26 garage on a non-conforming lot, 22 Brimsmead Street. Mr. White communicated with the City Council Office that he planned to withdraw his application without prejudice and would submit the appropriate paperwork. Chairman Delano stated the committee should report this item out without a recommendation in anticipation of receiving a letter of withdrawal without prejudice from the applicant. If the letter is not received by the time of the full City Council vote, the City Council can vote to deny the application.

Motion made by Councilor Juaire, seconded by the Chair, to refer to the City Council without recommendation. The motion carried 5-0.

Motion made and seconded to adjourn. The motion carried 5-0. The meeting adjourned at 6:18 PM.

Councilor Delano reported the following out of the Legislative & Legal Affairs Committee:

City Council Legislative and Legal Affairs Committee
Tuesday, November 13, 2018 6:25 PM– In Council Chambers
Minutes and Report

Present: Chairman Katie Robey, Councilor Delano and Councilor Landers.
Other Councilors present: Councilors Clancy, Doucette, Juaire and Ossing.
Also attending were City Solicitor Donald Rider and City Engineer Tom DiPersio.

Reports of Committee Continued:

Order No 18-1007451: Communication from City Solicitor Rider regarding Proposed Assignment of Retaining Wall Easement to 27 Jefferson LLC in order No. 18-1007245C. Solicitor Rider's November 1, 2018 letter was discussed where he gave us information about a condition dealing with an existing retaining wall along Jefferson Street in the special permit granted to Jefferson LLC. A letter from Commissioner Ghiloni serving notice that the DPW has determined the City's easement interest in the 3' wide strip of land on Map 56, Parcels 160, 161, and 162 was no longer needed by the city and available for transfer from the DPW to the City Council for assignment of the easement to 27 Jefferson LLC, its successors and/or assigns. The committee was also provided a draft of an assignment of easement.

Councilor Delano moved to approve the transfer from the DPW to the City Council for another specific municipal purpose; namely, assignment of the easement to the LLC, its successors and/or assigns and to authorize assignment of the easement and authorize the mayor to execute the assignment. The motion was adopted 3-0.

It was noted by Solicitor Rider that the City Council should take this as a 2-part vote with the transfer of easement requiring a 2/3 vote and the vote to authorize the mayor to execute the assignment of easement a simple majority vote.

Order No 18-1007445: Communication from City Solicitor Rider regarding Mauro Farm Subdivision-Acceptance of Open Space Parcel. The October 25, 2018 letter from Solicitor Rider was read into the record. It details development known as Mauro Farm and the plans which show open space parcels to be deeded to the Conservation Commission. The Committee was given a copy of the Quitclaim Deed.

Councilor Delano moved to accept from Mauro Farms LLC the deed of land identifying Parcels 20, 21, 30, 31, and 32 which are to be managed and controlled by the Marlborough Conservation Commission for the purposes of the promotion and development of natural resources, watershed protection, passive recreation and conservation.

The motion was adopted 3-0.

The Committee adjourned at 6:40 PM.

Councilor Landers reported the following out of the Public Services Committee:

Meeting Name: City Council Public Services Committee

Date: November 13, 2018

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

Convened: 6:45 PM – Adjourned: 6:55 PM

Present: Chairman Landers; Public Services Committee Members

Councilors Doucette and Irish; and Councilors Clancy, Delano, Juairé,

Ossing, and Robey; Tom DiPersio (City Engineer, City of Marlborough);

Donald Rider (City Solicitor, City of Marlborough)

Reports of Committee Continued:

Order No. 18-1007444: Communication from City Solicitor, Donald Rider, regarding Mauro Farm Subdivision - Acceptance of Nolan Way, Spenser Circle & Reagin Lane as Public Ways. The Public Services Committee met with City Solicitor Donald Rider and City Engineer Tom DiPersio regarding the Mauro Farms Subdivision and the acceptance of Nolan Way, Spenser Circle, and Reagin Lane as public ways. City Solicitor Rider explained the subdivision began back in 2007 and there are several easements (5 utility, 6 drainage, 3 sewerage, 2 water, and 24 landscape) associated with these three roads as part of their acceptance package as public ways. The matter was referred to the Planning Board, but their next meeting is not until December 3, 2018. Mr. DiPersio reported engineering was satisfied the work was complete and the roads were ready for acceptance.

Motion made by Councilor Doucette, seconded by the Chair, to approve the acceptance of Nolan Way, Spenser Circle, and Reagin Lane as public ways pending a recommendation from the Planning Board. The motion carried 3-0.

Motion made and seconded to adjourn. The motion carried 3-0.

Meeting adjourned at 6:55 PM.

Suspension of the Rules requested – granted

ORDERED: At the Regular Meeting of the Marlborough City Council on November 19, 2018, the following bond, **ORDERED ADVERTISED**; adopted.

LIBRARY CONSTRUCTION BOND

That the City of Marlborough, Massachusetts (“the City”) appropriate the amount of \$23,780,902.00 (twenty-three million seven hundred eighty thousand nine hundred and two dollars) for the purpose of paying the costs of the renovation and construction project at the Marlborough Public Library located at 35 West Main Street. Costs shall include demolition, landscaping, paving, utility, and other site improvements incidental or directly related to such construction, renovation and expansion, architectural, engineering or other professional and legal expenses and fees associated with this project, temporary library operational space, storage and moving expenses, furnishings and equipment, and all other costs incidental or related to the Marlborough Public Library building.

To meet this appropriation, the Comptroller/Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, as amended and supplemented, or pursuant to any other enabling authority, and that the Mayor is authorized to contract for and expend any grants, aid, or gifts available for this project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ORDERED: That the Communication from Christopher White, re: Request to Withdraw application for Special Permit to build a 24 x 26 garage on a non-conforming lot at 22 Brimsmead Street, **WITHDRAWN WITHOUT PREJUDICE**; adopted.

ORDERED: That the Communication from DPW Commissioner John Ghiloni, re: Proposed Assignment of Retaining Wall Easement, 27 Jefferson LLC, Order No. 18-1007451, X18-1007245C, **FILE**; adopted.

Councilor Dumais recused.

ORDERED: That the Petition from Eversource Energy to install 775' of 6" IP plastic gas main as a system improvement on Stow Road from the intersection of Simpson Road to the intersection of Fitzgerald Road, **APPROVED WITH THE FOLLOWING CONDITIONS**; adopted.

- 1) The exact location of the new pipe in the roadway shall be pre-approved in the field by the Engineering Division prior to the start of work.
- 2) A traffic management plan shall be submitted to the Engineering Division for approval prior to the start of work.
- 3) Final trench/paving requirements will be set by the Engineering Division as conditions of the road opening permit.

ORDERED: That the Communication from City Solicitor, Donald Rider, re: Special Permit for Raphael B. Fischetti, to build a 2-story single-family home, 89 Spring Street in proper legal form, Order No. 18-1007387C, **FILE**; adopted.

ORDERED:

IN CITY COUNCIL

DECISION ON A SPECIAL PERMIT

Application of:
Raphael Fischetti
Locus:
89 Spring Street, Marlborough, MA 01752
Assessors Map 68, Parcel 316

**DECISION ON A SPECIAL PERMIT
ORDER NO. 18-1007387C**

The City Council of the City of Marlborough hereby GRANTS the Application for Special Permit of Applicant (the "Application"), as provided in the Decision and SUBJECT TO THE FOLLOWING FINDINGS OF FACT AND CONDITIONS:

EVIDENCE

1. The Applicant, Raphael B. Fischetti is an individual with a principal address of 617 Pawtucket Boulevard, Unit 3, Lowell, MA 01834 (the "Applicant").
2. The location of the proposed project is 89 Spring Street, Marlborough, MA and more particularly identified on the City of Marlborough Assessor's Maps as Parcel 68 on Plate 316, and furthermore particularly described in deeds recorded with the Middlesex South District Registry of Deeds, Book 70255, Page 444 (the "Site").

4. The owner of the Site is the Applicant. The Site is located in the Residence A-3 zoning district.
5. The single-family dwelling previously located on the Site was built in 1890 and updated in 1975. The house was built prior to the establishment of a residential zoning district. The property was subsequently taken by the city for non-payment of taxes, in 2012, the City demolished the existing house in 2013, the property as vacant land was sold at City of Marlborough Tax Title Auction and purchased by the Applicant on October 18, 2017.
6. The Applicant proposes to build a single-family dwelling on the Site consisting of a 30' x 24' two-story house. The Applicant plans to use the same driveway that currently exists on the property and the stone wall in the front of the property. The prior structure was 25' x 36', while the proposed structure will be 24' x 30'. The width of the proposed structure is one (1') foot narrower than the prior structure.
7. The Building Commissioner has determined the new structure seeks to expand a lawful pre-existing nonconforming structure. Based on a photo of the prior structure, the Building Commissioner has determined that the prior structure had approximately the same side yard setbacks as is now proposed for the new structure, namely, setbacks of 12.2' on the left side and 8.3' on the right side. However, Chapter 650-41 of the City Code of Marlborough, entitled "Table of Lot Area, Yards, and Height of Structures" (the "Table"), states that the minimum side yard setback in the Residence A-3 zoning district is 15'. Thus, the prior structure was non-conforming as to side yard setbacks. Since the Applicant proposes to increase the height of the prior structure from 1½ to 2 stories, the Applicant is proposing to intensify the pre-existing side yard setback nonconformity, as the proposed additional ½-story would be a further encroachment into the side yard setbacks. The Building Commissioner has determined that such intensification requires that the Applicant request zoning relief in the form of a special permit from the Marlborough City Council.
8. A public hearing was held on October 15, 2018, in compliance with the requirements of the City's Zoning Ordinance and the provisions of MGL Chapter 40A, as amended. All necessary abutters were provided notice as required by law, as certified by the Office of Marlborough Assessors office. The time for the City Council to take final action on the Application is January 13, 2019.
9. The Applicant presented oral testimony and demonstrative evidence at the public hearing and represented that the Project meets all applicable special permit criteria provided by MGL Chapter 40A, as amended, and the City's Zoning Ordinance.
10. The site plan submitted with the application is entitled, "Proposed Plot Plan # 3 of land in Marlborough, MA (Middlesex County); Prepared for Raphael B. Fischetti of 617 Pawtucket Boulevard, Unit 3, Lowell, MA 01834;" Prepared by Hancock Associates 315 Elm Street, Marlborough, MA 01752, scale 1" = 20', dated June 29, 2018 (the "Site Plan"), and is attached hereto as "Attachment A."

11. The architectural drawings submitted with the Application are labelled "89 Spring Street, Marlborough, MA," by Clark Architectural, North Chelmsford, MA, scale 1" = 10' (the "Architectural Plans") and are attached hereto as "Attachment B."

BASED ON THE ABOVE, THE MARLBOROUGH CITY COUNCIL MAKES THE FOLLOWING FINDINGS OF FACT AND TAKES THE FOLLOWING ACTIONS:

- A. The City Council finds that it may grant as Special Permit (Special Permit) subject to such terms and conditions as it deems necessary and reasonable to protect the citizens of the City of Marlborough (also referenced herein as the "City").
- B. The City Council find the Application for the Special Permit does not derogate from the intent or purpose of the Zoning Ordinance of the City of Marlborough, or MGL c. 40A.
- C. The City Council find that the legally nonconforming residential use of the Site, as increased or intensified by the proposed construction of a single-family dwelling, is an appropriate use, and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough. The construction of the dwelling will complement the nature of the abutting properties and surround neighborhood.
- D. In particular, the proposed construction of the single-family dwelling, with sidelines of 12.2' on the left and 8.3' on the right is not more detrimental to the neighborhood than the prior existing dwelling.
- E. The Applicant has complied with all the procedural rules and regulations of the City Council of the City of Marlborough and Chapter 650 (Zoning Code) of the City of Marlborough and MGL Chapter 40A, Sections 9 and 11.

GRANT OF SPECIAL PERMIT WITH CONDITIONS

The City Council, pursuant to its authority under MGL Chapter 40 and the City of Marlborough Zoning Ordinance, Chapter 650, **GRANTS** the Applicant a special permit (the "Special Permit"), **SUBJECT TO THE FOLLOWING CONDITIONS:**

- A. Construction of the building of a single-family residence is to be done in accordance with all applicable building codes in effect in the City of Marlborough as of the time when the building permit application is submitted to the Building Commissioner and in accordance with the proposed Site Plan and Architectural Plans submitted to the City Council.
- B. All work performed at the Site shall be in compliance with this Special Permit decision.
- C. The stone wall in the front of the lot shall be repaired and maintained by the Applicant.
- D. The driveway shall remain the same length as it currently is or smaller.
- E. The house shall contain no more than a total of six (6) finished rooms, including no more than three (3) bedrooms.

- F. No additions shall be added to the proposed house or the Site, and the deck shall be attached only in the rear of the house.
- G. In accordance with the provisions of MGL c. 40A, § 11, the Applicant at his expense shall record this Special Permit in the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit concerning the proposed expansion. The Applicant shall provide a copy of the recorded Special Permit to the City Council's office, to the Building Department, and to the City Solicitor's office.

Yea: 9 – Nay: 0 – Absent - 2

**Yea: Delano, Doucette, Dumais, Irish, Clancy, Landers, Juair, Oram, & Ossing.
Absent: Tunnera & Robey**

ORDERED: That the Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: Proposed Zoning Amendment to Chapter 650, Neighborhood Business District, in proper form, Order No. 18-1007337C, **FILE**; adopted.

ORDERED:

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

- I. Section 7 of Chapter 650, entitled "Districts Enumerated," is hereby amended as follows:
 - (1) By deleting from the first sentence the number "12" and inserting in place thereof the number "13."
 - (2) By inserting at the end of the list of District types, the following:

Neighborhood Business District	NB
--------------------------------	----
- II. Section 17 of Chapter 650, entitled "Table of Uses," is hereby amended as provided in the highlighted portions of Exhibit "A" attached to this order, which Exhibit "A" includes amendments not limited to the following:
 - (1) By inserting under the heading entitled "Zoning District Abbreviations" a new zoning district abbreviation as follows: "NB"; and
 - (2) By inserting beneath said new district abbreviation NB the letters "Y," "N," or "SP" as shown on said Exhibit "A."
- III. Section 41 of Chapter 650, entitled "Table of Lot Area, Yards, and Height of Structures," is hereby amended as provided in the highlighted portions of Exhibit "B" attached to this order.
- IV. Chapter 650, is hereby amended by inserting a new § 39, entitled "Neighborhood Business District (NB)," as follows:

§ 650-39 NEIGHBORHOOD BUSINESS DISTRICT (NB)**A. Purposes and Objectives.**

The purposes and objectives of the Neighborhood Business District are to encourage retail establishments and services that primarily serve the surrounding neighborhoods; enable multi-family residential and/or mixed use projects to be developed, particularly on underutilized parcels; encourage re-use/redevelopment of existing commercial, industrial or institutional properties located in the neighborhood; and assist the neighborhood to reach its full potential by encouraging restaurants, uses that take advantage of nearby open space, such as the Assabet River Rail Trail, and uses that take advantage of adjacent walkable, pedestrian-oriented neighborhoods.

B. Parking Requirements. Except as otherwise provided in this section, parking and circulation requirements shall conform to the provisions of §§ 650-48 and 650-49 of the Zoning Ordinance.**(1) The following provisions are applicable within the Neighborhood Business District:**

[a.] Retail sales: 1 space per 250 Square feet of Gross Floor Area;

[b.] Multi-family dwelling units: 1 space per bedroom to a maximum of 2 spaces per unit; and

[c.] Restaurants, brew pubs and other eating places: The Special Permit Granting Authority may reduce the total number of required spaces by 50% if there is a municipally-owned lot, shared parking arrangement, or significant amount of on-street spaces within 300 feet of said uses.

C. Open Space Requirements for Conversion from a 2-Family Dwelling to a 3-Family Dwelling and for Multifamily dwellings.

(1) Minimum Open Space. The minimum amount of Open Space per residential unit shall be 100 sq. ft. The open space shall be designed as usable space for sitting, recreation, etc. Up to 50% of the required open space may be private open space placed in the building (recreation rooms, pools, etc.); as individual unit balconies large enough for a table and chairs; or on the roof of the structure as a garden or sitting area. Front yard planting/buffer strips which are designed for public seating or other amenities to improve the public realm, and which are made available to the public, may be included in the required open space; other required buffer and planting strips shall not count towards the required open spaces.

(2) Ground Level Open Space. All or a portion of ground level open space may be reserved for residents of the development, or made available for public use. Special permit proposals for developments which include public benefits such as public seating areas are preferred.

- (3) Joint Open Space. Two or more developments may cooperate to share usable open space on one lot, as long as the minimum square footage per unit is maintained, and the joint open space is within 300 feet of participating developments.
- (4) Waiver as Part of Special Permit or Under Site Plan Review. In development or redevelopment proposals where, because of site-specific circumstances, it is not possible to meet the minimum standards for Open Space, or where there is not sufficient space for ground level open space on the parcel, or where it is not desirable or possible to establish the required amount of open space for other reasons, the City Council, as part of Special Permit or Site Plan Review, may negotiate with the developer and may set other conditions of approval to ensure or encourage other open space benefits, or may waive strict adherence to this provision. Improvements to be made by the developer to an nearby existing public open space parcel or the Assabet River Rail Trail may be included in these negotiations.

D. Project Review.

- (1) Site Plan Review. Projects within the Neighborhood Business District shall be subject to site plan approval in accordance with § 270-2 of the City Code.
 - (a) Site plan review applies to as of right uses and uses available by grant of a special permit within the Neighborhood Business District. Site plan review applicability includes, but is not limited to, new construction of any building or structure; addition to an existing building or structure; and increase in area of on-site parking or loading areas.
- (2) Multi-family Design Review Guidelines and Review Criteria. Multi-family projects within the Neighborhood Business District will be reviewed consistent with the non-mandatory Multi-family Design Review Guidelines and Review Criteria, which guidelines and criteria will be available at the Building Department and/or on the official website of the City of Marlborough.

E. Authority of the Special Permit Granting Authority. The City Council shall be the permit granting authority for special permit approval in the Neighborhood Business District.

V. The Zoning Map described in § 650-8 is hereby amended as follows. The newly established Neighborhood Business District shall include those certain properties shown on the Zoning Map existing at the passage of this Ordinance, which properties are the following parcels, or portions of parcels, of land (herein identified by the Assessors' Map and Parcel Number):

Map 68, Parcels 115, 116, 118, 119, 121, 129, 130, 131, 132, 134, 135, 136, 154, 155, 156, 157, 158, 159, 160, 162, 163, 164, 166, 167, 168, 182, 183, 184, 185, 186, 188, 189, 190, 200, 201, 202, 203, 204, 205; and

Map 69, Parcels 19, 19B, 20, 21, 22, 23, 24, 25, 26, 27, 83, 84, 85, 86, 87, 88, 89, 90, 91, 94, 95, 96, 97, 98, 99, 106, 107, 108, 109, 239, 240, 241, 242, 243, 243A, 243B, 257, 258, 259, 260, 261, 262, 263, 265, 267, 268, 269, 271, 274, 275, 276, 280, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 336, 337, 338, 338A, 339, 339A, 340, 341, 342, 343, 345, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 357A, 357B, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 523, 523A, 528;

Map 56, Parcels 80, 81 and 85; and

The portions of Map 69 Parcel 334 and Map 56 Parcel 79 which are located within the B zoning district as of the day of these amendments. The portions of said parcels which are located within the CA zoning district as of the day of these amendments shall remain in the CA district.

VI. The effective date of these amendments shall be the date of their passage.

Councilor Dumais recused.

APPROVED; adopted.

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

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING § 551-1, ENTITLED "STREET NAMES," OF CHAPTER 551 AS FOLLOWS:

I. Chapter 551 is hereby amended by deleting the title of § 551-1 in its entirety and inserting in place thereof the following title:

Names of public streets, highways, places, buildings, spaces and other public assets.

II. Chapter 551 is hereby amended by inserting into § 551-1 the following new paragraph:

C. The Board of Library Trustees, having care, custody, management and supervision of the Marlborough Public Library pursuant to § 11 of chapter 78 of the Massachusetts General Laws and § 28 of Division 3 of the Charter of the City of Marlborough may name public assets located in and at the Marlborough Public Library, including internal and external spaces, furnishings, collections, equipment or fixtures, under such terms and conditions as may be specified in a naming policy adopted by the Board of Library Trustees for said public assets which are not otherwise governed by paragraphs A. and B. herein. Said authority of the Board of Library Trustees is in addition to, and not in lieu of, such powers and authorities of the Board of Library Trustees as may be provided by statute, regulation, ordinance or law.

APPROVED; adopted.

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

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:55 PM; adopted.



IN CITY COUNCIL

Marlborough, Mass., NOVEMBER 19, 2018

ORDERED:

That there being no objection thereto set **MONDAY DECMEBER 3, 2018** as **DATE FOR PUBLIC HEARING** On Petition from Massachusetts Electric and Verizon New England, Inc., to install new joint owned Pole #47-5, Bolton Street, to service new school at 441 Bolton Street, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**.

ADPTED

ORDER NO. 18-1007463

Public Hearing – 2019 Tax Levy

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 NOV 19 A 10:04

LEGAL NOTICE
CITY OF MARLBOROUGH
OFFICE OF CITY CLERK

Notice is given that the City Council of the City of Marlborough will hold a **Joint Tax Classification Public Hearing** with the Board of Assessors on **Monday, December 3, 2018** at 8:00 PM in Council Chambers, 2nd Floor, City Hall, 140 Main Street, Marlborough, MA to determine the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2019. Massachusetts General Laws Chapter 40, Section 56 sets forth the procedures and responsibilities under the law.

Per Order of: City Council President, Edward J. Clancy



IN CITY COUNCIL

Marlborough, Mass., OCTOBER 29, 2018

ORDERED:

That there being no objection thereto set **MONDAY, DECEMBER 3, 2018** as A **RESCHEDULED DATE FOR PUBLIC HEARING** On the Application for Special Permit from Marlborough TOTG, LLC, to increase lot coverage area of 80% to 84% for patio area of proposed mixed use 5-story building with office/retail/restaurant space and residential units at 57 Main Street, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

Councilor Dumais recused.

Ninety days after public hearing is 3/3/19 which falls on a Sunday, therefore 03/04/19 would be considered the 90th day.

ADOPTED

ORDER NO. 18-1007424A



City of Marlborough

Office of the Mayor

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

Arthur G. Vigeant
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Nicholas J. Milano
 EXECUTIVE SECRETARY
 2018 NOV 29 AM 11:46

Patricia Bernard
 EXECUTIVE SECRETARY

November 29, 2018

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

Re: Tax Classification Hearing

Honorable President Clancy and Councilors:

Enclosed for your information is my recommendation and corresponding draft motion for the Fiscal Year 2019 Tax Classification Hearing. We prepared the enclosed documentation to assist the City Council's review of key factors before voting to set the tax rate for this fiscal year. Based on Marlborough's continued economic growth, I'm pleased to recommend a tax rate that will ensure that we have the lowest average single-family tax bill in our region.

Economic development over the past year resulted in \$3,486,714.00 in new growth. As has been the case in recent years, strong new growth is being driven by personal property value by many large employers in Marlborough.

To reduce the Fiscal Year 2019 tax levy, I am submitting for your approval the following transfer requests totaling \$1,397,134.90.

- 1) Transfer in the amount of \$34,725.00 from Sale of Graves to offset the FY2019 Tax Levy.
- 2) Transfer in the amount of \$1,362,409.90 from Overlay Reserve to offset the FY2019 Tax Levy.

After including these transfers and new growth, I am recommending that the City set its shift as follows:

- **CIP Shift Factor: 1.43**
- **Residential Shift Factor: 0.8063**
- **Residential Property Valuation: 68.95%**
- **Commercial, Industrial, Personal Valuation: 31.05%**

Pending approval of the shift factor, the average single-family home in Marlborough will see a property tax adjustment of less than \$200.00 over Fiscal Year 2018.

Our long-term goal has been to keep property tax adjustments to a steady and predictable amount each year. Through our careful budgeting and planning, we have made investments across Marlborough while also keeping the tax bills our residents pay the lowest in the area.

With health insurance costs continuing to increase and as we continue to make capital investments in our roads, new school, library renovation, and a planned fire station, our budget will face new pressures. We must continue to carefully evaluate new projects that are proposed for Marlborough and consider their impact to our budget and revenues.

Thank you in advance for your continued partnership. I look forward to meeting with you to discuss further.

Sincerely,



Arthur G. Vigeant
Mayor

Enclosures

ORDERED:

The Marlborough City Council votes in accordance with M.G.L., Ch. 40, Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2019 tax rates and set the Residential Factor at 0.8063 with a corresponding CIP shift of 1.43 pending approval of the City's annual tax recap by the Massachusetts Department of Revenue.

ADOPTED

In City Council

Order No 18-

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:



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

Voted by the Board of Assessors this 28th day of November, 2018
a release of overlay funds for the Fiscal Years as follows.

2015 \$1,362,409.90

Anthony Vreca *Don W. G.*

Don Salverste

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor's Office

FISCAL YEAR: 2019

FROM ACCOUNT:

TO ACCOUNT:

Available
Balance

Amount

Org Code Object

Account Description:

Amount

Org Code Object

Account Description:

Available
Balance

\$1,362,409.90

\$1,362,409.90

10000 32200

Overlay Reserve

\$1,362,409.90

To reduce FY19 Tax Levy

\$0.00

Reason:

Overlay surplus used to reduce FY18 Tax Levy

\$1,362,409.90

Total

\$1,362,409.90

Total

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

	DEPT:	Mayor's Office				FISCAL YEAR:	2019		
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$34,725.00</u>	<u>\$34,725.00</u>	<u>27000</u>	<u>33020</u>	<u>Sale of Graves</u>	<u>\$34,725.00</u>	<u>To reduce FY19 Tax Levy</u>			<u>\$0.00</u>
	Reason:	<u>Other funds used to reduce FY18 Tax Levy</u>							
	\$34,725.00	Total			\$34,725.00	Total			

City of Marlborough City Council Fiscal Year 2019

Tax Classification Hearing December 3, 2018



City of Marlborough

FISCAL YEAR 2019

ANNUAL TAX CLASSIFICATION REPORT

City Council

Edward J. Clancy, President
 Peter J. Juairé
 Mark A. Oram
 Michael H. Ossing
 Kathleen D. Robey
 Joseph F. Delano, Jr.
 David Doucette
 J. Christian Dumais
 Robert J. Tunnera
 John J. Irish
 Donald R. Landers, Sr.

Board of Assessors

Anthony Arruda, Chair
 Ellen Silverstein
 David Manzello, Principal Assessor, Regional
 Resource Group, Inc.

Assessing Services

Regional Resource Group, Inc.

Mayor

Arthur G. Vigeant

Comptroller/Treasurer

Brian Doheny

City Auditor

Diane Smith

Classification Hearing

December 3, 2018

Terminology

The following are definitions of terms frequently used in the discussion of tax rates. A full glossary of key terms is included as an appendix.

Levy: The tax levy (or levy) is the amount of property taxes to be raised. The total amount of the approved budget less revenues from other sources like motor vehicle excise, municipal fees, and state aid is the amount to be raised from property taxation. In Marlborough, the levy to be raised is reported to the Assessors by the City Comptroller. The fiscal year 2019 levy is \$104,012,867.

Levy Ceiling: The levy ceiling is 2.5 percent of the full value of the city. Based on the Marlborough aggregate valuation of \$5,961,083,109, the City cannot levy taxes in excess of \$149,027,078.

New Growth Revenue: Property taxes derived from newly taxable properties like new construction, additions, renovations, subdivisions, and personal property. New growth for fiscal year 2019 is \$3,486,714.

Levy Limit: Also referred to as the “maximum allowable levy”, the levy limit is calculated by adding 2.5 percent of the previous year’s levy limit plus new growth revenue, and Proposition 2 ½ voted overrides and debt exclusions. The fiscal year 2019 levy limit is \$138,028,167.

Excess Levy Capacity: Excess levy capacity is the difference between the actual property tax levy and the levy limit. Marlborough’s tax levy is well below the limit permitted under Proposition 2 ½ and currently is \$34,015,300.

The Fiscal Year 2019 Levy Limit and amount to be raised

The following is a calculation of Marlborough’s levy limit for fiscal year 2019.

Fiscal year 2018 levy limit	\$131,259,954
Levy increase allowed under Prop. 2 ½	\$3,281,499
New growth revenue	\$3,486,714
Proposition 2 ½ overrides	-0-
Fiscal year 2019 levy limit	\$138,028,167
Levy ceiling	\$149,027,078
Levy to be raised	\$104,012,867
Excess levy capacity	\$34,015,300

Valuations by Class before Tax Shift

<u>Major Property Class</u>	<u>Valuation</u>	<u>Percent</u>	<u>Res vs CIP%</u>
Residential	4,109,940,820	68.9462	68.9462
Commercial	1,066,120,892	17.8847	
Industrial	508,233,757	8.5259	31.0538
Personal Property	276,787,640	4.6432	
Total	5,961,083,109	100.0000	

Mayor's Recommendation

After considering the valuations of Marlborough's residential and commercial property, and after examining the current fiscal strength of the city, the Mayor recommends the adoption of a Commercial/Industrial/Personal Property (CIP) shift factor of 1.43 resulting in residential tax rate of \$14.07, and a CIP tax rate of \$24.95.

Tax Rates

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

<u>Property Class</u>	<u>FY2018</u>	<u>FY2019</u>
Residential	14.63	14.07
Commercial	25.73	24.95
Industrial	25.73	24.95
Personal Property	25.73	24.95

*Note that these rates are estimates only and may change upon Department of Revenue review.

Were Marlborough not to shift taxes, the uniform tax rate for all properties would be 17.45 per \$1,000 valuation.

Tax Impacts

Marlborough's single-family homeowners are benefitting from increased property values. Price appreciation in the year leading up to fiscal year 2019 ran about 7 percent. Other residential property classes, including condominiums and multi-family apartment buildings, have experienced similar market appreciation. This increase in property values has been captured in revised assessed valuations that will appear in January's tax bills.

With residential valuations increasing, tax rates will need to be reduced accordingly. The typical homeowner will see a net tax increase, largely due to the higher property tax levy required to fund the city's budget. Commercial and industrial valuations have also increased, with the largest increases for retail and office buildings that allow for smaller spaces. Office buildings designed for larger employers saw less of an increase in value. Retail also increased, with larger increases

on the western part of Marlborough. Large housing developments also saw strong increases in value although these developments are assessed at the residential tax rate.

Examples of Average Tax Changes

<u>Residential Class</u>	<u>FY19 Value</u>	<u>Avg. Tax</u>	<u>FY18Value</u>	<u>Avg. Tax</u>	<u>Change</u>	<u>% Change</u>
Single Family Homes	374,748	5,273	346,900	5,075	\$198	3.89%
Condominiums	209,630	2,949	193,400	2,829	\$120	4.23%
2 Family Homes	312,393	4,395	275,700	4,034	\$362	8.97%
3 Family Homes	365,680	5,145	294,000	4,301	\$844	19.63%
Commercial	1,931,636	48,194	1,670,000	42,969	\$5,184	12.07%
Industrial	2,047,949	51,096	1,688,000	43,432	\$7,715	17.76%

Recommendations

The Board of Assessors recommends that the City Council adopt a Fiscal Year 2019 residential shift factor of 0.8063 with a corresponding CIP shift of 1.43, producing a residential tax rate of \$14.07 and CIP tax rate of \$24.95. Final tax rates are subject to Department of Revenue approval.

Voting a Tax Shift Factor

The Marlborough City Council votes in accordance with M.G.L., Ch. 40, Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2019 tax rates and set the Residential Factor at 0.8063 with a corresponding CIP shift of 1.43 pending approval of the City's annual tax recap by the Massachusetts Department of Revenue.

Tax Classification – 5 Year Review

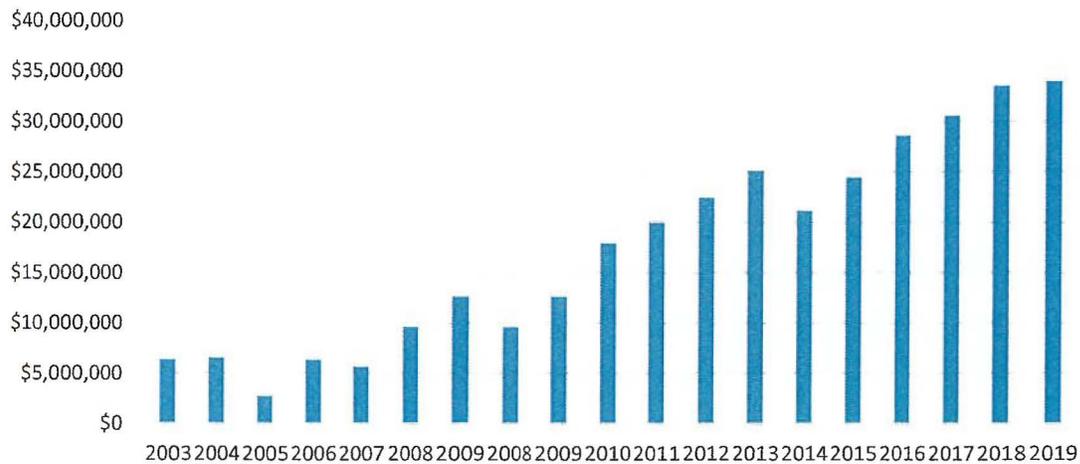
	FY 2015	FY2016	FY2017	FY2018	FY2019
Total New Growth	\$2,472,705.00	\$3,981,634.00	\$2,801,390.00	\$3,431,743.00	\$3,486,714.00
Total Tax Levy	\$88,678,940	\$91,331,454	\$94,119,595	\$97,680,293	\$104,012,867
Levy Limit	\$113,153,270	\$119,963,736	\$124,710,450	\$131,259,954	\$138,028,167
Excess Capacity	\$24,474,330	\$28,632,282	\$30,590,855	\$33,579,661	\$34,015,300
Levy Ceiling	\$113,153,270	\$121,763,573	\$124,710,450	\$134,766,478	\$149,027,078
Total Residential Value	\$3,039,659,586	\$3,265,004,235	\$3,392,653,288	\$3,695,618,523	\$4,109,940,820
Commercial Value	\$858,599,524	\$934,731,139	\$925,791,174	\$977,732,325	\$1,066,120,892
Industrial Value	\$383,146,081	\$429,626,915	\$418,667,009	\$452,841,409	\$508,233,757
Personal Property Value	\$244,725,590	\$241,180,640	\$251,306,540	\$264,466,850	\$276,787,640
Total Net Taxable Value	\$4,526,130,781	\$4,870,542,929	\$4,988,418,011	\$5,390,659,107	\$5,961,083,109
Residential Value Share	67.16%	67.04%	68.01%	68.56%	68.95%
CIP Value Share	32.84%	32.96%	31.99%	31.44%	31.05%
Selected Shift	1.4	1.37	1.4	1.42	1.43
Residential Levy Percent	54.02%	54.84%	55.22%	55.35%	55.53%
CIP Levy Percent	45.98%	45.16%	44.78%	44.65%	44.47%
Residential Levy	\$47,905,035	\$50,085,165	\$51,975,448	\$54,066,899	\$57,826,867
CIP Levy	\$40,773,905	\$41,246,289	\$42,144,147	\$43,613,394	\$46,186,000
Residential Tax Rate	15.76	15.34	15.32	14.63	14.07
Commercial Tax Rate	27.43	25.69	26.41	25.73	24.95
Total Single-Family Value	\$2,127,050,300	\$2,204,702,300	\$2,267,198,200	\$2,443,219,500	\$2,643,845,400
Single Family Parcels	6,998	7,016	7,030	7,043	7,055
Average Single-Family Value	\$303,951	\$314,239	\$322,503	\$346,900	\$374,748
Average Single-Family Tax Bill	\$4,790	\$4,820	\$4,941	\$5,075	\$5,273

Historical Tax Rates for the City of Marlborough:

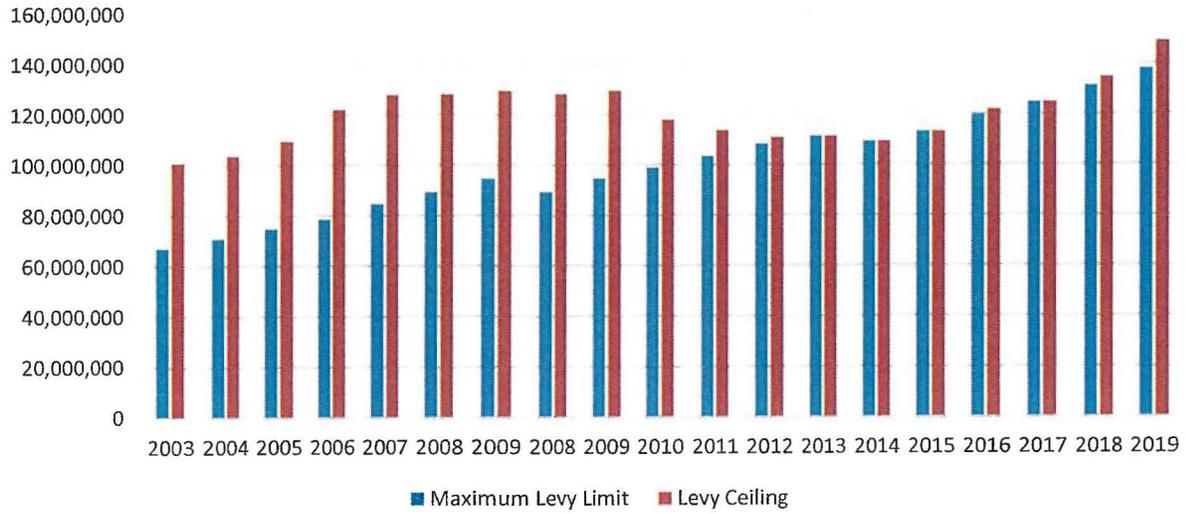
Fiscal Year	Residential	Commercial - Industrial - Personal Property
2019	\$14.07	\$24.95
2018	\$14.63	\$25.73
2017	\$15.32	\$26.41
2016	\$15.34	\$25.69
2015	\$15.76	\$27.43
2014	\$16.11	\$28.22
2013	\$15.00	\$28.46
2012	\$14.80	\$29.04

City of Marlborough Levy Limit Implications					
Fiscal Year	Total Tax Levy	Maximum Levy Limit	Levy Ceiling	Excess Levy Capacity	Excess as a % of Maximum Levy
2003	60,956,295	67,335,085	100,966,720	6,378,790	9.47
2004	64,465,084	71,046,332	103,809,076	6,581,248	9.26
2005	72,153,233	74,876,393	109,515,192	2,723,160	3.64
2006	72,181,560	78,548,734	122,053,673	6,367,174	8.11
2007	79,018,938	84,655,918	127,934,312	5,636,980	6.66
2008	79,753,097	89,384,611	128,148,285	9,631,514	10.78
2009	81,935,337	94,575,164	129,533,857	12,639,827	13.36
2008	79,753,097	89,384,611	128,148,285	9,631,514	10.78
2009	81,935,337	94,575,164	129,533,857	12,639,827	13.36
2010	80,996,050	98,943,862	117,902,971	17,947,812	18.14
2011	83,511,878	103,447,705	113,672,828	19,935,827	19.27
2012	85,845,867	108,330,504	110,863,797	22,484,637	20.76
2013	86,361,360	111,500,706	111,500,706	25,139,346	22.55
2014	88,052,213	109,200,278	109,200,278	21,148,065	19.37
2015	88,678,940	113,153,270	113,153,270	24,474,330	21.63
2016	91,331,454	119,963,736	121,763,573	28,632,282	23.87
2017	94,119,595	124,710,450	124,710,450	30,590,855	24.53
2018	97,680,293	131,259,954	134,766,478	33,579,661	25.58
2019	104,012,867	138,028,167	149,027,078	34,015,300	24.66

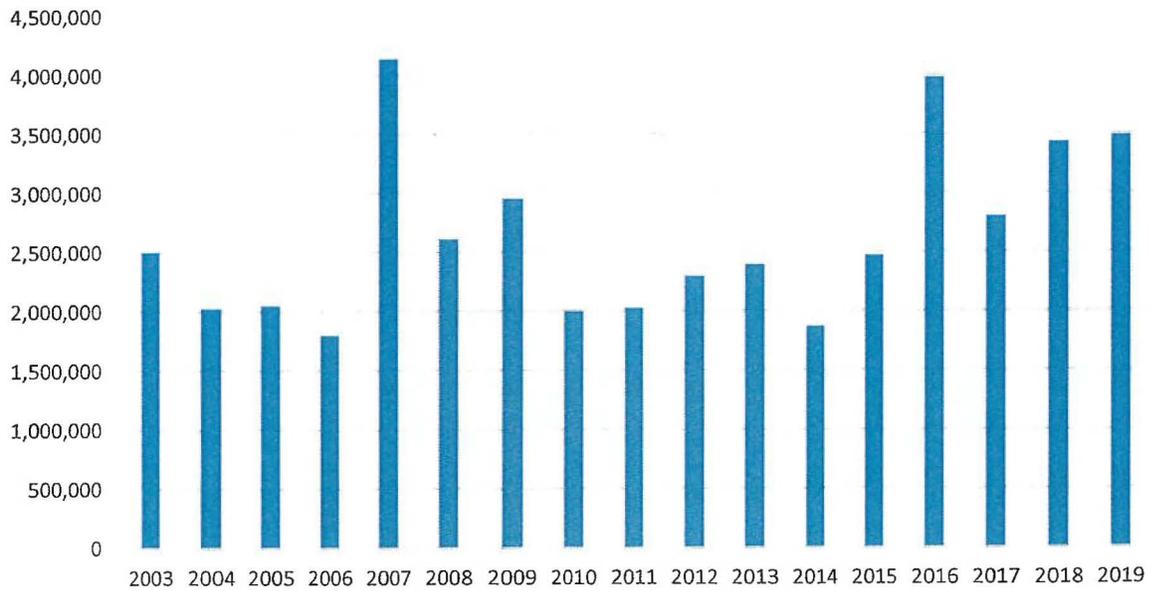
Excess Levy Capacity



Marlborough Levy Limit:Levy Ceiling



Total New Growth



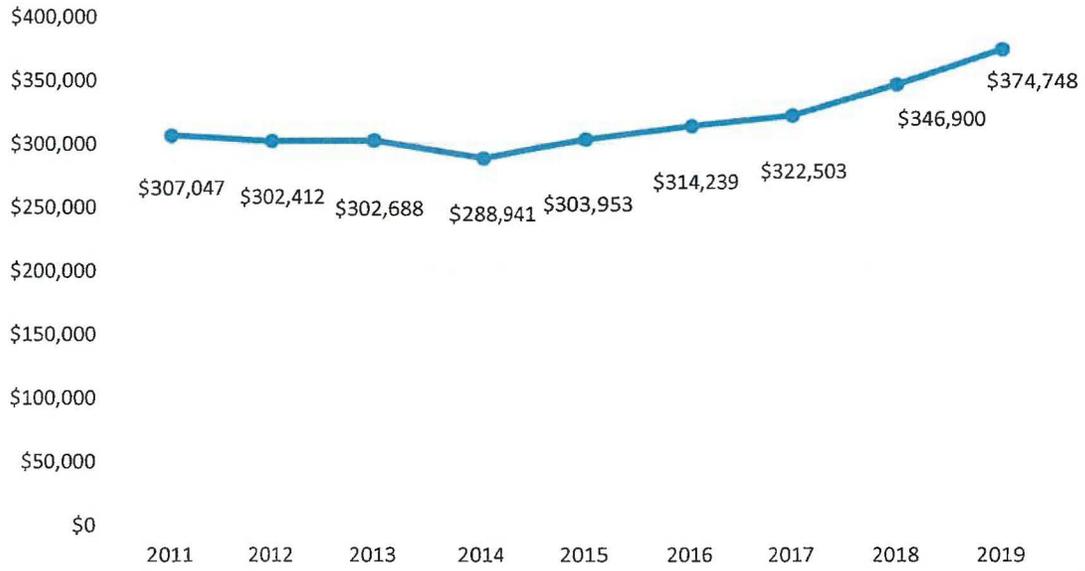
City of Marlborough Historical Single-Family Home Values and Bills					
Year	Single Family Value	Single Family Parcels	Average Single-Family Value	Average Single-Family Tax Bill	State Rank
2011	\$2,135,204,600	6,954	\$307,047	\$4,280	132
2012	\$2,105,395,800	6,962	\$302,412	\$4,476	134
2013	\$2,110,641,800	6,973	\$302,688	\$4,540	135
2014	\$2,017,964,400	6,984	\$288,941	\$4,655	136
2015	\$2,127,060,300	6,998	\$303,953	\$4,790	142
2016	\$2,204,702,300	7,016	\$314,239	\$4,820	152
2017	\$2,267,198,200	7,030	\$322,503	\$4,941	153
2018	\$2,443,219,500	7,043	\$346,900	\$5,075	159
2019	\$2,643,845,400	7,055	\$374,748	\$5,273	TBD

17 municipalities adopted a residential exemption for Fiscal Year 2018, which prevents accurate data for average single-family tax bills in those communities. Not including those communities with a residential exemption, Marlborough's average single-family tax bill falls in the lower 50th percentile across Massachusetts.

The communities with a residential exemption are: Barnstable, Boston, Brookline, Cambridge, Chelsea, Everett, Malden, Nantucket, Provincetown, Reading, Somerset, Somerville, Sudbury, Tisbury, Truro, Waltham, and Watertown.

Marlborough had a residential exemption until Fiscal Year 2011.

Average Single Family Value



Average Single Family Tax Bill

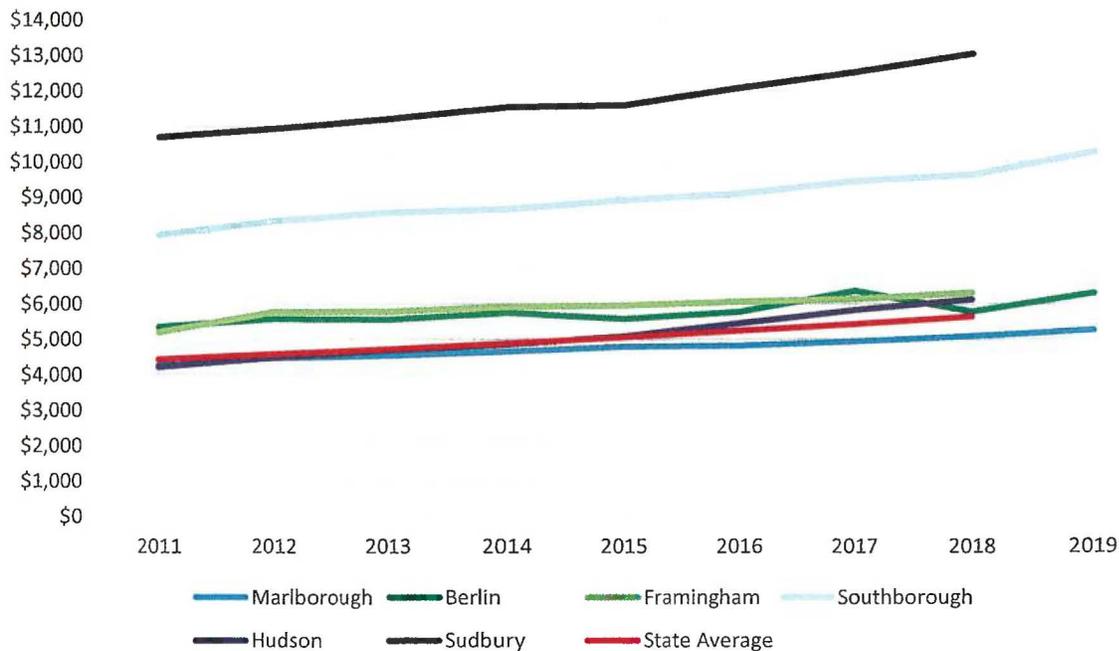


Regional Comparison of Average Single-Family Tax Bills

Municipality	2011	2012	2013	2014	2015	2016	2017	2018	2019
Ashland	\$5,800	\$5,958	\$6,125	\$6,351	\$6,555	\$6,790	\$7,013	\$7,217	N/A
Berlin	\$5,352	\$5,583	\$5,554	\$5,742	\$5,584	\$5,775	\$6,365	\$5,770	\$6,300
Boylston	\$5,234	\$5,710	\$5,764	\$5,848	\$5,897	\$5,925	\$6,214	\$6,486	\$6,421
Framingham	\$5,197	\$5,774	\$5,783	\$5,922	\$5,952	\$6,065	\$6,138	\$6,304	N/A
Hopkinton	\$7,904	\$8,082	\$8,285	\$8,539	\$8,885	\$8,953	\$9,216	\$9,658	N/A
Hudson	\$4,210	\$4,485	\$4,700	\$4,856	\$5,080	\$5,447	\$5,822	\$6,114	N/A
Natick	\$5,561	\$6,015	\$6,216	\$6,459	\$6,630	\$6,868	\$7,144	\$7,448	\$7,793
Northborough	\$5,972	\$6,114	\$6,181	\$6,225	\$6,485	\$6,850	\$7,098	\$7,340	\$7,671
Shrewsbury	\$3,955	\$4,139	\$4,322	\$4,483	\$5,030	\$5,178	\$5,274	\$5,560	\$5,699
Southborough	\$7,942	\$8,334	\$8,573	\$8,675	\$8,929	\$9,105	\$9,459	\$9,632	\$10,274
Sudbury	\$10,695	\$10,937	\$11,205	\$11,544	\$11,598	\$12,082	\$12,520	\$13,033	N/A
Westborough	\$7,446	\$7,790	\$7,972	\$8,134	\$8,045	\$8,264	\$8,384	\$8,734	N/A
Worcester	\$3,307	\$3,363	\$3,492	\$3,643	\$3,756	\$3,871	\$3,898	\$4,029	N/A
Marlborough	\$4,280	\$4,476	\$4,540	\$4,655	\$4,790	\$4,820	\$4,941	\$5,075	\$5,273
State Average	\$4,429	\$4,587	\$4,718	\$4,876	\$5,053	\$5,243	\$5,426	\$5,627	\$5,732**

**As of 11/29/2018, data for 132 municipalities was available.

Average Single Family Tax Bill Comparison to Neighboring Communities



Top 10 Real Estate Taxpayers for Fiscal Year 2018

#	Owner	Nature of Business	FY18 Real Estate Tax Bill	FY2019 Value	% of Total Tax Levy
1	TJX Companies, Inc.	Retail-Offices	\$1,665,034.36	\$66,814,760	1.70%
2	Hines Global REIT Marlborough Campus	Office Campus	\$1,654,505.90	\$64,302,600	1.69%
3	Boston Scientific Corporation	Medical	\$1,172,723.87	\$60,245,200	1.20%
4	MTP Equity Partners LLC	Office Campus	\$1,105,749.32	\$44,301,400	1.13%
5	Mall At Solomon Pond LLC	Retail	\$1,104,650.65	\$41,153,100	1.13%
6	Avalon Marlborough LLC	Apartment Complex	\$910,720.43	\$62,892,200	0.93%
7	Raytheon Company	Computer Management	\$772,309.11	\$32,551,300	0.79%
8	Pondview JV Owner LLC	Office Campus	\$762,999.74	\$30,796,800	0.78%
9	Sunovion	Medical	\$725,830.44	\$27,939,000	0.74%
10	Dow Chemical	Manufacturing	\$719,392.79	\$30,205,300	0.74%

Top 10 Personal Property Taxpayers for Fiscal Year 2018

#	Taxpayer	Address	FY18 Personal Property Tax Bill	FY19 Value
1	Oracle America, Inc.	250 Locke Drive	\$413,768.76	\$13,051,350.00
2	Boston Scientific Corporation	100 Boston Scientific Way	\$303,533.47	\$12,616,100.00
3	Wellington Mgmt Co LLP	100 Campus Drive	\$312,826.00	\$10,574,750.00
4	Comcast of Mass., Inc.	Various	\$142,295.13	\$5,973,720.00
5	Cavium, Inc.	600 Nickerson Rd	\$167,398.87	\$5,765,910.00
6	Lightower Fiber Network	Various	\$110,795.18	\$4,394,900.00
7	Quest Diagnostics LLC	200 Forest St	\$57,892.50	\$4,200,000.00
8	Sunovion	84 Waterford Drive	\$77,808.55	\$3,165,950.00
9	Oracle America, Inc.	200 Nickerson Rd	\$80,162.07	\$2,654,650.00
10	Verizon Online LLC	Various	\$61,034.39	\$2,531,420.00

MASSACHUSETTS DEPARTMENT OF REVENUE
 DIVISION OF LOCAL SERVICES
 BUREAU OF LOCAL ASSESSMENT

Marlborough

CITY

ASSESSMENT/CLASSIFICATION REPORT as of January 1, 2018
Fiscal Year 2019

Property Type	Parcel Count	Class1 Residential	Class2 Open Space	Class3 Commercial	Class4 Industrial	Class5 Pers Prop
101	7,055	2,643,845,400				
102	2,463	516,318,578				
MISC 103,109	48	39,475,400				
104	794	248,040,461				
105	163	59,605,900				
111-125	158	561,052,638				
130-32,106	511	16,379,100				
200-231	0		0			
300-393	539			1,041,151,846		
400-442	247				505,843,357	
450-452	0				0	
CH 61 LAND	0	1	0	1,135		
CH 61A LAND	1	17	0	151,828		
CH 61B LAND	0	7	0	820,675		
012-043	92	25,223,343	0	23,995,408	2,390,400	
501	283					52,701,550
502	467					120,490,040
503	0					0
504	3					64,216,090
505	8					34,846,300
506	1					1,003,200
508	4					3,530,460
550-552	0					0
TOTALS	12,862	4,109,940,820	0	1,066,120,892	508,233,757	276,787,640
Real and Personal Property Total Value						5,961,083,109
Exempt Parcel Count & Value					533	609,793,300

For CH 61, 61A and 61B Land: enter the mixed use parcel count in the left-hand box, and enter the 100% Chapter land parcel count in the right-hand box.

Signatures

Board of Assessors

David Manzello, Assessor, Marlborough, dmanzello@rrgsystems.com 508-460-3779 | 11/6/2018 12:34 PM

Ellen Silverstein, Board Member, Marlborough, comptrollers_dept@marlborough-ma.gov 508-460-3779 | 11/6/2018 1:39 PM

Comments

Small Account PP Exemption of \$5000 adopted applies to 2 accounts exemnot included in value: CTC Comm Corp Value \$200 and TW Telcom data Service LLC value \$4200.

NOTE : The information has not been Approved and is subject to change.

CLASSIFICATION TAX ALLOCATION
Fiscal Year 2019

1. The selected Residential Factor is 0.806300

If you desire each class to maintain 100% of its full values tax share, indicate a residential factor of "1" and go to question 3.

2. In computing your residential factor, was a discount granted to Open Space?

Yes No

If Yes, what is the percentage discount? 1

3. Was a residential exemption adopted?

Yes No

If Yes, please complete the following:

<u>Class 1 Total Assessed Value</u>	=	<u>4,109,940,820</u>	X	<u>0</u>	=	<u>0</u>
Class 1 Total Parcel Count *		0		Selected Res. Exemption %		Residential Exemption

* Include all parcels with a Mixed-Use Residential designation

Applicable number of parcels to receive exemption 0

Net value to be exempted 0

4. Was a small commercial exemption adopted?

Yes No

% Selected 0

If Yes, please complete the following:

No. of parcels eligible	<u>0</u>
Total value of parcels	<u>0</u>
Total value to be exempted	<u>0</u>

5. The following information was derived from the LA-7. Please indicate in column D percentages (accurate to 4 digits to the right of the decimal point) which result from your selected residential factor. (If a residential factor of "1" has been selected, you may leave Column D blank.)

A Class	B Certified Full and Fair Cash Value Assessments	C Percentage Full Value Shares of Total Tax Levy	D New Percentage Shares of Total Tax Levy
Residential	4,109,940,820.00	68.9462%	55.5913%
Open Space	0.00	0.0000%	0.0000%
Commercial	1,066,120,892.00	17.8847%	25.5761%
Industrial	508,233,757.00	8.5259%	12.1925%
Personal Property	276,787,640.00	4.6432%	6.6401%
TOTALS	5,961,083,109.00	100.0000%	100.0000%

NOTE : The information is preliminary and is subject to change.

CLASSIFICATION TAX ALLOCATION
Fiscal Year 2019

6. Notice was given to taxpayers on (date), (time), at (place), by (describe type of notice) that a public hearing on the issue of adopting the tax levy percentages for fiscal year 2019 would be held on 12/3/2018 (meeting date).

7. We hereby attest that on 12/3/2018 (date), 8:00pm (time), at City Hall (place) in a public hearing on the issue of adopting the percentages for fiscal year 2019, that the Board of Assessors presented information and data relevant to making such determination and the fiscal effect of the available alternatives, and that the percentages set forth above were duly adopted in public session on (date).

8. The LA-5 excess capacity for the current fiscal year is calculated as 34,015,299.54

The LA-5 excess capacity for the prior fiscal year is calculated as 33,579,660.79

For cities : City Councilors, Aldermen, Mayor
For towns : Board of Selectmen
For districts : Prudential Committee or Commissioners

Signatures

No signatures to display.

LA13 Tax Base Levy Growth

Retain documentation for 5 years in case of DOR audit - Fiscal Year 2019

Property Class	(A)PFY LA4 Values	Omitted and Revised No.	(B) Omitted and Revised Values	Abatement No.	(C) Abatement Values	Other Adjustment No.	(D) Other Adjustment Values	(E) Adjusted Value Base
RESIDENTIAL								
SINGLE FAMILY (101)	2,443,219,500	0	0	8	188,000	332	1,681,900	2,444,713,400
CONDOMINIUM (102)	475,907,378	0	0	1	35,300	0	0	475,872,078
TWO & THREE FAMILY (104 & 105)	267,945,961	0	0	2	43,100	4	-1,236,100	266,666,761
MULTI - FAMILY (111-125)	435,689,808	0	0	0	0	0	0	435,689,808
VACANT LAND (130-132 & 106)	15,333,400	0	0	6	515,500	328	-445,800	14,372,100
ALL OTHERS (103, 109, 012-018)	57,522,476	0	0	0	0	0	0	57,522,476
TOTAL RESIDENTIAL	3,695,618,523	0	0	17	781,900	664	0	3,694,836,623
OPEN SPACE	0	0	0	0	0	0	0	0
OPEN SPACE - CHAPTER 61, 61A, 61B	0	0	0	0	0	0	0	0
TOTAL OPEN SPACE	0	0	0	0	0	0	0	0
COMMERCIAL	976,779,199	0	0	5	381,200	31	-1,564,800	974,833,199
COMMERCIAL - CHAPTER 61, 61A, 61B	953,126	0	0	0	0	20	-893,300	59,826
TOTAL COMMERCIAL	977,732,325	0	0	5	381,200	51	-2,458,100	974,893,025
INDUSTRIAL	452,841,409	0	0	1	556,200	0	0	452,285,209
PERSONAL PROPERTY	264,466,850	0	0					
TOTAL REAL & PERSONAL	5,390,659,107	0	0					

NOTE : The information has not been Approved and is subject to change.

MASSACHUSETTS DEPARTMENT OF REVENUE
 DIVISION OF LOCAL SERVICES
 BUREAU OF LOCAL ASSESSMENT

Marlborough

CITY

LA13 Tax Base Levy Growth

Retain documentation for 5 years in case of DOR audit - Fiscal Year 2019

Property Class	Reval Perct	(F) + or - Reval Adj Values	(G) Total Adjusted Value Base	(H) CFY LA4	(I) New Growth Valuation	(J) PY Tax Rate	(K) Tax Levy Growth
RESIDENTIAL							
SINGLE FAMILY (101)	0.07611	186,079,100	2,630,792,500	2,643,845,400	13,052,900		
CONDOMINIUM (102)	0.07458	35,491,600	511,363,678	516,318,578	4,954,900		
TWO & THREE FAMILY (104 & 105)	0.15001	40,003,400	306,670,161	307,646,361	976,200		
MULTI - FAMILY (111-125)	0.28502	124,179,730	559,869,538	561,052,638	1,183,100		
VACANT LAND (130-132 & 106)	0.13634	1,959,500	16,331,600	16,379,100	47,500		
ALL OTHERS (103, 109, 012-018)	0.12052	6,932,367	64,454,843	64,698,743	243,900		
TOTAL RESIDENTIAL	0.10681	394,645,697	4,089,482,320	4,109,940,820	20,458,500	14.63	299,308
OPEN SPACE	0.00000	0	0	0	0		
OPEN SPACE - CHAPTER 61, 61A, 61B	0.00000	0	0	0	0		
TOTAL OPEN SPACE	0.00000	0	0	0	0	0.00	0
COMMERCIAL	0.04225	41,190,655	1,016,023,854	1,065,147,254	49,123,400		
COMMERCIAL - CHAPTER 61, 61A, 61B	15.27450	913,812	973,638	973,638	0		
TOTAL COMMERCIAL	0.04319	42,104,467	1,016,997,492	1,066,120,892	49,123,400	25.73	1,263,945
INDUSTRIAL	0.12332	55,776,148	508,061,357	508,233,757	172,400	25.73	4,436
PERSONAL PROPERTY				276,787,640	74,583,160	25.73	1,919,025
TOTAL REAL & PERSONAL				5,961,083,109	144,337,460		3,486,714

Community Comments:

Column D changes for the 130-132 class represent the joining of a substantial number of unbuildable lots with their abutting homes. This was done as part of Marlborough's migration to AXISGIS. Column D changes for the commercial and industrial classes represent the joining of a substantial number of unbuildable lots with their abutting primary C/I parcels.

Signatures

Board of Assessors

David Manzello, Assessor, Marlborough, dmanzello@rrgsystems.com 508-460-3779 | 11/27/2018 3:02 PM

Comment: Signed under authorization of the Board of Assessors.

NOTE: The information has not been Approved and is subject to change.

**Levy Limit
 Fiscal Year 2019**

FOR BUDGET PLANNING PURPOSES

I. TO CALCULATE THE FY 2018 LEVY LIMIT

A. FY 2017 Levy Limit	124,710,450	
A1. ADD Amended FY 2017 Growth	0	
B. ADD (IA + IA1)*2.5%	3,117,761	
C. ADD FY 2018 New Growth	3,431,743	
C1. ADD FY 2018 New Growth Adjustment	0	
D. ADD FY 2018 Override	0	
E. FY 2018 Subtotal	<u>131,259,954</u>	
F. FY 2018 Levy Ceiling	134,766,478	I. <u>131,259,954</u>
		FY 2018 Levy Limit

II. TO CALCULATE THE FY 2019 LEVY LIMIT

A. FY 2018 Levy Limit from I	131,259,954	
A1. ADD Amended FY 2018 Growth	0	
B. ADD (IIA + IIA1)*2.5%	3,281,499	
C. ADD FY 2019 New Growth	3,486,714	
C1. ADD FY 2019 New Growth Adjustment	0	
D. ADD FY 2019 Override	0	
E. ADD FY 2019 Subtotal	<u>138,028,167</u>	
F. FY 2019 Levy Ceiling	149,027,078	II. <u>138,028,167</u>
		FY 2019 Levy Limit

III. TO CALCULATE THE FY 2019 MAXIMUM ALLOWABLE LEVY

A. FY 2019 Levy Limit from II.	138,028,167
B. FY 2019 Debt Exclusion(s)	0
C. FY 2019 Capital Expenditure Exclusion(s)	0
D. FY 2019 Stabilization Fund Override	0
E. FY 2019 Other Adjustment :	0
F. FY 2019 Water/Sewer	0
G. FY 2019 Maximum Allowable Levy	<u>138,028,167</u>

Signatures

No signatures to display.

NOTE : The information is preliminary and is subject to change.

Projected Tax Implication of Proposed FY 19 Budget

	FY 18	FY 19	Difference	PCT
Tax Levy	\$ 97,680,293.21	\$ 104,012,867.46	\$ 6,332,574.25	6.48%
New Growth	\$ -	\$ 3,486,714.00		
Effective Tax Levy	\$ 97,680,293.21	\$ 100,526,153.46	\$ 2,845,860.25	2.91%

For every Million dollar increase in the tax levy there is a corresponding .15 cent increase in the residential tax rate. For every Million dollar increase in the tax levy there is a corresponding .26 cent increase in the CIP tax rate.

	FY 18 with New Growth	FY 19 with New Growth	Difference
Typical House Value	\$ 346,900.00	\$ 374,748.00	
Tax	\$ 5,075.15	\$ 5,272.70	\$ 197.56
Tax Rate	\$ 14.63	\$ 14.07	\$ (0.56)
Typical Retail Value	\$ 1,026,300.00	\$ 1,122,900.00	
Tax	\$ 26,406.70	\$ 28,016.36	\$ 1,609.66
Tax Rate	\$ 25.73	\$ 24.95	\$ (0.78)

FY19 REVENUE PROJECTIONS

	FY 15 Actual	FY 16 Actual	FY 17 Actual	FY 18 Actual	FY 19 Projection	
MOTOR VECH	\$ 4,879,253.54	\$ 5,160,782.66	\$ 5,606,019.34	\$ 5,605,522.00	\$ 5,600,000.00	Estimate
OTHER EXCISE - Meals	\$ -	\$ -	\$ -	\$ 398,500.00	\$ 388,000.00	
OTHER EXCISE - Room	\$ 1,481,063.23	\$ 1,602,321.34	\$ 1,661,273.58	\$ 1,772,605.00	\$ 1,750,000.00	Estimate
OTHER EXCISE - Other	\$ 43,720.00	\$ 49,080.00	\$ 44,680.00	\$ 52,780.00	\$ 50,000.00	Estimate
PENALTIES & INTEREST	\$ 509,410.52	\$ 456,153.07	\$ 567,961.15	\$ 561,424.00	\$ 560,000.00	Estimate
LIEU OF TAXES	\$ 172,810.25	\$ 354,943.80	\$ 323,541.74	\$ 254,195.00	\$ 255,000.00	Estimate
CHARGES WATER	\$ 8,271,756.56	\$ 10,235,431.79	\$ 12,735,824.78	\$ 11,900,534.00	\$ 12,000,000.00	No Rate Change
CHARGES FOR SEWER	\$ 8,201,762.11	\$ 10,011,173.95	\$ 11,370,356.48	\$ 10,267,909.00	\$ 10,300,000.00	No Rate Change
FEES	\$ 315,040.09	\$ 333,269.69	\$ 357,321.78	\$ 357,729.00	\$ 360,000.00	Estimate
RENTAL	\$ 218,658.68	\$ 288,656.21	\$ 273,131.47	\$ 279,389.00	\$ 275,000.00	Estimate
DEPT REV. LIBRARIES	\$ 5,845.50	\$ 5,094.90	\$ 5,059.95	\$ 2,462.00	\$ 2,500.00	Estimate
DEPT REV. CEMETERIES	\$ 66,490.00	\$ 66,290.00	\$ 69,890.00	\$ 68,080.00	\$ 67,000.00	Estimate
OTHER DEPT REV	\$ 121,503.50	\$ 133,760.99	\$ 137,466.00	\$ 150,588.00	\$ 140,000.00	Estimate
LICENSES AND PERMITS	\$ 1,691,606.19	\$ 1,435,706.43	\$ 1,698,488.99	\$ 1,343,207.00	\$ 800,000.00	Estimate
FINE AND FORFEITS	\$ 194,484.75	\$ 190,939.34	\$ 255,508.35	\$ 148,482.00	\$ 150,000.00	Estimate
INVESTMENT INCOME	\$ 475,083.69	\$ 3,106,003.45	\$ 704,484.58	\$ 874,859.00	\$ 500,000.00	Estimate
MISC. REV.	\$ 206,461.84	\$ 19,959.32	\$ 91,640.69	\$ 62,095.00	\$ 60,000.00	Estimate
Medicaid Reimbursement	\$ 374,931.06	\$ 455,447.20	\$ 617,536.80	\$ 585,488.00	\$ 450,000.00	Estimate
MISC REV NON RECURRING	\$ 539,987.15	\$ 554,491.48	\$ 1,125,044.16	\$ 520,958.00	\$ 400,000.00	Estimate
SUB TOTAL Local Rcpt	\$ 27,769,868.66	\$ 34,459,505.62	\$ 37,645,229.84	\$ 35,206,806.00	\$ 34,107,500.00	
School Construction	\$ 170,309.00	\$ 170,309.00	\$ 170,309.00	\$ 170,309.00	\$ 170,309.00	
CHERRY SHEET	\$ 25,289,438.00	\$ 29,309,348.00	\$ 31,297,581.53	\$ 31,654,072.00	\$ 34,020,549.00	-
TOTAL	\$ 53,229,615.66	\$ 63,939,162.62	\$ 69,113,120.37	\$ 67,031,187.00	\$ 68,298,358.00	

	PROJECTED RECAP FY19	
BUDGET		\$ 162,833,467.00
AMOUNT CERT FOR TAX TITLE	\$ -	
TOTAL CHERRY SHEET OFFSET	\$ 47,194.00	
SNOW & ICE DEFICIT	\$ -	
OTHER PR YR OVERLAY	\$ -	
OTHER DEFICITS	\$ -	
 TOTAL		\$ 47,194.00
 CHERRY SHEET EST CHARGES		\$ 9,304,935.00
OVERLAY		\$ 1,522,764.36
TOTAL APPROPRIATION		\$ 173,708,360.36
 CHERRY SHEET&SCH CONST	\$ 34,190,858.00	
CHERRY SHEET SUPPLEMENTAL	\$ -	
CHERRY SHEET OVER EST		
TOTAL		\$ 34,190,858.00
 ESTIMATED RECPTS		
LOCAL	\$ 34,107,500.00	
OFFSET		
ENTERPRISE		
TOTAL		\$ 34,107,500.00
 REVENUE SOURCES FOR PURPOSE		
FREE CASH Snow and Ice	\$ -	
OTHER AVAILABLE FUNDS	\$ 34,725.00	Sale of Graves \$34,725
TOTAL		\$ 34,725.00
 OTHER REVENUE SOURCES TO REDUCE TAX RATE		
FREE CASH / Projected New Growth	\$ -	
OTHER - Excess Overlay	\$ 1,362,409.90	
 TOTAL		\$ 1,362,409.90
TOTAL EST. RECPT & OTHER REVENUE		\$ 69,695,492.90

SUMMARY FY 19

SUMMARY OF TOTAL

TOTAL TO BE RAISED	\$173,708,360.36	
TOTAL EST RCPT & OTHER	\$ 69,695,492.90	
TOTAL TAX LEVY	\$104,012,867.46	
TOTAL RECPT FROM ALL SOURCES		\$ 173,708,360.36

Current Levy

FY 19 TAX LEVY	\$104,012,867.46	
FY 18 TAX LEVY	<u>\$ 97,680,293.21</u>	
Increase in Tax Levy	<u>\$ 6,332,574.25</u>	6.48%

FY19 Levy Limit	\$138,028,167.11	<u>\$131,259,954.25</u>	FY 18 Levy Limit
FY19 Tax Levy	<u>\$104,012,867.46</u>	\$134,541,453.11	FY 19 Levy Limit @2.5%
Under/Over Limit	<u>\$ 34,015,299.65</u>	<u>\$ 3,486,714.00</u>	Projected New Growth
		<u>\$138,028,167.11</u>	FY19 Levy Limit
		<u>\$149,027,078.00</u>	FY 19 Levy Ceiling

Assessed Valuation: A value assigned to real estate or other property by a government as the basis for levying taxes. In Massachusetts, assessed valuation is based on the property's full and fair cash value as set by the Assessors. (See Full and Fair Cash Value)

Cherry Sheet: Named for the cherry colored paper on which they were originally printed, the Cherry Sheet is the official notification to cities, towns and regional school districts of the next fiscal year's state aid and assessments. The aid is in the form of distributions, which provide funds based on formulas and reimbursements that provide funds for costs incurred during a prior period for certain programs or services. Links to the Cherry Sheets are located on the DLS website at www.mass.gov/dls. (See Cherry Sheet Assessments, Estimated Receipts)

Cherry Sheet Assessments: Estimates of annual charges to cover the cost of certain state and county programs.

Cherry Sheet Offset Items: Local aid that may be spent without appropriation in the budget, but which must be spent for specific municipal and regional school district programs. Current offset items include racial equality grants, school lunch grants, and public libraries grants. (See Offset Receipts)

Classification of Real Property: Assessors are required to classify all real property according to use into one of four classes: residential, open space, commercial, and industrial. Having classified its real properties, local officials are permitted to determine locally, within limitations established by statute and the Commissioner of Revenue, what percentage of the tax burden is to be borne by each class of real

property and by personal property owners. (see Classification of the Tax Rate).

Classification of the Tax Rate: Each year, the selectmen or city council vote whether to exercise certain tax rate options. Those options include choosing a residential factor (MGL Ch. 40 §56), and determining whether to offer an open space discount, a residential exemption (Ch. 59, §5C), and/or a small commercial exemption (Ch. 59, §5I) to property owners.

Equalized Valuations (EQVs): The determination of the full and fair cash value of all property in the commonwealth that is subject to local taxation. EQVs have historically been used as variables in distributing certain state aid accounts and for determining county assessments and certain other costs. The Commissioner of Revenue, in accordance with M.G.L. Ch. 58 s 10C, is charged with the responsibility of bi-annually determining an equalized valuation for each town and city in the Commonwealth.

Estimated Receipts: A term that typically refers to anticipated local revenues listed on page three of the Tax Recapitulation Sheet. Projections of local revenues are often based on the previous year's receipts and represent funding sources necessary to support a community's annual budget. (See Local Receipts)

Excess Levy Capacity: The difference between the levy limit and the amount of real and personal property taxes actually levied in a given year. Annually, the board of selectmen or council must be informed of excess levying capacity and evidence of such acknowledgment must be submitted to DOR when setting the tax rate.

Exemptions: A discharge, established by statute, from the obligation to pay all or a portion of a property tax. The exemption is available to particular categories of property or persons upon the timely submission and approval of an application to the assessors. Properties exempt from taxation include hospitals, schools, houses of worship, and cultural institutions. Persons who may qualify for exemptions include disabled veterans, blind individuals, surviving spouses, and seniors.

Full and Fair Cash Value (FFCV): Fair cash value has been defined by the Massachusetts Supreme Judicial Court as "fair market value, which is the price an owner willing but not under compulsion to sell ought to receive from one willing but not under compulsion to buy. It means the highest price that a normal purchaser not under peculiar compulsion will pay at the time and cannot exceed the sum that the owner after reasonable effort could obtain for his property. A valuation limited to what the property is worth to the purchaser is not market value. The fair cash value is the value the property would have on January first of any taxable year in the hands of any owner, including the present owner." (Boston Gas Co. v. Assessors of Boston, 334 Mass. 549, 566 (1956))

Levy Ceiling: A levy ceiling is one of two types of levy (tax) restrictions imposed by MGL Ch. 59 §21C (Proposition 2½). It states that, in any year, the real and personal property taxes imposed may not exceed 2½ percent of the total full and fair cash value of all taxable property. Property taxes levied may exceed this limit only if the community passes a capital exclusion, a debt exclusion, or a special exclusion. (See Levy Limit)

Levy Limit: A levy limit is one of two types of levy (tax) restrictions imposed by MGL Ch. 59 §21C (Proposition 2½). It states that the real and personal property taxes imposed by a city or town may only grow each year by 2½ percent of the prior year's levy limit, plus new growth and any overrides or exclusions. The levy limit can exceed the levy ceiling only if the community passes a capital expenditure exclusion, debt exclusion, or special exclusion. (See Levy Ceiling)

Local Aid: Revenue allocated by the Commonwealth to cities, towns, and regional school districts. Estimates of local aid are transmitted to cities, towns, and districts annually by the "Cherry Sheets." Most Cherry Sheet aid programs are considered general fund revenues and may be spent for any purpose, subject to appropriation.

Local Receipts: Locally generated revenues, other than real and personal property taxes. Examples include motor vehicle excise, investment income, hotel/motel tax, fees, rentals, and charges. Annual estimates of local receipts are shown on the tax rate recapitulation sheet. (See Estimated Receipts)

Municipal Revenue Growth Factor (MRGF): An estimate of the percentage change in a municipality's revenue growth for a fiscal year. It represents the combined percentage increase in the following revenue components: automatic 2 1/2 percent increase in the levy limit, estimated new growth, the change in selected unrestricted state aid categories and the change in selected unrestricted local receipts.

New Growth: The additional tax revenue generated by new construction, renovations

and other increases in the property tax base during a calendar year. It does not include value increases caused by normal market forces or by revaluations. New growth is calculated by multiplying the assessed value associated with new construction, renovations and other increases by the prior year tax rate. The additional tax revenue is then incorporated into the calculation of the next year's levy limit.

Override: A vote by a community at an election to permanently increase the levy limit. An override vote may increase the levy limit no higher than the levy ceiling. The override question on the election ballot must state a purpose for the override and the dollar amount.

Overlay: (Overlay Reserve or Allowance for Abatements and Exemptions) An account established annually to fund anticipated property tax abatements, exemptions and uncollected taxes in that year. The overlay reserve need not be funded by the normal appropriation process, but rather is raised on the tax rate recapitulation sheet.

Overlay Deficit: A deficit that occurs when the amount of overlay raised in a given year is insufficient to cover abatements, statutory exemptions, and uncollected taxes for that year. Overlay deficits must be provided for in the next fiscal year.

Overlay Surplus: Any balance in the overlay account of a given year in excess of the amount remaining to be collected or abated can be transferred into this account. Within 10 days of a written request by the chief executive officer of a city or town, the assessors must provide a certification of the excess amount of overlay available to transfer. Overlay surplus may be

appropriated for any lawful purpose. At the end of each fiscal year, unused overlay surplus is "closed" to surplus revenue, i.e., it becomes a part of free cash.

Override Capacity: The difference between a community's levy ceiling and its levy limit. It is the maximum amount by which a community may override its levy limit.

Revaluation: The assessors of each community are responsible for developing a reasonable and realistic program to achieve the fair cash valuation of property in accordance with constitutional and statutory requirements. The nature and extent of that program will depend on the assessors' analysis and consideration of many factors, including, but not limited to, the status of the existing valuation system, the results of an in-depth sales ratio study, and the accuracy of existing property record information. Every five years, assessors must submit property values to the DOR for certification. Assessors must also maintain fair cash values in the years between certifications so that each taxpayer in the community pays his or her share of the cost of local government in proportion to the value of his property. Marlborough submitted its property values to DOR for certification in Fiscal Year 2019. The next revaluation will be in Fiscal Year 2024. (See Quinquennium Certification)

Tax Rate Recapitulation Sheet (Recap Sheet): A document submitted by a city or town to the DOR in order to set a property tax rate. The recap sheet shows all estimated revenues and actual appropriations that affect the property tax rate.

Quinquennium Certification: The Commissioner of Revenue, through the Bureau of Local Assessment, is required to

review local assessed values every three years and to certify that they represent full and fair cash value (FFCV). Refer to MGL Ch. 40 §56 and Ch. 59 §2A(c).

Valuation (100 Percent): The legal requirement that a community's assessed value on property must reflect its market, or full and fair cash value.



City of Marlborough

Office of the Mayor

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

RECEIVED
 Arthur G. Vigeant
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH
 Nicholas J. Milano
 2018 NOV 29 A 11:46
 EXECUTIVE AIDE

Patricia Bernard
 EXECUTIVE SECRETARY

November 29, 2018

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

Re: Transfer Request – OPEB and Stabilization

Honorable President Clancy and Councilors:

Please find enclosed for your review two transfer requests from the Undesignated Fund (“Free Cash”) each in the amount of \$887,745.00 to Undesignated Stabilization and to the OPEB Trust.

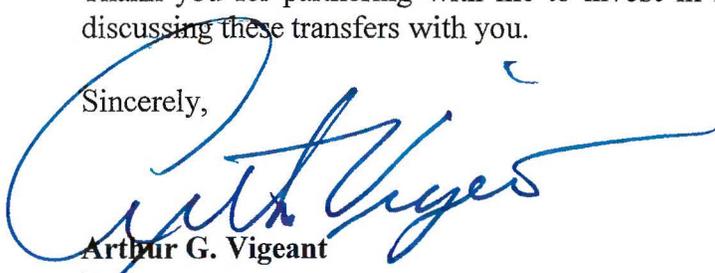
Free Cash was certified for Fiscal Year 2018 at \$8,877,451.00. As a result, I am requesting these transfers to move funds to our stabilization and OEB accounts in keeping with our financial policies. Investing in our stabilization account and OPEB Account means we are strengthening our financial foundation for future years.

A recent report in Commonwealth Magazine was critical of Massachusetts’ failure to build up its stabilization or rainy-day funds and noted that the state was ranked at the bottom across the country. In Marlborough, we are ensuring that ample funds are available in our stabilization fund in case of unexpected costs, or an economic slowdown.

Marlborough is currently on target to fully fund its pension liabilities by 2025, which puts the City in strong shape relative to other municipal and regional pension systems, but we must keep growing our OPEB account to reduce this separate liability.

Thank you for partnering with me to invest in Marlborough’s financial stability. I look forward to discussing these transfers with you.

Sincerely,


 Arthur G. Vigeant
 Mayor

Enclosures

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2019

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$8,877,451.00</u>	<u>\$887,745.00</u>	<u>10000</u>	<u>35900</u>	<u>Undesignated Fund</u>	<u>\$887,745.00</u>	<u>87500</u>	<u>35900</u>	<u>OPEB Trust</u>	<u>\$9,154,936.35</u>
	Reason:	<u>Transfer funds to OPEB trust</u>							
	Reason:								
	Reason:								
	Reason:								
	\$887,745.00	Total			\$887,745.00	Total			

Department Head signature:

Auditor signature:

Comptroller signature:



Massachusetts Retirement Boards by Year Estimated to be Fully-Funded

Board Name	Funded Ratio	Valuation Date	Investment Return Assumption	Fiscal Year Amortization Complete
Watertown	81.80%	1/1/2017	7.90%	2020
Dedham	94.70%	1/1/2018	7.50%	2021
Leominster	90.10%	1/1/2017	5.50%	2021
Shrewsbury	86.60%	1/1/2017	7.50%	2021
Lexington	85.30%	1/1/2016	7.50%	2024
Stoneham	70.40%	1/1/2016	7.75%	2024
Milton	81.50%	1/1/2017	7.50%	2025
Boston (non-teachers)	76.90%	1/1/2018	7.50%	2025
Marlborough	76.40%	1/1/2017	7.50%	2025
MWRA	95.00%	1/1/2018	7.50%	2026
Cambridge	81.10%	1/1/2016	7.75%	2026
Taunton	79.60%	1/1/2018	7.75%	2026
Mass Housing Finance	76.80%	1/1/2017	7.50%	2026
Chicopee	75.90%	1/1/2017	7.50%	2026
Saugus	73.90%	1/1/2017	7.40%	2026
North Attleboro	83.40%	1/1/2017	7.50%	2027
Berkshire Regional	82.80%	1/1/2017	7.25%	2028
Winthrop	80.80%	1/1/2017	7.25%	2028
Norwood	79.10%	1/1/2016	7.75%	2028
Bristol County	67.70%	1/1/2018	7.75%	2028
Chelsea	64.30%	1/1/2017	7.35%	2028
Concord	85.20%	1/1/2017	7.00%	2029
Winchester	79.00%	1/1/2017	7.00%	2029
North Adams	75.00%	1/1/2017	7.40%	2029
Reading	73.80%	1/1/2017	7.65%	2029
Norfolk County	62.40%	1/1/2018	7.75%	2029
Plymouth County	61.70%	1/1/2017	8.00%	2029
Everett	57.30%	1/1/2018	7.50%	2029
Belmont	55.00%	1/1/2016	7.50%	2029
Wellesley	75.40%	1/1/2017	6.63%	2030
Dukes County	72.50%	1/1/2016	7.75%	2030
Malden	72.00%	1/1/2018	7.35%	2030
Needham	69.40%	1/1/2017	7.50%	2030
Framingham	68.00%	1/1/2016	7.50%	2030
Natick	62.20%	1/1/2017	7.38%	2030
Brookline	57.10%	1/1/2018	7.20%	2030
Newton	51.70%	1/1/2018	7.25%	2030

Fairhaven	69.80%	1/1/2016	7.50%	2031
Medford	67.30%	1/1/2016	7.50%	2031
Hull	63.90%	1/1/2018	7.40%	2031
Webster	54.80%	1/1/2016	7.50%	2031
Swampscott	53.50%	1/1/2017	7.50%	2031
Salem	53.30%	1/1/2016	7.50%	2031
Montague	77.70%	1/1/2018	7.25%	2032
Blue Hills Reg	73.70%	1/1/2018	7.35%	2032
Northampton	69.70%	1/1/2016	7.50%	2032
Holyoke	62.50%	1/1/2016	7.63%	2032
Brockton	62.40%	1/1/2018	7.75%	2032
Waltham	57.70%	1/1/2017	7.75%	2032
Haverhill	52.30%	1/1/2016	7.50%	2032
Fitchburg	44.20%	1/1/2016	7.75%	2032
Somerville	66.40%	1/1/2017	8.00%	2033
Worcester	65.70%	1/1/2017	7.38%	2033
Easthampton	65.50%	1/1/2016	7.50%	2033
Braintree	65.10%	1/1/2018	7.65%	2033
Falmouth	62.50%	1/1/2016	7.50%	2033
Hampshire County	61.50%	1/1/2018	7.45%	2033
Beverly	57.30%	1/1/2018	7.35%	2033
Revere	56.10%	1/1/2017	7.40%	2033
Greater Lawrence SD	88.60%	1/1/2017	7.00%	2034
Franklin Regional	73.20%	1/1/2018	7.75%	2034
Westfield	69.50%	1/1/2017	7.50%	2034
West Springfield	64.40%	1/1/2018	7.50%	2034
Southbridge	55.10%	1/1/2016	7.50%	2034
Gardner	54.60%	1/1/2017	7.75%	2034
Lynn	49.20%	1/1/2017	7.40%	2034
New Bedford	46.30%	1/1/2016	7.75%	2034
Gloucester	45.30%	1/1/2016	7.50%	2034
Minuteman Reg.	88.30%	1/1/2017	7.40%	2035
Adams	73.10%	1/1/2016	7.00%	2035
Maynard	70.50%	1/1/2017	7.00%	2035
Hingham	67.90%	1/1/2016	7.75%	2035
Northbridge	67.80%	1/1/2016	7.75%	2035
Clinton	64.00%	1/1/2017	7.40%	2035
Wakefield	63.20%	1/1/2016	7.50%	2035
Woburn	62.90%	1/1/2016	7.75%	2035
Newburyport	61.30%	1/1/2016	7.50%	2035
Weymouth	60.90%	1/1/2016	7.75%	2035
Barnstable	59.50%	1/1/2018	7.38%	2035

Amesbury	58.70%	1/1/2018	7.75%	2035
Danvers	58.60%	1/1/2018	7.50%	2035
Greenfield	56.00%	1/1/2017	7.40%	2035
Essex Regional	53.40%	1/1/2018	7.50%	2035
Methuen	53.40%	1/1/2018	7.35%	2035
Arlington	51.50%	1/1/2018	7.00%	2035
Plymouth	50.10%	1/1/2017	7.25%	2035
Andover	48.60%	1/1/2018	7.00%	2035
Middlesex	47.90%	1/1/2018	7.50%	2035
Worcester Regional	45.30%	1/1/2018	7.75%	2035
Fall River	42.00%	1/1/2017	7.50%	2035
State	64.90%	1/1/2018	7.35%	2036
Milford	60.90%	1/1/2017	7.40%	2036
Lowell	56.00%	1/1/2017	7.75%	2036
Lawrence	52.70%	1/1/2018	7.50%	2036
Mass. Teachers	52.40%	1/1/2018	7.35%	2036
Peabody	52.30%	1/1/2018	7.75%	2036
Hampden County Regional	47.50%	1/1/2016	7.75%	2036
Quincy	46.80%	1/1/2016	7.75%	2036
Boston teachers	39.60%	1/1/2018	7.35%	2036
Attleboro	65.70%	1/1/2016	7.88%	2037
Melrose	57.50%	1/1/2017	7.75%	2037
Pittsfield	48.30%	1/1/2017	7.50%	2037
Marblehead	64.80%	1/1/2018	7.35%	2039
Mass Port	89.60%	1/1/2017	7.25%	N/A



City of Marlborough
Office of the Mayor

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

8-1
Arthur G. Vigeant
RECEIVED OR
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Nicholas J. Martino
EXECUTIVE AIDE
2018 NOV 29 A 11:46
Patricia Bernard
EXECUTIVE SECRETARY

November 29, 2018

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

Re: Grant Acceptance – Marlborough Fire Department

Honorable President Clancy and Councilors:

Please find enclosed for your review and acceptance, a grant in the amount of \$8,900.00 for the Marlborough Fire Department from the Commonwealth of Massachusetts Emergency Management Agency (MEMA).

This 2018 Emergency Management Performance Grant (EMPG) will be utilized to install a security access system at the Marlborough Fire Department Central Station, which includes the City of Marlborough's Emergency Operations Center. Matching funds will be provided by Facilities in order to fund the full cost of this project.

If you have any questions, please do not hesitate to contact me, Chief Breen, or Assistant Chief Flynn.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



**CITY OF MARLBOROUGH
FIRE DEPARTMENT**

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

11/29/18

Mayor Vigeant,

The Marlborough Fire Department has applied for the Emergency Management Performance Grant (EMPG) that is offered by the Massachusetts Emergency Management Agency (MEMA). This application was for the installation of an entrance door security system at the Fire Headquarters/EOC which was allowed with the funding coming from Homeland Security/FEMA. The Fire Department has been awarded a grant in the amount of \$8,900.00.

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

Assistant Chief Frederick Flynn

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

Department: FIRE Date: 11/14/2018

Person responsible for grant expenditure: Fred Flynn

Name of grant: Emergency Management Performance Grant (EMPG)

Grantor: Massachusetts Emergency Management

Grant amount: \$8,900.00

Grant period: Fiscal Year 2019

Scope of grant/items funded: These are U.S. Department of Homeland Security/FEMA grant funds provided to MEMA every year. The funds will be used to install a security access system at the Main Fire Station that includes the EOC. Matching funds will be provided by Facilities in order to fund the full cost of this project.

Is a position being created: No

If yes, can fringe benefits be paid from the grant? No

Are matching city funds required? Yes

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: 11920006-52469

Any other exposure to city? No

Is there a deadline for city council approval: No

Department head must submit this form, a copy of the grant approval, and a cover letter to the mayor's office requesting that this be submitted to city council for approval of department to expend the funds received for the purpose of the grant.

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy.

CONTRACTOR LEGAL NAME: (and d/b/a): MARBOROUGH, City of
COMMONWEALTH DEPARTMENT NAME: Massachusetts Emergency Management Agency
Legal Address: (W-9, W-4,T&C): 140 Main Street, Marlborough, MA 01752-3812
Business Mailing Address: 400 Worcester Road, Framingham, MA 01702-5399
Contract Manager: Fred Flynn
Billing Address (if different): same
E-Mail: fflynn@marlborough-ma.gov
Contract Manager: Jeff Timperi
Phone: 508.624.6984 Fax:
E-Mail: jeff.timperi@mass.gov
Contractor Vendor Code: VC6000192111
Phone: 508.820.2019 Fax: 508.820.2030
Vendor Code Address ID (e.g. "AD001"): AD...
MMARS Doc ID(s): FY19EMPG180000MARLB
(Note: The Address Id Must be set up for EFT payments.)
RFR/Procurement or Other ID Number: FFY2018 EMPG

X NEW CONTRACT
PROCUREMENT OR EXCEPTION TYPE: (Check one option only)
Statewide Contract (OSD or an OSD-designated Department)
Collective Purchase (Attach OSD approval, scope, budget)
X Department Procurement (Includes State or Federal grants 815 CMR 2.00)
Emergency Contract (Attach justification for emergency, scope, budget)
Contract Employee (Attach Employment Status Form, scope, budget)
Legislative/Legal or Other: (Attach authorizing language/justification, scope and budget)
CONTRACT AMENDMENT
Enter Current Contract End Date Prior to Amendment: ____, 20 ____.
Enter Amendment Amount: \$ _____. (or "no change")
AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.)
Amendment to Scope or Budget (Attach updated scope and budget)
Interim Contract (Attach justification for Interim Contract and updated scope/budget)
Contract Employee (Attach any updates to scope or budget)
Legislative/Legal or Other: (Attach authorizing language/justification and updated scope and budget)

The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract.
X Commonwealth Terms and Conditions
Commonwealth Terms and Conditions For Human and Social Services

COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00.
Rate Contract (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.)
X Maximum Obligation Contract Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended), \$8,900.00

PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days __% PPD; Payment issued within 15 days __% PPD; Payment issued within 20 days __% PPD; Payment issued within 30 days __% PPD. If PPD percentages are left blank, identify reason: __agree to standard 45 day cycle __ statutory/legal or Ready Payments (G.L. c. 29, § 23A); X only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)

BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.)
Funding for this grant is provided via a Federal Fiscal Year 2018 Emergency Management Performance Grant (EMPG) award, CFDA #97.042 and has a required dollar-for-dollar match. By signing below, the sub-recipient will perform activities as stated in their approved 2018 EMPG application and in accordance with the attached DHS Terms and Conditions and MEMA-PMO Special Conditions.

ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:
X 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date.
2. may be incurred as of ____, 20 ____, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date.
3. were incurred as of ____, 20 ____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.

CONTRACT END DATE: Contract performance shall terminate as of June 30, 2019, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.

CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached Contractor Certifications (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form including the Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.

AUTHORIZING SIGNATURE FOR THE CONTRACTOR:
X: [Signature] Date: 10/24/18
(Print Name: Arthur Wgeant
Print Title: Mayor)

AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:
X: [Signature] Date: 11/14/18
(Print Name: David Mahr
Print Title: Chief Administrative Officer)





City of Marlborough Office of the Mayor

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

Arthur G. Vigeant
MAYOR
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
EXECUTIVE AIDE
2018 NOV 29 A 11:46
Patricia Bernard
EXECUTIVE SECRETARY

November 29, 2018

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

Re: Grant Acceptance – Department of Public Works

Honorable President Clancy and Councilors:

Please find enclosed for your review and acceptance a grant in the amount of \$5,000.00 for the Department of Public Works from the Massachusetts Cultural Council. The Marlborough Economic Development Corporation coordinated this grant application to fund the Museum in the Streets project for the downtown area.

The Museum in the Streets project is to develop approximately thirty signs to provide comprehensive information about historically significant locations around Marlborough. This project is a partnership between the City, MEDC, Marlborough Historical Society, and the Marlborough Historical Commission.

The grant funds will be supplemented by donations from the Foundation for MetroWest, Brigham Family Trust, Main Street Bank, and Avidia Bank. We thank each of these organizations for supporting this historical project in Marlborough.

If you have any questions, please do not hesitate to contact me or Meredith Harris.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

Department: DPW Date: 11/29/2018

Person responsible for grant expenditure: John Ghiloni

Name of grant: Mass. Cultural Council's Cultural District Initiative

Grantor: Massachusetts Cultural Council

Grant amount: \$5,000.00

Grant period: Fiscal Year 2019

Scope of grant/items funded To provide funds for the Museum in the Streets project, which will develop approximately 30 signs providing historical information about places and locations in Marlborough. This project is a partnership between City, MEDC, Marlborough Historical Society, Marlborough Historical Commission, and the Marlborough Downtown Village Association and has been supported by charitable organizations.

Is a position being created: No

If yes, can fringe benefits be paid from the grant? No

Are matching city funds required? No

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? No

Is there a deadline for city council approval: No

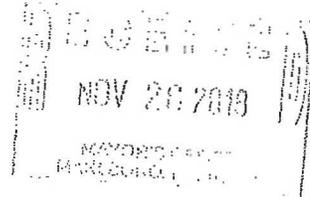
Department head must submit this form, a copy of the grant approval, and a cover letter to the mayor's office requesting that this be submitted to city council for approval of department to expend the funds received for the purpose of the grant.



Power of culture

November 19, 2018

Arthur Vigeant, Mayor
 City of Marlborough
 City Hall
 140 Main Street
 Marlborough MA 01752-3871



Dear Mr. Vigeant:

We are pleased to inform you that you have been approved for an FY19 grant of \$5,000 (Grant #FY19-DI-CDI-3060) from the Cultural District Initiative of the Mass Cultural Council.

Enclosed is the contract package. Please review these materials, sign the contract and the last page of the Scope of Services and return all materials to the MCC's Contracts Department no later than Monday January 18, 2019. Let us know immediately if this deadline is problematic. The award and matching funds must be spent by June 30, 2019, the end of MCC's fiscal year.

For guidance about publicizing news of this grant award, please contact MCC's Communications Officer, Carmen Plazas:
 Carmen.Plazas@art.state.ma.us.

We are delighted to be able to support your cultural district and look forward to working with you in the year ahead.

Sincerely,

A handwritten signature in cursive script that reads 'Nina Fialkow'.

Nina Fialkow
 Chair

 A handwritten signature in cursive script that reads 'Anita Walker'.

Anita Walker
 Executive Director

Enclosures

cc: Meredith Harris, Director - Marlborough Village Cultural District

ATTACHMENT A - SCOPE OF SERVICES AND ADDITIONAL TERMS & CONDITIONS

CONTRACTOR NAME: City of Marlborough

ADDRESS: City Hall
140 Main Street
Marlborough, MA 01752-3871
508/460-3770

BRIEF DESCRIPTION OF CONTRACT SERVICES (make any necessary changes if your project has changed significantly from the information below; initial and date):

APPLICATION #: FY19-DI-CDI-3060

Marlborough Downtown Village Cultural District: to support the 'Museum in the Streets' project in the Marlborough Downtown Village Cultural District.

TOTAL MAXIMUM OBLIGATION OF CONTRACT: \$5,000

DATES OF PROJECT: July 1, 2018 - June 30, 2019

CONTRACT START DATE: July 1, 2018

CONTRACT TERMINATION DATE: June 30, 2019

DATE FINAL REPORT IS DUE: July 15, 2019

Museum in the Streets planned for downtown

Signs of varying sizes will be erected at historically significant locations

Posted November 2, 2018

By Tony Nesbitt
Contributing Writer

The historical assets of the Downtown Marlborough District will soon be on full display with the creation of a Museum in the Streets. The museum will be comprised of more than two dozen signs at various historically significant locations, with each telling a story about Marlborough history.

The Museum in the Streets is a joint committee effort between the Marlborough Historical Society, the Marlborough Historical Commission, Marlborough Downtown Village Association, Marlborough Economic Development and the City of Marlborough.

Marlborough Historical Society Vice President Bob Kane came upon the idea around two years ago when he began making inquiries to a French gentleman by the name of Patrick Cardon.

Cardon, who lives in Maine and Paris, created this concept in France, Italy and other European countries and has installations in the Maine cities of Augusta, Biddeford and Kennebunkport, to name just a few. He's also working with towns in Illinois and New York. His company, The Museum in the Streets, located in Cushing, Maine will fabricate the signs.

There are approximately thirty signs planned. They will be installed as far west as the library and as far east as the intersection of Hildreth Street and Maple Street.

The majority of the signs will be twenty inches wide by twenty inches tall. Four double-size signs will feature two separate subjects each. In addition there will be two larger "map guides" with one located at the library and one in front of City Hall.

Included with the map at the library will be the history of the rise and fall of the apple industry in Marlborough. The large guide in front of City Hall will focus on the accomplishments and waning of the shoe industry in the city.

Five signs will be located in the vicinity of the Walker Building, which as Kane stated, is "where it all started in Marlborough." At one point the Walker Building site was known as "The Common."

Another will include the history of Crystal Eastman, who was born in Marlborough but only lived her first five months here before her family moved to upstate New York. Some of her achievements include being co-founder of the American Civil Liberties Union and co-author of the first Equal Rights Amendment. A eulogy written in The Nation said, "When she spoke to people – whether it was to a small committee or a swarming crowd – hearts beat faster. She was for thousands a symbol of what the free woman might be."

Then there's the story of William Dawes, the 'other guy' who rode and warned the minutemen of the oncoming British Army. He also played a major role as a spy during the Revolutionary War. Dawes moved to Marlborough after the war to join his sister and brother-in-law who had a general store where the Vin Bin is currently located. He built a home where the Verizon building currently stands at the intersection of Hildreth Street and Maple Street.

Fundraising efforts for the project is ongoing with about half the money raised through grants from different foundations including the Foundation for MetroWest and the Brigham Family Trust. Main Street Bank and Avidia Bank have also donated to the effort. Marlborough Economic Development is currently waiting on a special programs grant it filed with the State of Massachusetts.

It is hoped that the museum will have a connection with the school systems of Marlborough, Southborough, Westborough, Northborough, and Hudson. Back when Marlborough was established in 1660, the town encompassed all

of those communities. Southborough and Westborough broke off in the 1700s. Northborough eventually ceded from Westborough. Later, Hudson broke away in the 1800's.

Overall, Kane said that plans have been moving forward smoothly. The biggest difficulty has been in selecting sign locations. Due to insurance purposes they need to be installed on city-owned property. Due to snow clearing procedures signs cannot be erected on a separate pole in some locations. For the time being, Kane had to cancel a couple of subjects because the signs would have needed that accommodation.

Completion is being targeted for the spring of 2019. As it stands now, Marlborough would be the first city or town in Massachusetts to adopt this type of educational walking tour.



City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
Nicholas J. Milano
2018 NOV 29 AM 11:46
EXECUTIVE AID

Patricia Bernard
EXECUTIVE SECRETARY

November 29, 2018

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

Re: Appointment of Matt Elder to the Planning Board

Honorable President Clancy and Councilors:

I have submitted for your review and confirmation the appointment of Matt Elder to the Marlborough Planning Board for a term of five years, to expire the first Monday in February 2024. As a former Councilor, parent of Marlborough public school children, and an active member of our community, Matt will bring a valued perspective to the Planning Board.

The Planning Board currently has two vacancies and had to cancel its most recent meeting due to lack of quorum during Thanksgiving week. My office posted on social media and on the website soliciting interested residents to contact my office. Former Councilor Elder reached out and I believe that he will be a strong addition to the Planning Board, which has a heavy workload and meets every other Monday evening.

Thank you for your consideration of this appointment and please do not hesitate to contact me with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

MATT ELDER

EXPERIENCE

APRIL 1, 2014 TO CURRENT

OWNER, ULTIMATE MOBILE GAMING

- We host video game and laser tag parties throughout the state and into other states.
- Responsibilities include overseeing day to day operations and staff, taking bookings and going to parties and events.

SEPTEMBER 2009 TO OCTOBER 2015

OWNER, I9 SPORTS

- We ran youth sports leagues in Marlborough and Framingham
- Sports included flag football, soccer, tball and basketball
- Responsibilities included customer follow up, running leagues and overseeing staff

OCTOBER 2010 TO DECEMBER 2017

WARD 3 CITY COUNCILOR , CITY OF MARLBOROUGH

- Former Chairman of the Urban Affairs Committee
- Former member of the Finance Committee

EDUCATION

JUNE 2005

BA IN JOURNALISM, UNIVERSITY OF MASSACHUSETTS AT AMHERST

SKILLS

- Experience in City Planning
- Overseen permitting from numerous city projects
- Familiar with city personnel



City of Marlborough Legal Department

140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610
LEGAL@MARLBOROUGH-MA.GOV

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
DONALD V. RIDER, JR.
CITY SOLICITOR

2018 NOV 29 4:11:10
CYNTHIA M. PANAGORE GRIFFIN
ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
PARALEGAL

November 29, 2018

Edward Clancy
President
Marlborough City Council

RE: Executive Session Request –
Litigation Involving Property off Williams Street

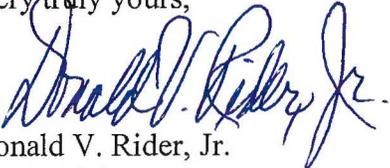
Dear President Clancy and Members:

I respectfully ask for an executive session with the Council on Monday evening to discuss strategy in litigation involving property off Williams Street.

I have enclosed a proposed motion, which includes re-convening in open session.

Thank you for your attention to this matter.

Very truly yours,


Donald V. Rider, Jr.
City Solicitor

Enclosure (Motion)

MOTION:

It is moved, in conformance with MGL c. 30A, § 21(a)(3), that the Marlborough City Council conduct an executive session for the purpose of discussing strategy in litigation involving property off Williams Street, as an open meeting may have a detrimental effect on the litigating position of the City Council, and the chair hereby declares that an open meeting may have that effect.

It is further moved and stated that the City Council will re-convene in open session after the executive session.



City of Marlborough
Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

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 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH
 2018 NOV 29 A 11:31

DONALD V. RIDER, JR.
 CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
 ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
 PARALEGAL

November 29, 2018

President Edward Clancy and
 Members of the Marlborough City Council
 140 Main Street
 Marlborough, MA 01752

RE: Order to Grant Deeds of Easement to the Massachusetts Electric Company for Electrical Service to Marlborough High School and to the New Elementary School

Dear President Clancy and Members of the City Council:

For your consideration and approval, please find an enclosed order concerning a grant of two (2) deeds of easements to the Massachusetts Electric Company for the purposes of providing service to Marlborough High School and to the new elementary school. Also enclosed are the two (2) proposed Grant of Easement deeds, each of which includes a plan.

Approval of both the City Council and the School Committee is required. Accordingly, it is my intention to present to the School Committee said Grant of Easement deeds at its December 11, 2018 meeting.

DPW Commissioner John Ghiloni may answer any questions you may have.

Thank you for your attention to this matter.

Very truly yours,

/s/ Cynthia Panagore Griffin

Cynthia Panagore Griffin
 Assistant City Solicitor

Enclosure

cc: Arthur Vigeant, Mayor
 John Ghiloni, DPW Commissioner

ORDERED:

That pursuant to Mass. Gen. Laws c. 40, § 3, the City of Marlborough grant permanent utility easements, to be executed by the Mayor on behalf of the City, to the Massachusetts Electric Company (a/k/a "NGrid"), as described on Exhibits "A" and "B" hereto concerning, respectively, a Grant of Easement to Massachusetts Electric Company for electrical service to Marlborough High School at 431 Bolton Street, and a Grant of Easement to Massachusetts Electric Company for electrical service to the new elementary school at 441 Bolton Street, said grants of easement having been approved by the Marlborough School Committee on _____, 2018.

ADOPTED

In City Council
Order No. 18-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

Property Address: 431 Bolton Street, Marlborough, MA (Southern Middlesex County)

GRANT OF EASEMENT

CITY OF MARLBOROUGH, a municipal corporation having an address of Marlborough City Hall, 140 Main Street, Marlborough, Massachusetts 01752, (hereinafter referred to as the Grantor), for consideration of One (\$1.00) Dollar, grants to MASSACHUSETTS ELECTRIC COMPANY, a Massachusetts corporation with its usual place of business at 40 Sylvan Road, Waltham, Massachusetts 02451 (hereinafter referred to as the Grantee) with quitclaim covenants, the perpetual right and easement to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission of high and low voltage electric current and for the transmission of intelligence, an "UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM" (hereinafter referred to as the "UNDERGROUND SYSTEM") located in Marlborough, Southern Middlesex County, Massachusetts, consisting of lines of buried wires and cables and lines of wires and cables installed in underground conduits, together with all equipment and appurtenances thereto for the transmission of intelligence and the furnishing of electric service to the herein described premises and to service others, and without limiting the generality of the foregoing, but specifically including the following equipment; namely: manholes, manhole openings, bollards, handholes, junction boxes, transformers, transformer vaults, padmounts, padmount transformers and all housings, connectors, switches, conduits, cables and wires all located within the easement area of the hereinafter described property.

Said "UNDERGROUND SYSTEM" is located in, through, under, over, across and upon a parcel of land situated on the northwesterly side of Stevens Street, and the westerly side of Bolton Street, being more particularly described in a Taking by the City of Marlborough recorded with the Southern Middlesex County Registry of Deeds Book 12507, Page 396.

WR# 26188344

Address of Grantee:
Mass El. - 40 Sylvan Road, Waltham, Massachusetts 02451

After recording return to:
Christina Klein
National Grid USA
Service Company, Inc.
40 Sylvan Road
Waltham, MA 02451

05 MARLMA GEN

And further, said "UNDERGROUND SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) is approximately shown on a sketch entitled: "Install new P37-5, Pull Box, transformer pad and 550' +/- Cable. Exhibit A not to scale. The exact location of said facilities to be established by and upon the installation and erection of the facilities thereof; nationalgrid; Easement Sketch 431 Bolton St, Marlboro, Ma 01752; Scale: NONE; Date: 5-11-18; Drawn By D. Larson; Actrix Drawing Number 26188344," a reduced copy of said sketch is attached hereto as "Exhibit A", copies of which are in the possession of the Grantor and Grantee herein, but the final definitive locations of said "UNDERGROUND SYSTEM" shall become established by and upon the installation and erection thereof by the Grantee.

Also with the further perpetual right and easement from time to time to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate, patrol and otherwise change said "UNDERGROUND SYSTEM" and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantee, its successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the "UNDERGROUND SYSTEM" is located as shown on the sketch herein referred to, of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces, as may in the opinion and judgment of the Grantee interfere with the safe and efficient operation and maintenance of the "UNDERGROUND SYSTEM" and other related electrical equipment. However, said Grantee, its successors and assigns, will properly backfill said excavation or excavations and restore the surface of the land to as reasonably good condition as said surface was in immediately prior to the excavation or excavations thereof.

If said herein referred to locations as approximately shown on the sketch herein also referred to are unsuitable for the purposes of the Grantee, its successors and assigns, then said locations may be changed to areas mutually satisfactory to both the Grantor and the Grantee herein; and further, said newly agreed to locations shall be indicated and shown on the sketch above referred to by proper amendment or amendments thereto. The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for itself, its successors and assigns, that this Grant of Easement and the location of the Underground System may not be changed or modified without the written consent of the Grantee, its successors and assigns, which consent may be withheld by the Grantee in its sole discretion.

It is the intention of the Grantor to grant to the Grantee, its successors and assigns, all the rights and easements aforesaid and any and all additional and/or incidental rights needed to install, erect, maintain and operate within the Grantor's land an "UNDERGROUND SYSTEM" for the transmission of intelligence and for supplying electric service for the building, buildings or proposed buildings shown on the last herein referred to sketch or amended sketch and the right to service others from said "UNDERGROUND SYSTEM".

It is agreed that said "UNDERGROUND SYSTEM" and all necessary appurtenances thereto, shall remain the property of the Grantee, its successors and assigns, and that the Grantee, its successors and assigns, shall pay all taxes assessed thereon.

For Grantor's title, see a Taking by the City of Marlborough dated August 22, 1973, recorded with the Southern Middlesex County Registry of Deeds in Book 12507, Page 396.

IN WITNESS WHEREOF, CITY OF MARLBOROUGH has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by Arthur G. Vigeant, its Mayor, being thereto duly authorized this _____ day of _____, 2018.

CITY OF MARLBOROUGH.
Acting by and through its Mayor

By: Arthur G. Vigeant
Its: Mayor

Commonwealth of Massachusetts

County of _____ } ss.

On this the _____ day of _____, _____, before me, the undersigned

Notary Public, personally appeared Arthur G. Vigeant, proved to me through satisfactory evidence of identity, which was

_____ ,

Description of Evidence of Identity

to be the person whose name is signed on the preceding Grant of Easement, and acknowledged to me that he signed it voluntarily for its stated purpose, as Mayor of the CITY OF MARLBOROUGH.

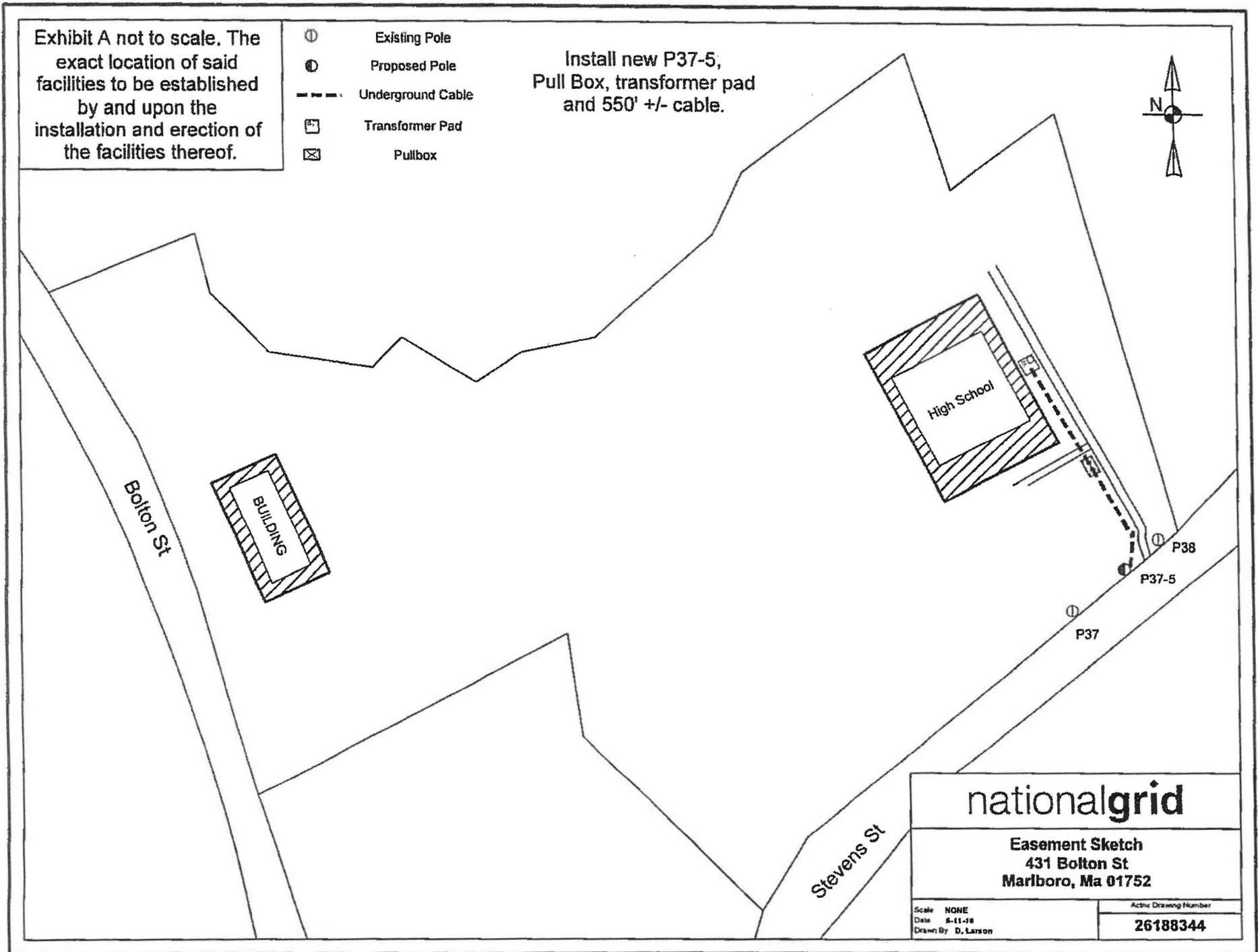
Signature of Notary Public

Printed Name of Notary

My Commission Expires _____

Place Notary Seal and/or Any Stamp Above

EXHIBIT A



GRANT OF EASEMENT

CITY OF MARLBOROUGH, a municipal corporation, having an address of 135 Neil Street, Marlborough, Massachusetts (hereinafter referred to as the Grantor), for consideration of One (\$1.00) dollar, grants to MASSACHUSETTS ELECTRIC COMPANY, a Massachusetts corporation with its usual place of business at 40 Sylvan Road, Waltham, Massachusetts 02451 (hereinafter referred to as the Grantee) with quitclaim covenants, the perpetual right and easement to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission of high and low voltage electric current and for the transmission of intelligence, lines to consist of, but not limited to, one (1) pole, (which may be erected at different times) with wires and cables strung upon and from the same and all necessary anchors, guys, and appurtenances (hereinafter referred to as the "OVERHEAD SYSTEM") and "UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM" (hereinafter referred to as the "UNDERGROUND SYSTEM") located in Marlborough, Middlesex County, Massachusetts, consisting of lines of buried wires and cables and lines of wires and cables installed in underground conduits, together with all equipment and appurtenances thereto for the transmission of intelligence and for the furnishing of electric service to the herein described premises and others, and without limiting the generality of the foregoing, but specifically including the following equipment, namely: manholes, manhole openings, bollards, handholes, junction boxes, transformers, transformer vaults, padmounts, padmount transformers and all housings, connectors, switches, conduits, cables and wires all located within the easement area of the hereinafter described property.

Said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" are located in, through, under, over, across and upon those certain parcels of land situated on the northeasterly side of Bolton Street, being more particularly shown as Parcels 1 through 5, inclusive, on a Plan of Land recorded with the Middlesex South District Registry of Deeds in Plan Book 1973, Plan 1033.

WR26691854

Address of Grantees:
Mass El. - 40 Sylvan Road, Waltham, Massachusetts 02451

After recording return to:
Elizabeth Fresolone
National Grid
Service Company, Inc.
280 Melrose Street
Providence, RI 02907

05 MARLMA GEN

Property Address: 441 Bolton Street, Marlborough, MA (MIDDLESEX SOUTH)

Said "OVERHEAD SYSTEM" is to originate from Pole P47, which is located on the northeasterly side of Bolton Street, then proceed in a northeasterly direction from said Pole over, across and upon land of the Grantor to Pole P47-2.

And further, said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) are approximately shown on a sketch entitled: "nationalgrid; Easement Sketch, 441 Bolton St, Marlboro, MA 01752; Scale: NONE; Date: 10-23-18; Drawn By: D. Larson; WR: 26691854," a reduced copy of said sketch is attached hereto as "Exhibit A" and recorded herewith, copies of which are in the possession of the Grantor and Grantee herein, but the final definitive locations of said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" shall become established by and upon the installation and erection thereof by the Grantee.

Also with the further perpetual right and easement from time to time without further payment therefore to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate, patrol and otherwise change said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantee, its successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" are specifically located, as shown on the sketch herein referred to, of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces, as may, in the opinion and judgment of the Grantee, interfere with the efficient and safe operation and maintenance of the "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" and other related electrical equipment. However, said Grantee, its successors and assigns, will properly backfill said excavation or excavations and restore the surface of the land to as reasonably good condition as said surface was in immediately prior to the excavation or excavations thereof.

If said herein referred to locations as approximately shown on the sketch herein also referred to are unsuitable for the purposes of the Grantee, its successors and assigns, then said locations may be changed to areas mutually satisfactory to both the Grantor and the Grantee herein; and further, said newly agreed to locations shall be indicated and shown on the sketch above referred to by proper amendment or amendments thereto. The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for itself, its successors and assigns, that this Grant of Easement and the location of the Overhead System and Underground System may not be changed or modified without the written consent of the Grantee, its successors and assigns, which consent may be withheld by the Grantee in its sole discretion.

It is the intention of the Grantor to grant to the Grantee, its successors and assigns, all the rights and easements aforesaid and any and all additional and/or incidental rights needed to install, erect, maintain and operate within the Grantor's land an "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" for the transmission of intelligence and for the purpose of supplying electric service for the building, buildings or proposed buildings shown on the last herein referred to sketch or amended sketch and the right to service others from said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM".

It is agreed that the "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM" shall remain the property of the Grantee, its successors and assigns, and that the Grantee, its successors and assigns, shall pay all taxes assessed thereon. Grantor agrees that the rights and easement herein granted are for the purpose of providing service to Grantor's property and the further right to service others from said "OVERHEAD SYSTEM" and "UNDERGROUND SYSTEM".

For Grantor's title, see Order of Taking dated August 22, 1973, recorded with the Middlesex South District Registry of Deeds in Book 12507, Page 396.

IN WITNESS WHEREOF, the CITY OF MARLBOROUGH, acting by and through its Mayor, Arthur G. Vigeant, being thereunto duly authorized has executed this easement as of this _____ day of _____, 20__.

CITY OF MARLBOROUGH

By: Arthur G. Vigeant
Its: Mayor

Commonwealth of Massachusetts

County of _____ } ss.

On this the _____ day of _____, _____, before me,

Day

Month

Year

_____ the undersigned Notary Public,

Name of Notary Public

personally appeared Arthur G. Vigeant, proved to me through satisfactory evidence of identity, which was/were

_____ Description of Evidence of Identity

to be the person whose name is signed on the preceding Grant of Easement, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the CITY OF MARLBOROUGH.

_____ Signature of Notary Public

_____ Printed Name of Notary

My Commission Expires _____

Place Notary Seal and/or Any Stamp Above

05 MARLMA GEN

<p>CITY OF MARLBOROUGH</p> <p>TO</p> <p>MASSACHUSETTS ELECTRIC COMPANY</p>
<p>GRANT OF EASEMENT</p>
<p><u>AFTER RECORDING RETURN TO:</u></p> <p>ELIZABETH A. FRESOLONE NATIONAL GRID SERVICE COMPANY, INC. 280 MELROSE STREET PROVIDENCE, RI 02907</p> <p>Approved By: _____</p>

Install OH Primary from P47 to P47-2,
 Install UG Primary from P47-2 to Pullbox PB1,
 Install UG Primary from PB1 to PB2 to PB3 to PB4 to T53

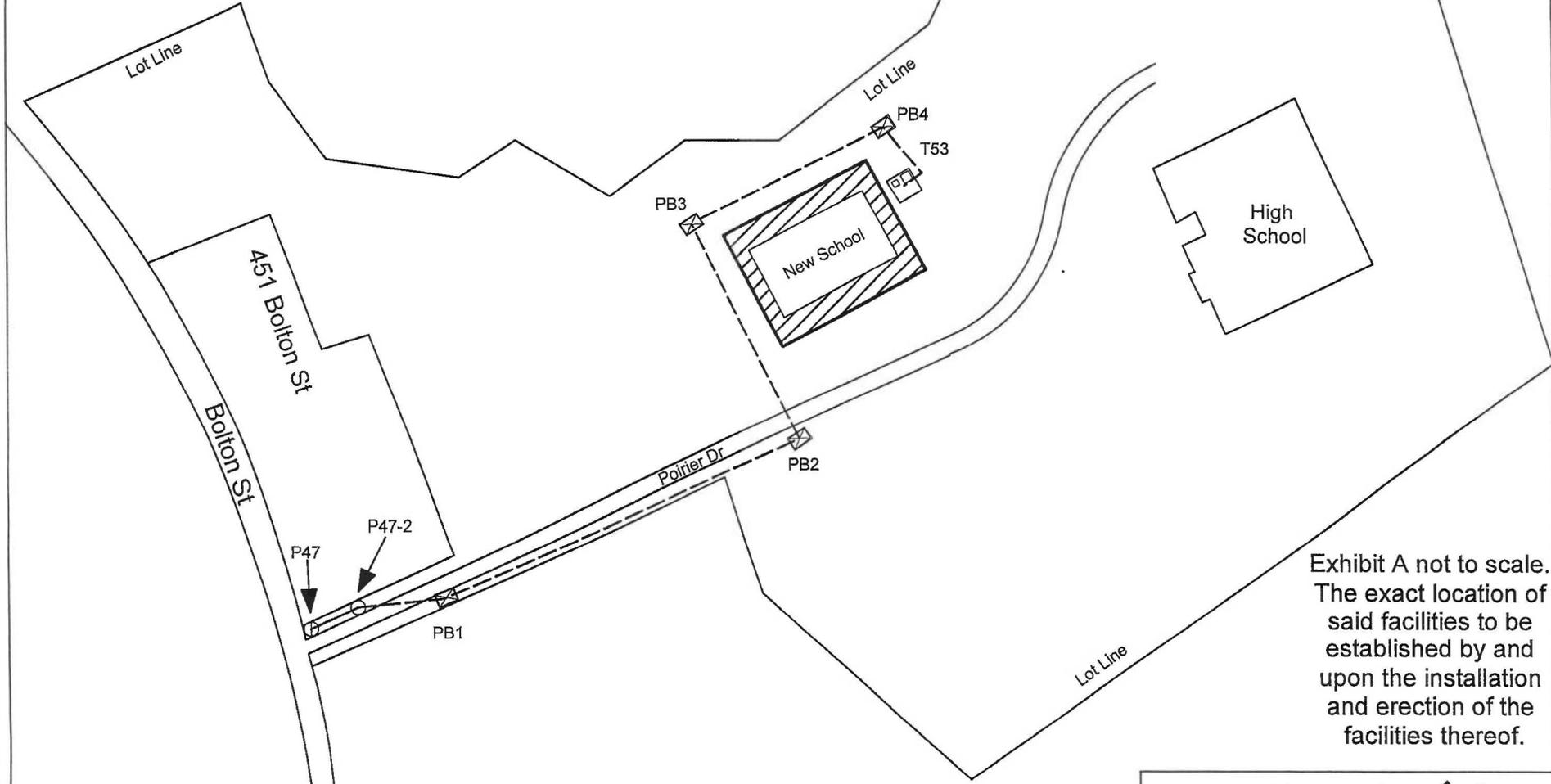


Exhibit A not to scale.
 The exact location of
 said facilities to be
 established by and
 upon the installation
 and erection of the
 facilities thereof.

Legend	
	Transformer
	JO Pole
	SO Pole
	Overhead Primary
	Underground Primary
	Pull Box

nationalgrid

Easement Sketch
 441 Bolton St
 Marlboro, Ma 01752

Scale: NONE Date: 10-23-18 Drawn By: D. Larson	Actrix Drawing Number 26691854
--	--



City of Marlborough
Legal Department

140 MAIN STREET

MARLBOROUGH, MASSACHUSETTS 01752

TEL. (508) 460-3771 FACSIMILE (508) 460-3698 TDD (508) 460-3610

LEGAL@MARLBOROUGH-MA.GOV

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 CITY OF MARLBOROUGH

2018 NOV 29 A 11:48

DONALD V. RIDER, JR.
 CITY SOLICITOR

CYNTHIA M. PANAGORE GRIFFIN
 ASSISTANT CITY SOLICITOR

ELLEN M. STAVROPOULOS
 PARALEGAL

November 29, 2018

President Edward Clancy and
 Members of the Marlborough City Council
 140 Main Street
 Marlborough, MA 01752

RE: Order to Amend City Code § 270-8.1 In-building Fire Department and Police Department
 radio coverage

Dear President Clancy and Members of the City Council:

For your consideration and approval, please find an enclosed order which would amend § 270-8.1 of the City Code, entitled "In-building Fire Department and Police Department radio coverage," to comport with amendments which have been made to the Massachusetts State Building Code since the adoption of said ordinance.

Thank you for your attention to this matter.

Very truly yours,

/s/ Cynthia Panagore Griffin

Cynthia Panagore Griffin
 Assistant City Solicitor

Enclosure

cc: Kevin Breen, Fire Chief
 Fred Flynn, Assistant Fire Chief
 Jeff Cooke, Building Commissioner

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY THE FOLLOWING AMENDMENT TO ARTICLE II OF CHAPTER 270:

1. Section 8.1 of Chapter 270 (§ 270-8.1), entitled "In-building Fire Department and Police Department radio coverage," is hereby amended by striking paragraph A. therefrom and inserting place thereof the following:

A. The Marlborough Fire Department requires that, in accordance with 780 CMR 915.1, et seq., of the Code of Massachusetts Regulations, as amended, all new buildings and new additions to existing buildings provide reliable radio communications for emergency responders within the building based upon the existing coverage levels of the Marlborough Fire Department and the Marlborough Police Department communication systems at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

2. The effective date of this amendment shall be the date of its passage.

ADOPTED

In City Council
Order No 18-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



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CITY OF MARLBOROUGH

2018 NOV 28 P 3:42

CITY OF MARLBOROUGH
Department of Public Works
Office of the Commissioner
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910 Ext. 33200 TDD (508) 460-3610

November 27, 2018

President and Members
Marlborough City Council
City Hall
140 Main Street
Marlborough, MA 01752

RE: CHAPTER 40 SECTION 6-C
PLOWING OF PRIVATE WAYS

Dear President and Members,

Below please find one private way being submitted for your approval under the above-Massachusetts General Law, The Private Way is:

Gikas Lane – Howes Landing, off Hudson Street

There are ten houses in this subdivision, all of which are occupied. The construction of the roadway has been completed and the roadway is on schedule to be Accepted as a Public Way before the winter season is over. I have attached herein a draft council order which, would permit the removal of snow and ice from the private way during the 2018-2019 snow season. Should you have any questions, please do not hesitate to contact me.

Sincerely,

John L. Ghiloni
Commissioner of Public Works

cc: Mayor Arthur G. Vigeant
Donald Rider, City Solicitor
Ted Scott, Assistant Commissioner – Operations
Marlborough Planning Board
Thomas DiPersio, JR., P.E., P.L.S. – City Engineer

ORDERED:

That the Department of Public Works be authorized to plow and remove snow from the following way during the 2018-2019 snow season, in accordance with the provisions of Massachusetts General Law, Chapter 40, Section 6-C, provided that said way be of such construction and condition that, in the opinion of the Commissioner of Public Works, said plowing can be safely and conveniently accomplished.

Gikas Lane – Howes Landing, off Hudson Street



BOSTON CONNECTICUT FLORIDA NEW JERSEY NEW YORK WASHINGTON, DC

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CITY OF MARLBOROUGH

2018 NOV 28 P 4: 04

WILLIAM M. PEZZONI
Attorney at Law

One International Place
Boston, MA 02110
T: (617) 345-4777 F: (617) 206-9339
wpezzoni@daypitney.com

November 20, 2018

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

Re: Council Order #18-10007198E - Proposed Amendment to Marlborough Zoning Code Regarding Multi Family Retirement Community

Dear President Clancy:

Please be advised that the taxes have been paid current on 90 Crowley Drive and the developer, First Colony Development Company, Inc., has provided a new Certificate of Liability Insurance for Crowley Road which names the City of Marlborough as an additional insured. A copy of said Certificate of Liability Insurance has been submitted to the City Clerk as well as Don Rider. As such, please place the above-referenced amendment on your next Agenda.

Very truly yours,

William M. Pezzoni

WMP/cjg
Enclosure

cc: John Deli Priscoli
Don Rider, Esq.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/20/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER T. Edmund Garrity & Co., Inc. 545 Concord Avenue, Suite 16 Cambridge MA 02138	CONTACT NAME: Anna Pena PHONE (A/C, No, Ext): (617) 354-4640 FAX (A/C, No): (617) 354-5828 E-MAIL ADDRESS: annie@garrity-insurance.com														
INSURED First Colony Development Co Inc First Colony Chestnut Ridge LLC PO BOX 952 Carver, MA 02330	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td>INSURER A: Travelers Property Casualty Co</td> <td></td> </tr> <tr> <td>INSURER B: Travelers Indemnity Co</td> <td>25658</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Travelers Property Casualty Co		INSURER B: Travelers Indemnity Co	25658	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A: Travelers Property Casualty Co															
INSURER B: Travelers Indemnity Co	25658														
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES **CERTIFICATE NUMBER:** First Colony Master 2018 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			6303C272384	10/01/2018	10/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY			BA6H359805	10/01/2018	10/01/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0			CUP6J036796	10/01/2018	10/01/2019	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Property, Special Form, Replacement Cost			6303C272384	10/01/2018	10/01/2019	Building Blanket Limit 36,453,212 Deductible 5,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Marlborough is listed as additional insured with respect to the road at Crowley Dr Marlborough MA.

CERTIFICATE HOLDER City of Marlborough 140 Main St Marlborough MA 01752	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

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RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2018 NOV 21 A 11:53

November 20, 2018

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

RE: Rezoning At Lacombe Street
Assessor's Map 82 Parcel 42 & Map 82 Parcel 42E
Lacombe Business Center
Marlborough, MA

Attn. President and Members:

On behalf of Lacombe Business Center, LLC, we are writing to petition the City Council to rezone land off Lacombe Street identified as Assessor's Map 82 Parcel 42 and Map 82 Parcel 42E, these parcels are currently zoned Industrial and the abutting properties are zoned Commercial Automotive, as shown on the attached exhibit. As such, please submit this petition to the City Council for the rezoning of the property owned by Lacombe Business Center, LLC on Assessor's Map 82 Parcel 42 and Map 82 Parcel 42E from Industrial to Commercial Automotive. This will maintain a consistent zoning use pattern for the subject area. We would suggest the language for the Zoning Amendment read as follows:

That the land off Lacombe Street owned by Lacombe Business Center, LLC on Assessor's Map 82 Parcel 42 and Map 82 Parcel 42E presently zoned "Industrial", be rezoned as "Commercial Automotive", as they are contiguous to Assessor's Map 82 Parcels 42A, 42B and 140 that are all currently zoned Commercial Automotive.

Thank for your consideration and assistance with this rezoning effort. We look forward to this matter being placed on a future City Council Agenda and remain available to provide and present support for this rezoning effort.

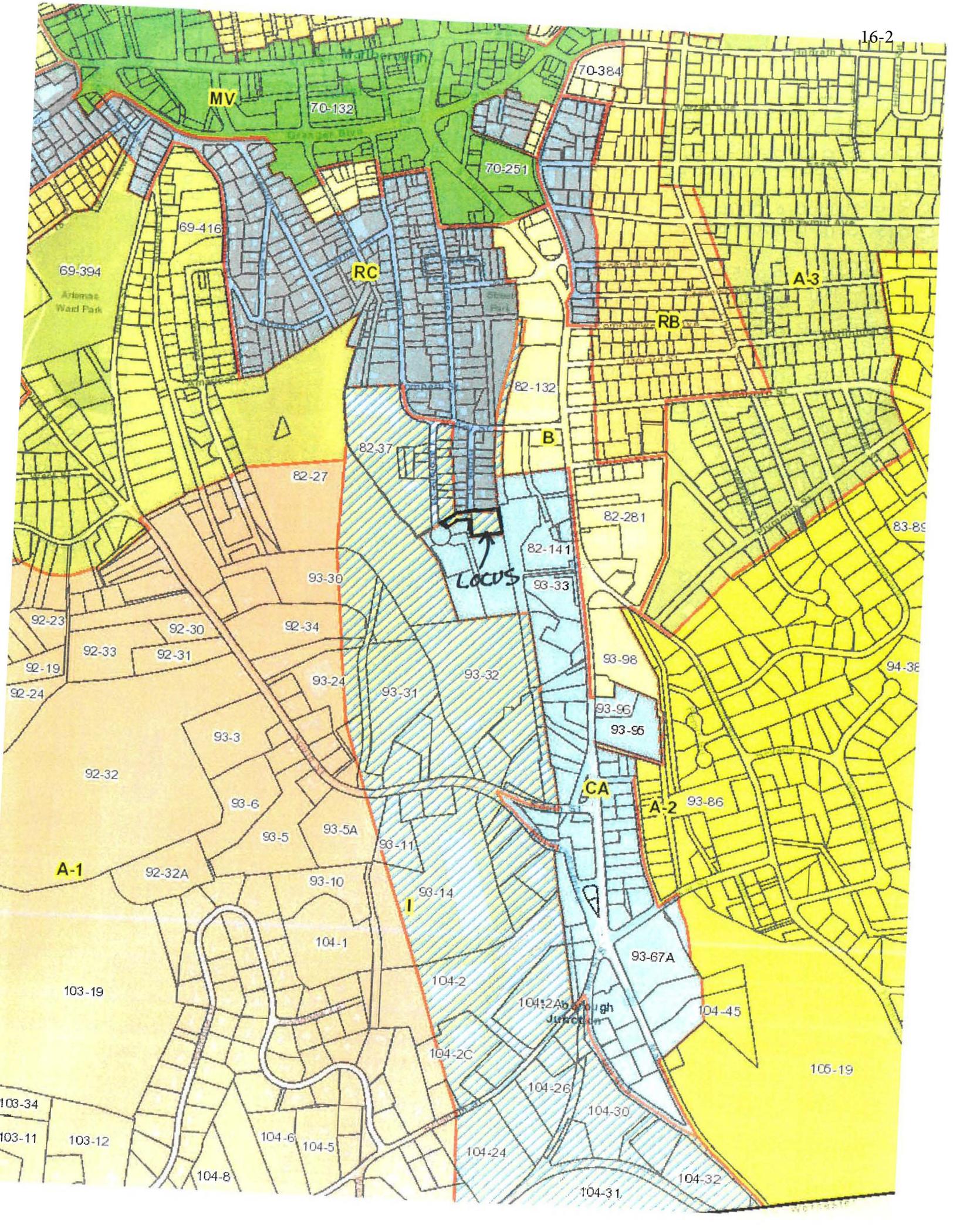
Very truly yours,

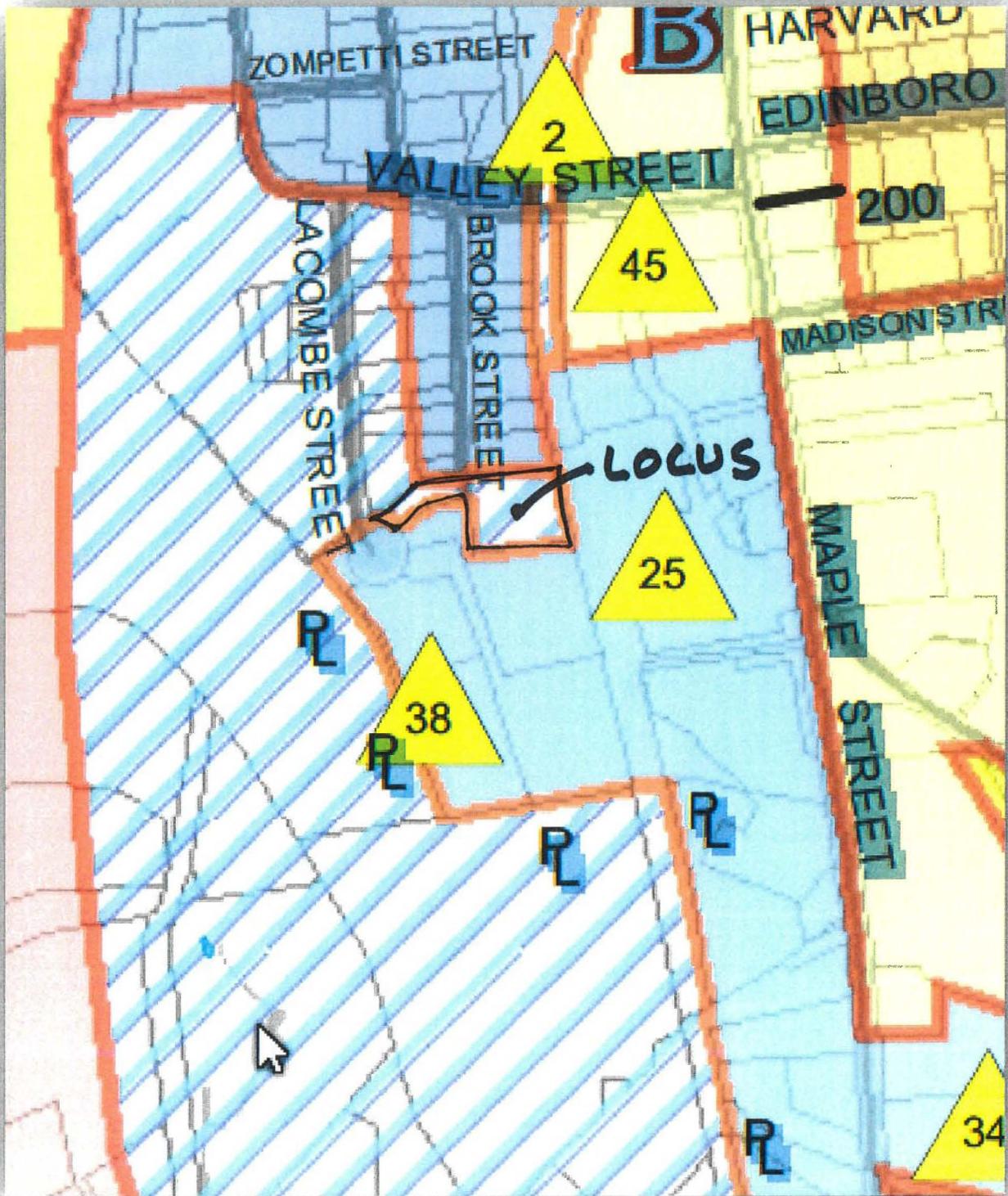
Engineering Design Consultants, Inc.



Peter S. Bemis

Lacombe Business Center, LLC





2018 NOV 21 A 11: 53

November 20, 2018

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

RE: Rezoning At Mill Street South
Assessor's Map 104 Parcel 29 & Map 104 Parcel 29A
Marlborough, MA

Attn. President & Members:

On behalf of Stephen Vigeant, Trustee of the 22 Englewood Trust, we are writing to petition the City Council to rezone land off Mill Street South identified as Assessor's Map 104 Parcel 29 and Map 104 Parcel 29A, these parcels are currently zoned Industrial and the adjacent properties along the east side of Mill Street South are zoned Commercial Automotive, as shown on the attached exhibit. As such, please submit this petition to the City Council for the rezoning of the properties owned by 22 Englewood Trust on Assessor's Map 104 Parcel 29 and Map 104 Parcel 29A from Industrial to Commercial Automotive. This will maintain a consistent zoning use pattern for the subject area. We would suggest the language for the Zoning Amendment read as follows:

That the land off Mill Street South owned by 22 Englewood Trust on Assessor's Map 104 Parcel 29 and Map 104 Parcel 29A presently zoned "Industrial", be rezoned as "Commercial Automotive", as they are adjacent to properties along Mill Street South Assessor's Map 104 Parcels 41, 42, 42A, 51 and 53 that are all currently zoned Commercial Automotive.

Thank for your consideration and assistance with this rezoning effort. We look forward to this matter being placed on a future City Council Agenda and remain available to provide and present support for this rezoning effort.

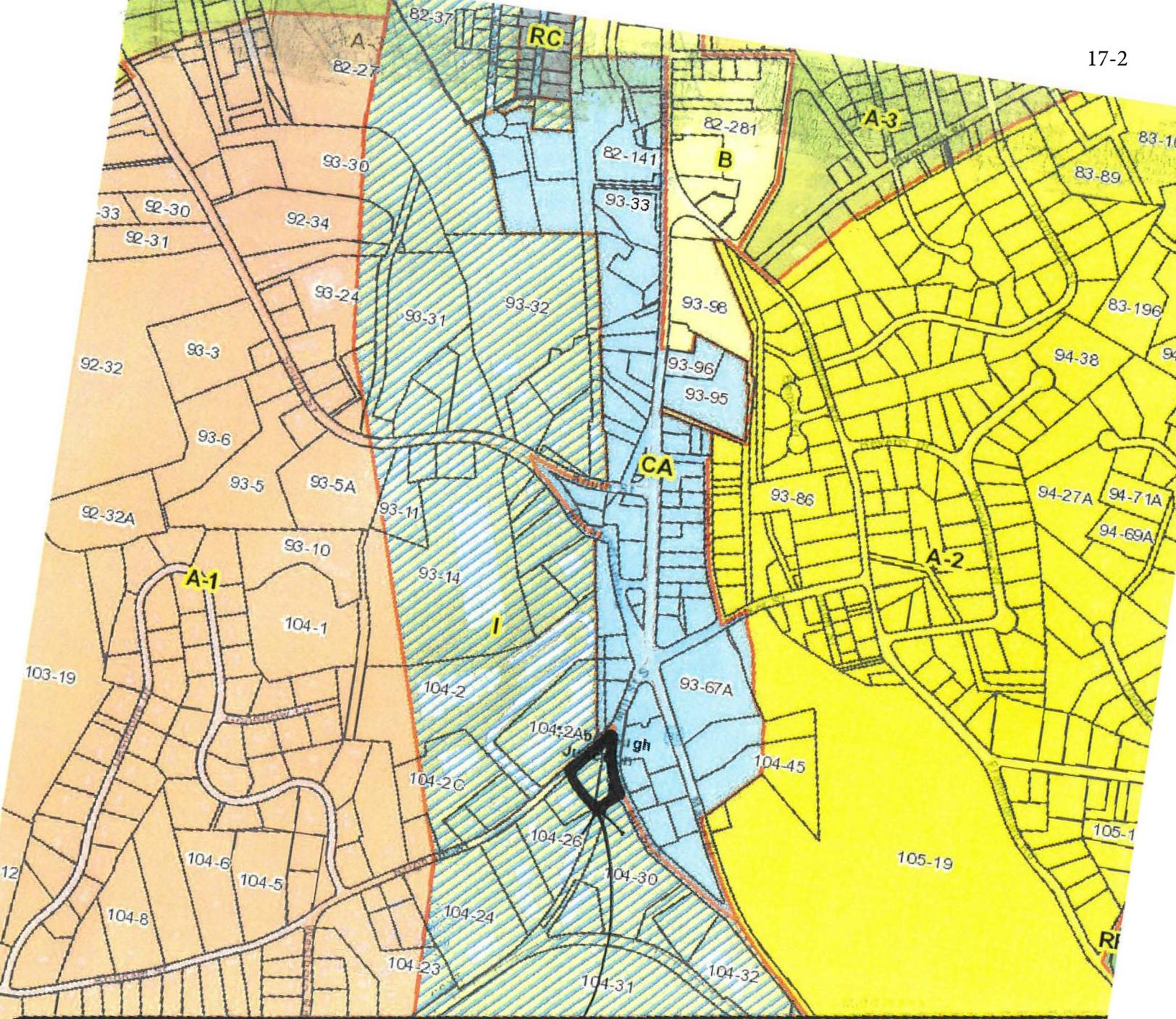
Very truly yours,

Engineering Design Consultants, Inc.

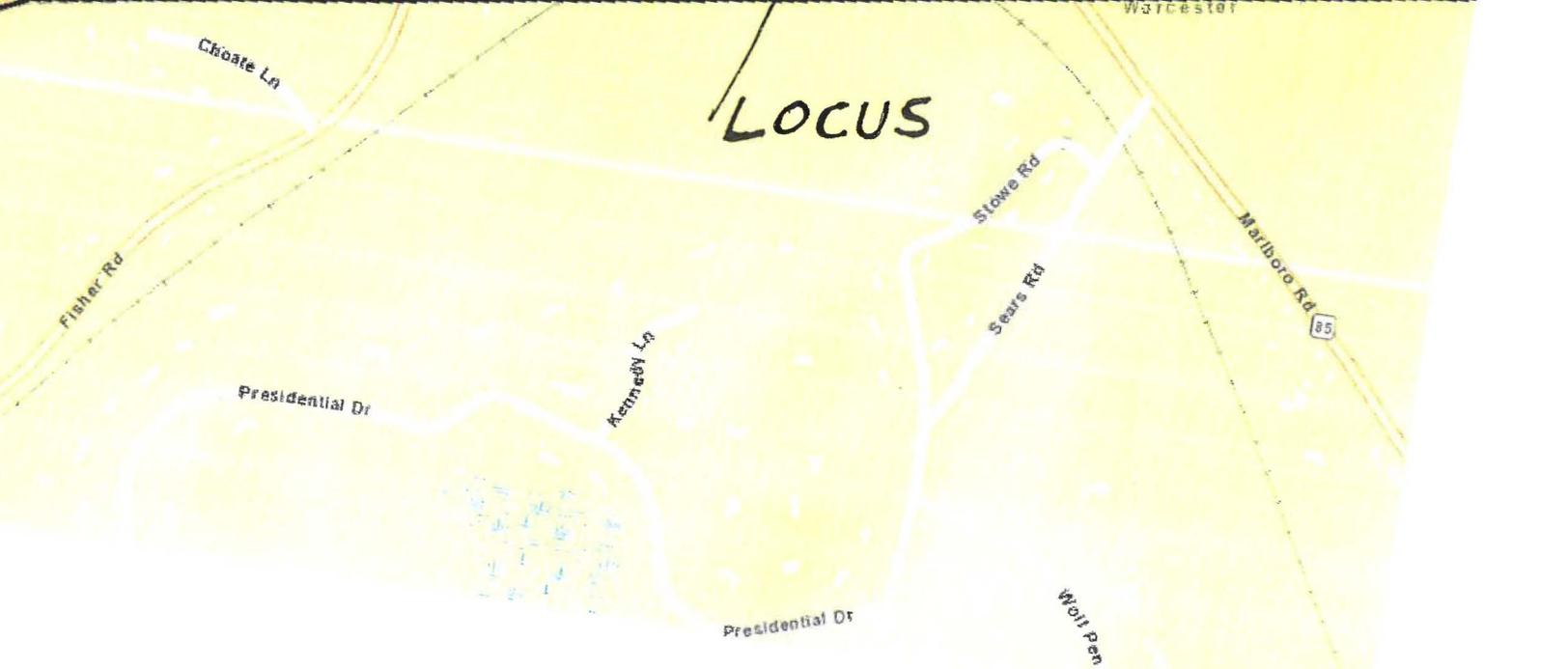


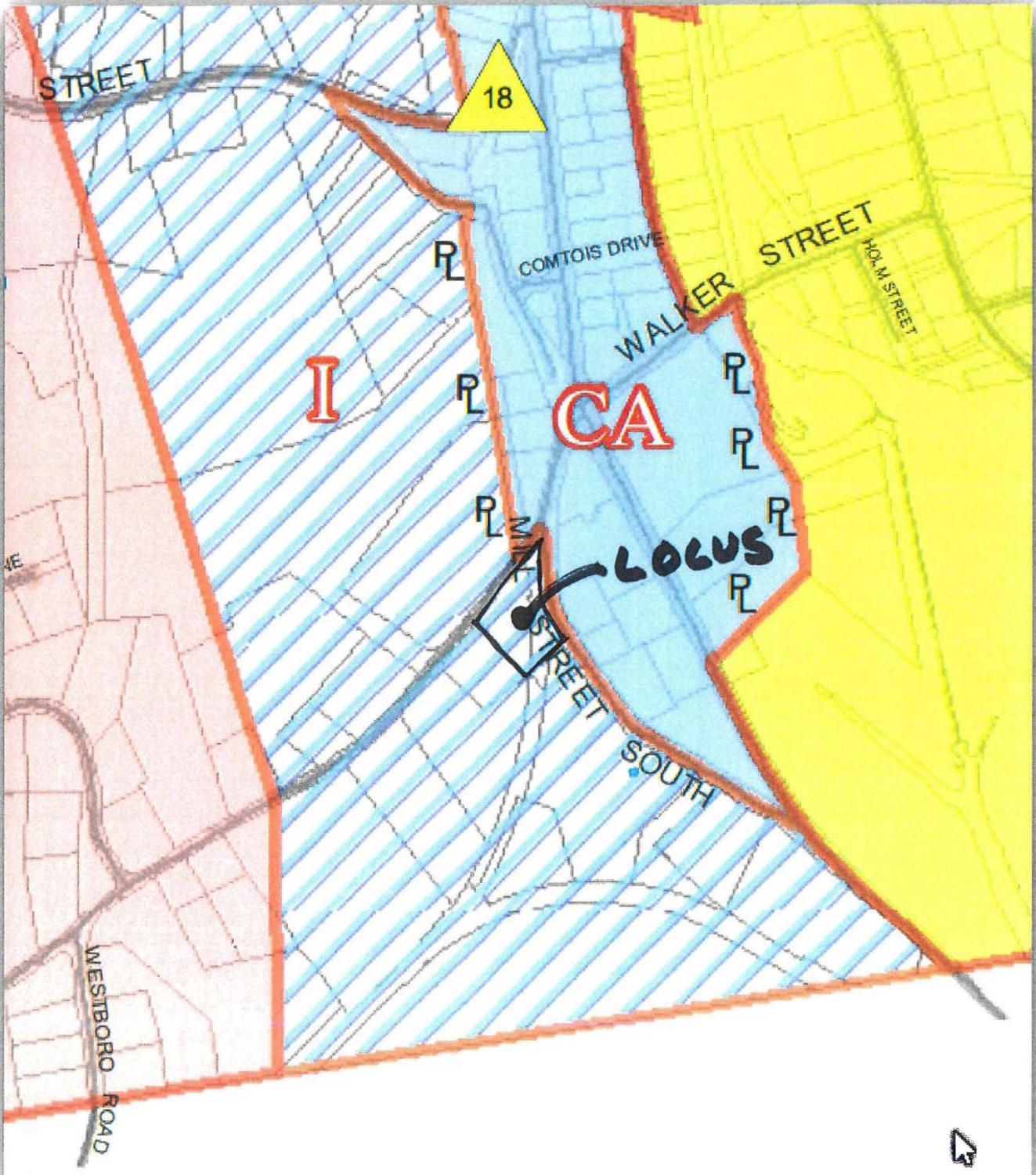
Peter S. Bemis

22 Englewood Trust



LOCUS





PERAC

RECEIVED

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., *Chairman*JOSEPH E. CONNARTON, *Executive Director*

Auditor SUZANNE M. BUMP | KATHLEEN M. FALLON | KATE FITZPATRICK | JAMES M. MACHADO | ROBERT B. MCCARTHY | JENNIFER S. SLEIVAN

MEMORANDUM

TO: Marlborough Retirement Board
 FROM: *Joseph E. Connarton*
 Joseph E. Connarton, Executive Director
 RE: Appropriation for Fiscal Year 2020
 DATE: November 14, 2018

Required Fiscal Year 2020 Appropriation: **\$8,768,283**

This Commission is hereby furnishing you with the amount to be appropriated for your retirement system for Fiscal Year 2020 which commences July 1, 2019.

Attached please find summary information based on the present funding schedule for your system and the portion of the Fiscal Year 2020 appropriation to be paid by each of the governmental units within your system.

If your System has a valuation currently in progress, you may submit a revised funding schedule to PERAC upon its completion. The current schedule is due to be updated by Fiscal Year 2020.

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 \$108,178.

If you have any questions, please contact PERAC's Actuary, Jim Lamenzo, at (617) 666-4446 Extension 921.

JEC/jrl
 Attachments

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

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Marlborough Retirement Board

Projected Appropriations

Fiscal Year 2020 - July 1, 2019 to June 30, 2020

Aggregate amount of appropriation: **\$8,768,283**

Fiscal Year	Estimated Cost of Benefits	Funding Schedule (Excluding ERI)	ERI	Total Appropriation	Pension Fund Allocation	Pension Reserve Fund Allocation	Transfer From PRF to PF
FY 2020	\$12,025,029	\$8,768,283	\$0	\$8,768,283	\$8,768,283	\$0	\$3,256,746
FY 2021	\$12,913,338	\$9,128,059	\$0	\$9,128,059	\$9,128,059	\$0	\$3,785,279
FY 2022	\$13,867,025	\$9,502,459	\$0	\$9,502,459	\$9,502,459	\$0	\$4,364,566
FY 2023	\$14,890,903	\$9,892,070	\$0	\$9,892,070	\$9,892,070	\$0	\$4,998,833
FY 2024	\$15,990,138	\$10,297,504	\$0	\$10,297,504	\$10,297,504	\$0	\$5,692,634

The Total Appropriation column shown above is in accordance with your current funding schedule and the scheduled payment date(s) in that schedule. Whenever payments are made after the scheduled date(s), the total appropriation should be revised to reflect interest at the rate assumed in the most recent actuarial valuation. Payments should be made before the end of the fiscal year.

For illustration, we have shown the amount to be transferred from the Pension Reserve Fund to the Pension Fund to meet the estimated Cost of Benefits for each year. If there are sufficient assets in the Pension Fund to meet the Cost of Benefits, this transfer is optional.

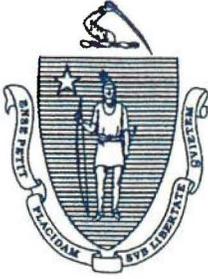
Marlborough Retirement Board
Appropriation by Governmental Unit

Fiscal Year 2020 - July 1, 2019 to June 30, 2020

Aggregate amount of appropriation: **\$8,768,283**

UNIT	Percent of Aggregate Amount	Funding Schedule (excluding ERI)	ERI	Total Appropriation
City of Marlborough	69.85%	\$6,124,646	\$0	\$6,124,646
School Department	28.95%	\$2,538,418	\$0	\$2,538,418
Housing & Community Devel. Authority	1.20%	\$105,219	\$0	\$105,219
UNIT TOTAL	100%	\$8,768,283	\$ 0	\$8,768,283

The Total Appropriation column shown above is in accordance with your current funding schedule and the scheduled payment date(s) in that schedule. Whenever payments are made after the scheduled date(s), the total appropriation should be revised to reflect interest at the rate assumed in the most recent actuarial valuation. Payments should be made before the end of the fiscal year.



THE COMMONWEALTH OF MASSACHUSETTS
STATE RECLAMATION & MOSQUITO CONTROL BOARD

CENTRAL MASSACHUSETTS MOSQUITO CONTROL PROJECT

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



COMMISSION CHAIRMAN
RICHARD DAY

EXECUTIVE DIRECTOR
TIMOTHY D. DESCHAMPS

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

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

RE: 2019 Commission meeting dates

Date: November 15, 2018

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 111 Otis St. in Northborough, MA at 11:00am on the following dates.

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

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

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

September 6, 2018 (Thursday)

Marlborough City Hall - 3rd Floor, Memorial Hall

7:00 PM

**RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2018 NOV 20 P 3 56**

Present: Edward Clancy – Chairman, Allan White, William Dunbar, John Skarin, and also present was Priscilla Ryder-Conservation Officer.

Absent: Dennis Demers, Karin Paquin and David Williams

Approval of Minutes: The minutes of July 19, 2018, August 2, 2018 and August 16, 2018 were reviewed, and the Commission voted unanimously 4-0 to approve as written.

Public Hearings

Request for Determination of Applicability

22 Hutchinson Dr. - Brendan O'Sullivan- owner

Jim Moran of Northeast Classic Engineering was present and explained that the current septic system has failed, and they are seeking to replace it with a new system. They are proposing to install a new 1500-gallon septic tank with cultec leach field. The Board of Health approved the plans but noted that a Request for Determination of Applicability (RDA) would need to be filed with the Commission. The current design is 38' from the wetland. 310 CMR 10.03(3) presumes an upgrade is minor if it is 50' away from the wetland. He is seeking a negative determination for this new system that is replacing the old system in the same location. The Commission noted that there was room to shift the system further away from the wetland at least 50' away. Mr. Moran agreed that would be an easy fix. Mr. White asked where the "dirty soil" from the existing system would be placed. Mr. Moran thought they would leave it on site or haul it off site. Mr. White wanted assurance that it would be properly disposed of. After some discussion, the Commission voted unanimously 4-0 to issue a negative determination with conditions that prior to construction, a revised plan is presented to the Conservation Officer showing the system 50' or more away from the wetland, proper erosion controls are in place and a preconstruction meeting with the Conservation Officer must be held.

Request for Determination of Applicability

45 Hawkins Lane - Byrne Field drainage - City of Marlborough

Thomas DiPersio – City Engineer was present and noted that the Byrne Field is in poor condition because it is always wet and needs some drainage improvements to make it a more usable field. There are wetlands around the edge of the field which were inspected by Ms. Ryder. They are proposing to install a subdrain drainage pipe down the middle of the field to improve field conditions. The pipe will exit into the drainage area around the field and into wetlands that were flagged and shown on the plans. Ms. Ryder indicated she had inspected the area and this was a

good location to discharge water. After some discussion, the Commission voted unanimously 4-0 to issue a negative determination with standard conditions.

Notice of Intent

28 Littlefield Ln. - LeAnn and William Neal Reilly

Peter Ferland, from Sudbury Design Group was present. The propose is to re-landscape the yard and add an inground pool, patio, fence and new walkways near wetlands. He noted that the wetlands were flagged and that in fact the existing lawn falls within the 20' no disturb buffer zone. He has proposed that once the project is completed the 20' buffer zone be restored with native plants and left to naturalize. They will need to remove some trees to install the pool which will be fiberglass. The Commission asked about construction access for pool and patio and the walkway area which will include concrete pavers. They will build the project in phases, phase 1 will be the pool, phase 2 will be the deck and walkway. They will need to bring in an excavator. The planting plan will include only native plans. The Commission asked for clarification on the cuts and fills and the equipment access routes. Mr. Ferland said he would provide that information at the next meeting. The Commission continued the hearing to the September 20th meeting.

Notice of Intent - 212-1202 (continuation)

186 Reservoir St. - Fabiana Menezes

No revised plans were available yet, so this item was continued to the Sept. 20, 2018 meeting.

Discussion:

- 12 Rose Pointe - Violation – no one appeared for this item, so this was continued to the next meeting.
- 212-1104 Sudbury St. sewer project – pre-construction meeting – Phase 3 Carver Hill & Hemenway St. – J. D'Amico – Contractor. Scott Pischel of J. D'Amico was present as required in the Order of Conditions to have a preconstruction meeting with the Commission. He explained that they have been awarded the contract for the water and sewer work proposed on Hemenway St. and Carver Hill St. He reviewed the sequence of construction and erosion controls including silt sacs in catch basins, dewatering silt bags and blasting protocol. There was a discussion about paving every night rather than the end of the week. It was agreed that if rain is predicted it will be paved, otherwise it will just be paved at the end of the week during construction until everything is stabilized and complete. They anticipate blasting and will notify Ms. Ryder when the erosion controls are in place for inspection prior to doing work on Hemenway St. The Chairman thanked Mr. Paschel for coming in for this review.
- Review of Apex's snow removal operation – Draft- Kevin Eriksen and Joe Trolla from Apex Center Development were present. They explained that they had drafted a snow removal operation plan to give to their contractors and provided it to Ms. Ryder for review and comment. Most of the edits were acceptable, however, they wanted to discuss further the use of the area below the large retaining wall behind the entertainment center as an area to dump excess snow during snow emergencies when the designated snow pile areas are full, rather than having to haul it off the site. There was discussion about when and how "emergency" status would be defined and who would make the call as to when

and whether the area behind the wall could be used. They indicated, as outlined in the draft, that they would replace any trees damaged or killed by the snow piling operation, in kind with the same size trees. After further discussion about the condition of Glen St. this item was continued. Ms. Ryder will draft an amended document based on this discussion.

Certificates of Compliance:

- DEP 212-1124 93 Framingham Rd. - Walker Brook Estates – Subdivision roadway & associated work. Ms. Ryder indicated that everything was in order and is stabilized. However, there is still erosion control within the detention basin that needs to be removed. She suggested issuing the Certificate of Compliance but having her hold it until the erosion controls were removed. The Commission voted unanimously 4-0 to issue the Certificate of Compliance with any ongoing conditions required.
- DEP 212-1183 329-331 Boston Post Rd. – Storage facility- Ms. Ryder noted that the as-built landscape plan is pending and Mr. Dunbar noted some of the materials behind fence have not been removed. This item was continued until these items have been resolved.

Extension Permits:

- DEP 212-1157 890 Boston Post Rd. East – Order of Resource Area Delineation – Continued - Ms. Ryder noted that the delineation was checked, and the line is OK, she noted that there is still some of the poles and fencing in the woods that were to have been removed by the current owner. The Commission voted unanimously 4-0 to issue the Extension Permit and to make note in the cover letter about the fencing.
- DEP 212-949 Ft. Meadow Drawdown – Extension Permit expires Sept. 13, 2018 (see letter) - Lee Thomson was present and noted that the drawdown Order of Conditions is about to expire, and he is requesting a 3-year extension on this permit. The Commission had a brief discussion and then voted unanimously 4-0 to approve the Extension Permit for 3-year.

Other Business:

Ft. Meadow Reservoir

- Request Ft. Meadow Drawdown – DEP 212-949 - The Ft. Meadow Commission also asked for approval to do a winter drawdown at the lake beginning on Oct. 15th, which is the week after Columbus Day weekend. After a brief discussion about the date and length of time for the drawdown the Commission voted unanimously 4-0 to approve this years' winter drawdown starting Oct. 15, 2018 and ending March 1, 2019.
- Shoreline Weed Treatment – DEP 212-1191 - Mr. Thomson also requested approval for shoreline phragmites treatment as was done last year. 16 locations around the lake have been identified. Treatment can be scheduled as soon as Oct. 1st weather permitting. The Commission agreed to allow treatment this year to help control this invasive plant and voted 4-0 to approve.

Review Draft Order of Conditions:

- 212-1198 Hayes Memorial Dr. – The Gutierrez Company - Hearing is closed - As the conditions were not available to the members in their packets this item was continued to the next meeting on September 20th.

Minor change to Order of Conditions:

- 212-1156 85 DuFresne – review revised plan – minor change – Fafard Real Estate- George Mihov from Guerrier and Hallnon was present and noted that the Commission had approved a house plan originally, now that the house is ready to be built the plan has changed and no longer fits in the originally approved footprint, so he is here tonight to seek approval of the revised plan as a minor change. The original building was a 66'x33' house; the new proposed house will be a 63'x32' house, but it is closer to the wetland line and has no deck. The Commission expressed concern that there needs to be more room between the 20' wetland buffer zone line (erosion controls) and the back of the house to allow for access. The house needs to be moved forward and the floor elevation needs to be raised, since this wetland has seen beaver activities which has raised the water level sometimes 2-3 feet. Mr. Mihov will revise the plan, the meeting was continued to the Sept. 20, 2018 meeting.

Correspondence/Other Business:

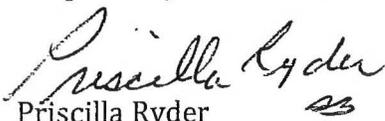
The following documents were reviewed, and the Commission voted unanimously to accept and place on file.

- E-mail from Office Manager, dated Aug. 17, 2018 RE: OARS Cleanup – corrected links
- Household Hazardous Waste Collection Day, Sept. 29, 2018 ... 9 am – 1 pm.
- Forest Cutting Plan for Sudbury Reservoir – Broadmeadow Rd./Sherman St./Acre Bridge Rd.
- E-mail from Judith Schmitz – DEP - dated August 27, 2018 RE: News and Updates from MassDEP Central Region
- Other business:
 - Kelly Lindquest was present and said she moving to Spencer so won't be able to be an associate member as originally planned, however Anna McGinty expressed interest, but may be moving also, she will keep us posted.

Next Meeting - September 20, 2018

Adjournment- There being no further business, the meeting was adjourned at 9:06 PM.

Respectfully Submitted,


Priscilla Ryder

Conservation Officer

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

September 20, 2018 (Thursday)

Marlborough City Hall - 3rd Floor, Memorial Hall

7:00 PM

**RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2018 NOV 21 A 11:06**

Present: Edward Clancy- Chairman, David Williams, Allan White, Dennis Demers, John Skarin, William Dunbar, also Priscilla Ryder-Conservation Officer.

Absent: Karin Paquin

Public Hearings:

Notice of Intent (Continuation)

28 Littlefield Ln. - LeAnn and William Neal Reilly

Peter Farland was present and presented the following information based on the request from the last meeting. The cut on the project will be 58 yards of soil which will be hauled off the site, they will bring in clean fill for the terrace. They will haul in and out of the area that is currently lawn in the 20' buffer zone, which will later be restored to a natural buffer zone as shown on the plans. There are some sewer tank structures near the patio location which will need to be identified and protected, so they aren't crushed. After some discussion about access and stabilization, the Commission closed the hearing. Ms. Ryder will draft some conditions for review at the next meeting.

Notice of Intent - 212-1202 (continuation)

186 Reservoir St. - Fabriana Menezes

Ms. Menezes was present. She had a revised plan that showed a reduced deck size, but said she was still working on the driveway design to get it outside the 30' setback required in the Floodplain and Wetlands Protection District. Mr. Dunbar noted that the silt fence that was installed for the sewer connection work needs to be repaired and the soil stabilized with loam and seed. Ms. Menezes stated it will be fixed in the next few days. The owners also noted that a car had an accident on their lawn and damaged the wall, which they will patch and repair. As more information is needed the hearing was continued to the Oct. 4, 2018 meeting.

Request for Determination of Applicability (Continuation)

Howe and Valley Streets - Marlborough Hub, LLC

At the request of the applicant, this hearing was continued to the Oct. 4, 2018 meeting.

Discussion:

- 12 Rose Pointe - violation - The owners did not show, this item was continued to the next meeting Oct. 4, 2018.

Certificates of Compliance:

- 212-1016 Mauro Farm Subdivision – Full - Ms. Ryder noted that she has done an inspection of the property and drainage systems, level spreader etc. and all seems in order. The Commission voted 6-0 to issue a full Certificate of Compliance for this subdivision Order of Conditions.
- 212-1183 329-331 Boston Post Rd. – Storage facility – Ms. Ryder indicated we are waiting for an as-built plan and there is still material to be removed behind the fence. This item was tabled until these things are resolved.

Extension Permits:

- 212-1155 81 Dufresne Dr. (Lot 10) - George Mihov from Guerrier and Halon was present and noted that he is looking for a one-year Extension Permit for this lot. He also showed a slightly revised site plan for this lot which shows the house outside the 20' no build zone, the Commission noted that the house cellar floor should be raised higher, so it is outside of the water table or high-water mark that the wetland is likely to reach which is 294' or higher. Mr. Mihov will provide this on a plan. The Commission voted 6-0 to issue the Extension Permit and have Ms. Ryder hold it until the revised plan is submitted.
- 212-1156 85 Dufresne Dr. (Lot 12) – George Mihov from Guerrier and Halon was present and noted that he is looking for a one-year Extension Permit for this lot. He also showed a slightly revised site plan that showed the house moved forward which now shows the closest work to be 29' away from wetland. The Commission had a similar comment regarding the cellar floor elevation. The cellar floor should be 293.5 elevation or higher. Mr. Mihov will provide a revised plan. The Commission voted 6-0 to issue the Extension Permit and have Ms. Ryder hold it until the revised plan is submitted.
- 212-949 Ft. Meadow Draw down – this was approved at the last meeting, but not signed – please sign the Extension Permit. The Commission members who were at the last meeting signed the form.

Draft Order of Conditions

- 212-1198 Draft Order of Conditions – hearing closed on Aug. 16, 2018.
Hayes Memorial Drive (Map 99 Parcel 4) - The Gutierrez Company. The Commission discussed the draft conditions and the need for boundary markers, this condition was amended to allow the applicant to show these prior to requesting a Certificate of Compliance. Mr. Clancy noted that there will be increased traffic on Hayes Memorial Dr. and he is not in favor of this project. The Commission voted 5-1 (Ed Clancy voted in opposition) to approve the Order of Conditions as drafted and amended.

Correspondence: The following correspondence was reviewed, and the Commission voted to accept and place on file:

- Letter dated Sept. 7, 2018 RE: Hager St. Open Space Development Concept Plan
- Letter dated Sept. 11, 2018 RE: Wetland violation on Determination issued for Bolton St. Roadway reconstruction project.

- MACC Fall Conference 2018 – on Oct. 20, 2018.
- Letter dated June 29, 2018 - from Ocean River Institute – RE: Cleaner water.
- Boroughs Loop Trail – update. Trail work day planned for Sept. 29th.

Other Business:

- Apex Center Snow Removal protocol – Ms. Ryder noted she is working on some revisions to the wording provided at the last meeting at the Commission’s request and she will pass it by the assistant city solicitor for comments.

Next Meeting - October 4, 2018

Adjournment - There being no further business, the meeting was adjourned at 8:22 PM.

Respectfully submitted,



Priscilla Ryder
Conservation Officer

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
October 4, 2018 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

**RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2018 NOV 20 P 3:56**

Present: Edward Clancy – Chairman, John Skarin, Karin Paquin, Allan White, also present was Priscilla Ryder Conservation Officer.

Absent: William Dunbar, Dennis Demers and David Williams

Public Hearings

Notice of Intent

249 Lakeshore Dr. - Janet Vigeant

Neil Vigeant and Janet Vigeant were both present. Mr. Vigeant explained that he is proposing to remove and replace the existing retaining wall along the water's edge of Ft. Meadow Reservoir. He also would like to remove the boathouse that is there, he passed around photos of this structure, and replace it in-kind. They would like to proceed in two phases. First phase: remove the boathouse this season and have the wall evaluated by their engineer, Peter Bemis. The second year they will remove and replace the wall and footings for the boathouse and then rebuild the boathouse either similar or more as a boat "port" without walls (pillars with a roof). They are still deciding on final building option and will need to confirm with building department too. They have a sloped access point, so can bring equipment down by the house to access the wall and do the job. The Commission noted that they would need details on the wall foundation and footing to be used once it is evaluated by the project engineer. After further discussion, the Commission closed the hearing. Ms. Ryder will draft conditions for the next meeting on Oct. 18th.

Request for Determination of Applicability (continuation)

Howe and Valley Streets - Marlborough Hub, LLC

At the applicants' request, this item was continued to the Oct. 18th meeting.

Notice of Intent - 212-1202 (continuation)

186 Reservoir St. - Fabriana Menezes

Ms. Menezes was present and provided a revised plan which showed a wider driveway which still extends a bit into the Floodplain and Wetlands Protection District's 30' setback. They will have the erosion controls repaired by Fabio DaSilva landscape company

tomorrow. She discussed the runoff from the street and if this could be redirected, so it doesn't flow across the property and some regrading on the property will help. Ms. Ryder noted that the oil tank is outside and exposed and asked if this was to be placed inside the building. Ms. Menezes said yes, the final design is for the oil tank to be inside the building. The Commission said they had no more questions on the plan and the deck and were going to close the hearing, however Ms. Menezes noted she might want to move the building up in line with the existing building and get a variance for that. The Commission noted that any changes to the plans would require reopening the hearing and leaving the hearing open until she is sure what she is doing might be beneficial. After some discussion, the hearing was continued to the November 1, 2018 meeting.

Discussion:

- 12 Rose Pointe - Violation - The owners did not appear, however the Commission asked Ms. Ryder to be in touch with the owners and work with them to plant plants now since the growing season is almost over. The Commission asked for her to report back and that the owners do not need to appear before the Commission.

Certificates of Compliance:

- 212-1149 Elm Street Culvert – City of Marlborough - The Commission noted that there is still an area where the water line was repaired that is still raw land and not vegetated or stabilized. Once this is completed they will revisit the request for a Certificate of Compliance.

Order of Conditions:

- 28 Littlefield Ln. – yard & pool & patio - The Commission reviewed the draft Order of Conditions and after some discussion, voted unanimously 4-0 to issue the Order of Conditions as drafted.

Correspondence/Other Business:

- Panther/Boroughs Loop Trail – update - Ms. Ryder noted that she and Ms. Paquin will be working with volunteers on Saturday Sept. 29th at both Felton and Cider Knoll Conservation Lands doing trail construction with volunteers from the Rotary Club and Boy Scouts. Trail work will be ongoing from now until it snows and then again in the spring with a goal of completing the Panther/Boroughs loop trail connections by June 2019.
- WMCT-TV- Ms. Ryder will be working with the local cable company to develop several more tv segments on the remaining properties that haven't been covered, The Desert, Mt. Ward, and Sheep Falls Brook. If anyone wants to join in the next couple of weeks weather permitting.
- 16 Bracken Dr. – the owner of this property wants to pave a gravel area along the driveway which the Commission had just reviewed and approved for a patio and wall work. As the area

is already gravel and was already reviewed, the Commission had no issue having it converted to pavement and granted approval of this minor change. Ms. Ryder will convey.

- The City Engineer had requested clarification from Ms. Ryder as to what type of permit would be required for repair work at the Donald Lynch Blvd. and Boston Post Rd. East sewer pump stations. Both projects are near wetlands, but more than 50' away. The Commission agreed these could be filed as Requests for Determination of Applicability (RDA) Ms. Ryder will convey.

Next Meetings - October 18, 2018

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

Respectfully submitted,


Priscilla Ryder
Conservation Officer

MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING SEPTEMBER 4, 2018
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL

ATTENDANCE: JOHN USINAS, DEBRA MCMANUS, CHERYL SOUCY, DAVE DOUCETTE, LAURA KYLE, PATTY CARLSON.

DEBRA MCMANUS CALLED THE MEETING TO ORDER AT 4:01 PM.

MINUTES ACCEPTED 6 TO 0.

TREASURERS REPORT

\$6,252.75 IN BUDGET. ACCEPTED 6 TO 0.

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2018 NOV 27 P 2:30

OLD BUSINESS

- LOST SHOE AND ROASTING COMPANY HAS APPLIED FOR VARIANCES CONCERNING THE FRONT & REAR ENTRANCES, MEN'S AND WOMEN'S RESTROOMS
 - MOTION MADE AGAINST AAB ALLOWING VARIANCE FOR NO RAMP AT FRONT DOOR. PASSES 6 TO 0.

•

- 2 ADDITIONAL CHILDREN WERE ADDED TO THE SUMMER CAMP SCHOLARSHIP PROGRAM. TOTAL SCHOLARSHIPS THIS YEAR WAS \$2,880.

NEW BUSINESS

- CHERYL REPORTED A PERSON USING A WHEELCHAIR WAS REFUSED SERVICE BY MWRTA BECAUSE HER CHAIR DIDN'T HAVE BUILT ON TIE DOWNS. SHE WAS TOLD THIS WAS A NEW RULE. JOHN WILL FOLLOW UP WITH MWRTA.
- COMMISSION RECEIVED A LETTER CONCERNING AREA AROUND 200 LINCOLN ST. BUSHES WERE OBSTRUCTING THE SIDEWALK AND THE SIDEWALK GRADE WAS SO STEEP HIS MOTORIZED WHEELCHAIR FLIPPED OVER BACKWARD. JOHN GHOLONI WAS NOTIFIED.
- VOTING IN WARD 2-2 HAD THE ACCESSIBLE VOTING MACHINES UP ON VOTING TABLES SO NO ONE IN A WHEELCHAIR WOULD BE ABLE TO ACCESS THEM.
- A COMMUNITY ACCESS MONITORING PROGRAM IS BEING PRESENTED: NATICK SENIOR CENTER, OCT. 17-18, 9-3.
JEFF.DOUGAN@MASS.GOV
- ABILITIES EXPO: SEPT. 21-23, WWW.ABILITIESEXPO.COM

MOTION TO ADJOURN 4:59 PM PASSES UNANIMOUSLY
OUR NEXT MEETING IS TUESDAY OCTOBER 9, 2018 AT 4:00 PM,
CITY HALL IN THE MAYOR'S CONFERENCE ROOM ON THE 4TH
FLOOR.

RESPECTFULLY SUBMITTED,
DEBRA MCMANUS
CHAIRPERSON

**MARLBOROUGH COMMISSION ON DISABILITIES
MINUTES FOR MEETING OCTOBER 9, 2018
MAYOR'S CONFERENCE ROOM 4TH FLOOR
CITY HALL**

ATTENDEES: DEB MCMANUS, CHERYL SOUCY, DEREK CHAVES, PATTI CARLSON, JOHN USINAS, LAURA KYLE, DAVE DOUCETTE

MEETING CALLED TO ORDER AT 4:00

MINUTES READ AND ACCEPTED 7 TO 0.

NEW BUSINESS

- **CHERYL AND DEBRA WENT TO MEETING AT 29 PLEASANT STREET TO HEAR ABOUT PLANS FOR NEW ACCESSIBLE APARTMENTS**
- **PHIL COGNETTA – NO AUTOMATIC DOORS AT THE APEX CENTER ENTRANCE. DEREK AND DAVE WILL INVESTIGATE.**
- **KENNEDY'S HAS A CLAM BAKE ON SOME THURSDAY NIGHTS FOR SENIORS AND IS PROVIDING TRANSPORTATION, BUT NOT ACCESSIBLE TRANSPORTATION.**
- **HONEY FARMS AT 168 PLEASANT ST DOESN'T HAVE A RAMP. COMMISSION WILL BE LOOKING INTO IT.**
- **GENTLEMAN LOOKING TO GET A RAMP INSTALLED AT HIS HOME MAY BE SEEKING ASSISTANCE.**
- **FRESH START IS SEEKING A NEW SPACE IN HUDSON OR MARLBOROUGH. DEREK WILL REFER THEM TO THE MEDC**

**RECEIVED
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CITY OF MARLBOROUGH
2018 NOV 27 P 2:30**

TREASURERS REPORT

**4:07 MOTION TO ACCEPT PASSES UNANIMOUSLY, \$3,717.76
AS OF 8/7/18**

OLD BUSINESS

- **THRIVE HAS AN ADVOCACY GROUP WHO ARE INVITED TO FUTURE MEETINGS.**
- **WITH SIGNIFICANT FUNDING INCREASES, DIAL A RIDE SHOULD INVESTIGATE ACCEPTING NEW CLIENTS.**
- **MWRTA DENIED A PERSON A RIDE BECAUSE THE WHEELCHAIR DIDN'T HAVE BUILT ON TIE DOWNS. THAT INFORMATION IS INCORRECT.**
- **200 LINCOLN STREET BUSHES ARE OBSTRUCTING VIEWS AND DRIVEWAY TO SIDEWALK RAMPS ARE TOO STEEP. A PERSON USING A WHEELCHAIR FLIPPED OVER. JOHN GHILONI ADVISED.**
- **ACCESSIBLE VOTING MACHINES IN PRECINCT 2 WERE NOT AT AN ACCESSIBLE HEIGHT**
- **ABILITIES EXPO IS SEPTEMBER 21-23**
- **LOST SHOES BREWING IS SEEKING RELIEF DOOR SWING IN WOMEN'S BATHROOM. DUE TO THE ODD LAYOUT, THE COMMISSION WILL SEEK ADDITIONAL INFORMATION**

MOTION TO ADJOURN 5:00 PM PASSES UNANIMOUSLY.

**NEXT MEETING TUESDAY NOVEMBER 13, 2018 IN THE
MAYOR'S CONFERENCE ROOM 4TH FLOOR AT 4:00 PM.**

**Minutes
Retirement Board Meeting of
October 30, 2018**

**RECEIVED
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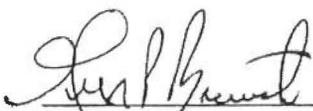
2018 NOV 27 P 2:33

The monthly meeting of the Marlborough Retirement Board was held on October 30, 2018. Gregory Brewster, David Keene, Diane Smith, Daniel Stanhope, and Margaret Shea were present.

1. The meeting was called to order at 8:15 a.m.
2. The Board reviewed the minutes of the meeting of September 25, 2018, the revised minutes of August 28, 2018, and the executive session minutes of August 28, 2018. A motion was made and seconded to approve. Vote unanimous.
3. The director provided the Board with a recap of the move to 289 Elm Street. The cost of the space for the twelve-month period beginning October 1, 2018 is \$25,688. A motion was made and seconded to accept and place on file. Vote unanimous.
4. The Board discussed legal issues including a demand letter from Michael Sacco to Heather Miranda. The director discussed additional legal costs associated with the rehire of SSGA and Clarion.
5. The Board reviewed Sean Navin's request for creditable service for non-contributory employment. A motion was made and seconded to deny because the employment did not meet the requirements in the Board's supplementary regulation. Vote unanimous.
6. Penny White had applied to receive a superannuation retirement allowance effective September 1, 2018. After a review of pertinent information, a motion was made and seconded to approve the application. Vote unanimous.
7. Approval of refunds and transfers were the next item on the agenda. Bree D'Antonio had applied for a refund of her annuity savings account. A motion was made and seconded to approve. The Massachusetts Teachers' Retirement System had requested a transfer of Lisa Storey's account. The Middlesex Retirement System had requested a transfer of Brenda Lewis' annuity savings account. The State Employees' Retirement System had requested the transfer of Almerinda Andrade's annuity savings account. Vote unanimous.
8. The Board discussed an issue that recently came to light concerning first responder compensation. The director told the Board that she would research the matter more thoroughly and present the issue at a later meeting.
9. The Board reviewed a reimbursement request from the director for costs associated with the office move. A motion was made and seconded to approve. Vote unanimous.




10. Review of financial information was the next item on the agenda. The Board viewed the operating budget for October 31, 2018 and the cash forecast for the twelve-month beginning October 1, 2018. The Board also reviewed the September cash books, journals, and trial balance as well as the cash reconciliation as of August and September of 2018. A motion was made and seconded to accept and place on file. Vote unanimous.
11. Old Business / New Business was the next item. There was no old business. Under new business, the Board scheduled their December meeting for Friday, December 21st.
12. A motion was made and seconded to approve the following warrants: retiree payroll for October 2018, #252018, #262018, and #272018. Vote unanimous.
13. A motion was made and seconded to adjourn the meeting. Vote unanimous.



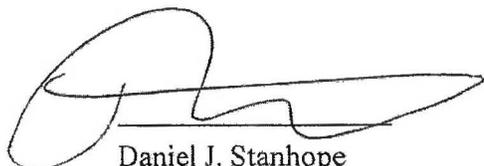
Gregory P. Brewster
Chairman



David Keene



Diane Smith



Daniel J. Stanhope

William S. Taylor



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2018 NOV 28 A 10:42

Marlborough Public Schools

School Committee
17 Washington Street, Marlborough, MA 01752
(508) 460-3509

Call to Order

October 09, 2018

1. Mr. Vigeant called the regular meeting of the Marlborough School Committee to order at 7:30 pm at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Mrs. Bodin-Hettinger, Mr. Walter, Mrs. Matthews, Mrs. Ryan and Mr. Geary.

Superintendent Michael Bergeron, Assistant Superintendent of Teaching and Learning, Mary Murphy, Director of Finance and Operations Douglas Dias were also present.

In attendance were MEA Representative Rupal Patel, Student Representative Timothy Goliger and Administrative Support Christine Martinelli.

Mrs. Hennessy joined the School Committee meeting at 7:50.

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

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

3. **Presentation:**

- A. **MCAS Accountability Report Presentation**

Each year the Office of Teaching and Learning presents the outcomes of the previous year's testing format and data. Tonight, Assistant Superintendent of Teaching and Learning, Mary Murphy, presented the report by the Department of Education on the revised Massachusetts accountability system. This report will update the School Committee on the new system and the 2018 district MCAS and accountability reports and give the committee members a chance to review the information and ask clarifying questions.

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

5. **Communications: None**

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6. Superintendents Report:

Superintendent Bergeron began his report by thanking Dr. Skaza, the Richer staff and the students, for meeting with the Commissioner of Education, Jeff Riley, on October 2. He also thanked the Commissioner for taking time to interact with MPS's Richer community. Mr. Bergeron found the Commissioner's message, *"to focus efforts on teaching and learning instead of a total focus on compliance"*, very empowering. The Richer staff and students had the opportunity to ask Commissioner Riley questions and to answer questions from the Commissioner. Mr. Bergeron added, he was proud to hear from all the staff and students at the meeting, one common theme; *"we love our school!"*

The Superintendent will be scheduling meetings to interview members of the community for his entry plan. His goal is to get a representative sample for every population and provide the opportunity for feedback through several channels and to get as many data points as possible.

The Superintendent announced that in June 2019, Whitcomb School is partnering with the Boston Celtics and GE in *The Brilliant Career Play* program, which introduces middle school students to STEM careers through hands-on learning and career exploration. MPS is very thankful the Boston Celtics and GE have selected Whitcomb as a site for this program. More information on the program will be given later in the year.

7. Acceptance of Minutes: None

8. Public Participation: None

9. Action Items/Reports:

A. Assabet Valley Collaborative Representative

Marlborough is a member of the Assabet Valley Collaborative and the School Committee must appoint a Marlborough representative to the AVC board. A motion was made by Mrs. Matthews and seconded by Chairman Vigeant to approve the appointment of Superintendent Michael Bergeron as the Marlborough representative to the Assabet Valley Collaborative board.

Motion approved 6-0-0.

B. MASC Conference Delegate

The School Committee must elect a delegate from the committee to represent them when resolutions are brought forward for a vote. Names will be submitted by the Superintendent's Office before the deadline of October 19. The SC will nominate and vote one member to be their voting delegate at the MASS/MASC Conference being held on November 7 – 10, as well as an alternate

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voting delegate. A motion was made by Mrs. Bodin-Hettinger and seconded by Chairman Vigeant to approve Mrs. Matthews as the delegate to the MASC Conference.

C. MASC Resolutions

The Resolutions Committee of the MASC have put forth nine resolutions to be voted on by the membership at the annual conference November 7-10. The resolutions were discussed by the School Committee tonight, to instruct the delegate and alternate delegate as to how the Committee wants their vote tallied.

Resolution 1: Rejecting the Arming of Educators (Submitted by the MASC Board of Directors)

WHEREAS: The Massachusetts Association of School Committees has been a strong advocate of providing students, faculty and staff a safe and supportive school and class room; and

WHEREAS: Attention has been focused recently on the mass killing of students in schools in Florida and Texas; and

WHEREAS: The President of the United States and other policy makers have given support toward equipping educators with firearms;

THEREFORE, BE IT RESOLVED that: The Massachusetts Association of School Committee rejects the notion of providing firearms to any educators.

RATIONALE: The safest environment would be to provide additional mental health resources and violence prevention programs in public schools.

Motion made by Mrs. Matthews, Seconded by Chairman Vigeant to approve Resolution 1
Motion passed 5-1-0.

Resolution 2: Small and Rural Districts (Submitted by the MASC Board of Directors)

WHEREAS: Massachusetts has a number of small and rural school districts that have special academic, social, financial, and operational needs, and, yet, operate with an enviable measure of success; and

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WHEREAS: Some of the factors that create disproportionately severe impact upon small and rural districts are declining population, lower bases upon which to set property taxes, loss of employment, inequitable access to technology including wireless and traditional internet access, costs of transportation, access to social supports and major health care centers, and isolation of the population; and

WHEREAS: The already onerous compilation of state regulations imposes an added burden on small and rural districts with small staffs and fewer administrators to comply with the many reporting requirements and standards imposed by the Commonwealth;

THEREFORE, BE IT RESOLVED that: MASC call for the creation of a working group to advise the legislature on the best public policy solutions to support small and rural school districts; and further That this working group propose modifications to the Foundation Budget and other elements of the Chapter 70 financial assistance program; designate specific instances where excessive regulation interfere with the ability of school leaders to direct the academic improvement of children; identify and advise on eligibility for state and federal programs to support public education; and find strategies to ameliorate the impact of forces that jeopardize the growth, stability and success of these school districts; and further

MASC oppose legislation or unlegislated regulations that would attempt to undermine the right of any city, town or regional district to have imposed upon it a mandate to re structure, expand, regionalize, or dissolve its school district without its consent.

Motion made by Mrs. Matthews, Seconded by Chairman Vigeant to approve Resolution 2.
 Motion passed 6-0-0

Resolution 3: Elimination of the Federal Department of Education (Submitted by the MASC Board of Directors)

WHEREAS: The current Administration has made proposals to merge the U.S. Department of Education with the U.S Department of Labor to create the Department of Education and the Workforce; and

WHEREAS: The role of the Department of Education is to serve as a fiduciary agent over federal education funding, drive education policy for the country and protect the rights of all students; and

WHEREAS: The merger of the two government agencies could diminish the work of the current Education and Labor Department;

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THEREFORE, BE IT RESOLVED that: the Massachusetts Association of School Committees works with the federal delegation to reject any notion of combining the U.S. Department of Education with other government departments.

Motion made by Mrs. Matthews, Seconded by Chairman Vigeant to approve Resolution 3.
 Motion passed 5-1-0.

Resolution 4: Regional School Transportation (Submitted by the MASC Board of Directors)

WHEREAS: Among the transportation cost concerns for regional school districts is the lack of competition for bus contracts for regular day (“yellow bus”) services, as well as the steadily mounting cost for special education transportation; and

WHEREAS: M.G.L. c. 71, § 7C prohibits certain uses of regional transportation authorities to provide school district transportation services; and

WHEREAS: Elimination of M.G.L. c. 71, § 7C would free the Regional School Districts and Regional Transportation Authorities to collaborate on plans to provide safe and efficient transportation alternatives that lessen the financial impact on the both the districts and the Commonwealth; and

WHEREAS: The lack of bidders on school transportation contracts requires a deeper analysis by the appropriate state officials;

THEREFORE, BE IT RESOLVED that: To promote greater competition for bus service contracts, the Legislature should eliminate M.G.L. c. 71, § 7C, and authorize a deeper analysis of the lack of bidders on school transportation contracts.

Motion made by Mrs. Matthews, Seconded by Chairman Vigeant to support Resolution 4 with an amendment to look at the lack of bidders for all school districts.
 Motion passed 7-0-0.

Resolution 5: Reporting and Accountability Standards (Submitted by the MASC Board of Directors)

WHEREAS: The Massachusetts Association of School Committees recognizes and upholds the right of any group to establish and maintain schools so long as such schools are fully financed by their own supporters; and

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WHEREAS: Private and home schools should be subject to governmental regulation that assures a minimum standard of instruction under state law; and

WHEREAS: Private schools or other entities that receive public subsidies, funding, or support under state or federal law, whether directly or indirectly, should be held to the same reporting and accountability standards, including the same annual assessments of student proficiency, required of public schools as a condition of continued eligibility to receive public subsidies or funding; and

WHEREAS: Schools that receive any public funding should be subject to the same statutory and constitutional requirements as public schools;

THEREFORE, BE IT RESOLVED that: the Massachusetts Association of School Committees works with the legislature and Board of Elementary and Secondary Education to ensure that all students or persons in schools that receive public funds under the authority of the MA Department of Elementary and Secondary Education or a local public-school district are held to the same standards and requirements in the Commonwealth of Massachusetts.

Motion made by Mrs. Matthews, Seconded by Chairman Vigeant to support Resolution 5.
 Motion was not passed 2-5-0.

Resolution 6: Reproductive Health Education (Submitted by the MASC Board of Directors)

WHEREAS: The Massachusetts Association of School Committees supports the health of all students; and

WHEREAS: Youth should be committed to feel empowered to make healthy and informed choices about their bodies and their relationships; and

WHEREAS: The Massachusetts Association of School Committees supports a medically accurate and age-appropriate reproductive health curriculum; and

WHEREAS: The Massachusetts Association of School Committees rejects the federal government's plans to redirect funding from evidence-based programs to prevent teen pregnancy to programs that teach abstinence-only and rhythm method-based sex education initiatives;

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THEREFORE, BE IT RESOLVED that: the Massachusetts Association of School Committees supports evidence-based reproductive health curricula. Further we call upon the U.S Department of Education and the Executive Branch to stop their support of abstinence-only education.

Motion made by Mrs. Bodin-Hettinger, Seconded by Chairman Vigeant to support Resolution 6. Motion was not passed 1-5-1.

Resolution 7: Gender Identity Inclusive Athletic Participation Policy (Submitted by the Framingham School Committee)

WHEREAS: Public school leaders need to provide educational access and maintain safe environments for all, including LGETQ students; and

WHEREAS: All students must be protected from discrimination, harassment and bullying; and

WHEREAS: LGBTQ students experience adverse incidents at alarming rates compared to their counterparts; and

WHEREAS: It is the job of the schools to provide safe and supportive environments for optimal wellbeing; and

WHEREAS: There are instances in athletics where LGBTQ students do not have protection nor the opportunity for privacy;

THEREFORE, BE IT RESOLVED that: MASC help file legislation which would have the effect of protecting LGBTQ students from discrimination, harassment and bullying by that schools should treat students based on their gender identify, protecting their privacy, providing access to gender-neutral restrooms, locker rooms and private stall showers, using their preferred pronouns, embedding sensitivity training in professional development and providing uniform accommodations.

RATIONALE: The at-risk behavior for LGBTQ students, which includes suicidal ideation, is sharply reduced with some basic interventions. With federal laws that are vague with the protections for our vulnerable students, public schools in Massachusetts should take steps to ensure their protection. With guidance from the legislature, LGBTQ students throughout Massachusetts will have better protections and will have reduced adverse behaviors.

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Motion made by Mrs. Matthews, Seconded by Chairman Vigeant to support Resolution 7 with an amendment to include accountability by the MIAA to ensure that the standards of protection are in place.

Motion passed 7-0-0.

Resolution 8: Sports Wagering (Submitted by the MASC Board of Directors)

WHEREAS: The General Court, in its effort to fund public education to the full extent of the law, including partially funded and unfunded mandates imposed upon school districts, is limited in its ability to do so by the limits to revenues generated from the current tax codes; and

WHEREAS: Advocates for public education have articulated several important strategies to improve public schools, many of which require additional funding appropriated by the General Court; and

WHEREAS: The Commonwealth has begun implementing casino gambling as a means of generating additional tax revenues; and

WHEREAS: In Nevada, sports wagering has provided an additional element to legalized gambling that has generated additional revenue; and

WHEREAS: A recent decision by the Supreme Court of the United States (Murphy vs. National Collegiate Athletic Association) has overturned federal restrictions on wagering on the outcome of sporting events; and

WHEREAS: The Commonwealth has had a long and successful history of administering a public lottery program that is convenient, accessible, and locally based, as well as easily adaptable to accommodating wagering;

THEREFORE, BE IT RESOLVED that: the Massachusetts Association of School Committees requests that, should the General Court enact legislation to legalize wagering on sporting events, the General Court, shall commit a portion of the revenues generated from sports wagering to public education.

Motion made by Mrs. Matthews, Seconded by Chairman Vigeant to support Resolution 8.

Motion passed 5-1-1

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Resolution 9: Access to Information for Parents and students Who Are Clients of Special Education
 (Submitted by the MASC Board of Directors)

WHEREAS: The Individuals with Disabilities Education Act (IDEA) is a law that makes available a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children; and

WHEREAS: In the law, Congress states that Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.

WHEREAS: The stated purpose of the IDEA is to ensure that the rights of children with disabilities and parents of such children are protected, to ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services; and

WHEREAS: Parents are also members of the team during the IEP process and should but do not always have access to the assessments and other information related to their child(ren) with sufficient advance time to review them, consult with experts or advocates, or prepare for meetings at which Individual Education plans are discussed;

THEREFORE, BE IT RESOLVED that; MASC urges the legislature to amend state law to require that parents and students be provided with a copy via email or mail of all the assessments that are performed for students in the families' preferred language, at least five days prior to any meeting at which parents and students will review a proposed Individual Education Plan (IEP).

Motion made by Mrs. Matthews, Seconded by Chairman Vigeant to support Resolution 9 with an amendment to ensure that Districts are complying with current law and there is no additional burden then is currently in the law. Motion was not passed 3-4-0.

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Proposal to amend the MASC By-Laws the Board of Directors of the Association has recommended to members that the by-laws of the Association be amended as follows:

The following change to Article IX—Meetings of the Association, Subsection 1. Annual Meeting

The annual meeting of the Association, to be known as the Delegate Assembly, shall be held at such hour on such business day, not earlier than September 20 nor later than November 30, in each year and at such place within Massachusetts as the Board of Directors shall determine. Resolutions and other purposes for which an annual meeting is to be held additional to those proscribed by law, by the agreement of the association, and by these by-laws may be specified by the Board of Directors and by written application made to the Secretary-Treasurer not later than July 1 in any year by at least five active members located in at least two Divisions. Resolutions submitted by a single school committee may be presented to the Delegate Assembly upon approval by the Board of Directors, on the recommendation of the Resolutions Committee. If an annual meeting is not held within the dates specified above, a special meeting may be held upon call by the Board of Directors with all the force and effect of an annual meeting.

The Board asks to amend the by-law by changing the July 1 date (noted in the text in bold face) to no later than June 1.

Rationale: Moving the submission date of resolutions to June 1 will give adequate time for the resolutions committee to meet and report out. It also aligns with the submission date for nomination of officers.

Motion made by Mrs. Matthews, Seconded by Chairman Vigeant to support Resolution 8.
 Motion passed 7-0-0.

D. Policies for First Read:

Policy #7.310 Overnight Travel – for Acceptance

Policy #7.310 Overnight Travel, was brought forward for First Read, to the full School Committee, and is now being moved forward for acceptance. A motion to approve was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve Policy #7.310 Overnight Travel.

Motion passed 7-0-0.

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Policy #7.320 Student Extended Field Trip Protocols

Policy #7.320 Student Extended Field Trip Protocols, was brought forward for First Read, to the full School Committee, and is now being moved forward for acceptance. A motion to approve was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve Policy #7.320 Student Extended Field Trip Protocols.

Motion passed 7-0-0.

Policy #8.120 Student Records

Policy #8.120 Student Records was brought forward for First Read, to the full School Committee, and is now being moved forward for acceptance. A motion to approve was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve Policy #8.120 Student Records.

Motion passed 7-0-0.

Policy #8.30 Restraint Prevention & Behavior Support

Policy #8.30 Restraint Prevention & Behavior Support was brought forward for First Read, to the full School Committee, and is now being moved forward for acceptance. A motion to approve was made by Mrs. Hennessy, seconded by Chairman Vigeant to approve Policy #8.30 Restraint Prevention & Behavior Support.

Motion passed 7-0-0.

E. Acceptance of Donations and Gifts

Follett Buy Back Program paid Jaworek Elementary, \$23.77 for payment of books sold through the Consignment Buy-Back program. A motion was made by Mrs. Matthews and seconded by Chairman Vigeant to accept with gratitude the \$23.77 paid by Follett for books sold.

Motion approved 7-0-0.

Christopher and Jaime Campbell, a Richer Elementary family, donated \$200.00 to be used to purchase snacks for the school nurse to give out as needed/requested. A motion was made by Mrs. Matthews and seconded by Chairman Vigeant to accept with gratitude the \$200.00 donation from Christopher and Jaime Campbell.

Motion approved 7-0-0.

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10. Reports of School Committee Sub-Committees:

Mrs. Hennessy informed the committee of the Policy Sub-Committee meeting that was held the previous week. The sub-committee continues to work on policies and Mrs. Hennessy asked that School Committee members call her if they have any questions.

Mrs. Matthews informed the committee that a tentative agreement with the Office Support Association has been reached and will be forth coming.

11. Members' Forum:

Mrs. Ryan reminded the committee, that on October 10 at 7:00pm at the Whitcomb School, author Michael Delman, *'Your Kids Gonna Be Okay'* will be speaking about building executive skills and how parents can teach their children these self-management skills.

Mrs. Bodin-Hettinger informed the committee that she and Mrs. Matthews will be representing Mayor Vigeant and the School Committee when they travel to Akiruno, Japan with Whitcomb staff and students.

12. Adjournment:

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to adjourn at 8:30 pm.
Motion passed 7-0-0

Respectfully submitted,

Heidi Matthews
Secretary, Marlborough School Committee

HM/cm

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2018 NOV 28 A 10 42

Marlborough Public Schools

School Committee
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Call to Order

October 23, 2018

1. Mrs. Hennessy called the regular meeting of the Marlborough School Committee to order at 7:35 pm at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Mr. Walter, Mrs. Ryan and Mr. Geary.

Superintendent Michael Bergeron, Assistant Superintendent of Teaching and Learning, Mary Murphy, Director of Finance and Operations Douglas Dias were also present.

In attendance were Student Representative Timothy Goliger and Administrative Support Christine Martinelli.

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

2. **Pledge of Allegiance:** Mrs. Hennessy led the Pledge of Allegiance.

3. **Presentation: None**

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

5. **Communications: None**

6. **Superintendents Report:**

Superintendent Bergeron opened, reporting on Commissioner Jeff Riley's second visit to Marlborough, where he toured Whitcomb School one day during STEM week. He then went on to thank all the corporate sponsors who help make STEM week so special for all the students. Mr. Bergeron reminded everyone to attend the STEM Showcase at Whitcomb School on Monday, October 29, from 2:40 to 3:30pm. The students will have an opportunity to explain all the work they completed during the week. Later, 3:30 to 4:30pm, several speakers who are in STEM professions, will share how they became interested in their fields and how families can support STEM related interests in their children.

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The district review by DESE is complete, and Mr. Bergeron thanked school committee members who participated, and he thanked Mary Murphy and Donna Marshall for their work organizing all the in-district meetings and documents for this visit. It is expected to take 12 weeks to get the written report back from DESE. Also, during their review, they visited 108 classrooms, these findings and what they saw will be available sooner.

On October 11, Michelle Blair and Lynne Medailleu trained MPS Assistant Principals on language objectives, in support of Goal #2, *Increase the rigor and relevance of vocabulary for every student by adopting language objectives into our daily lesson planning*. On October 18, at the Leadership Team meeting, Principals shared their initial experiences with language objectives and the leadership team brainstormed success criteria for Goal #2.

On October 15, 16 and 17, Superintendent Bergeron met with staff at several schools to discuss the needs of the schools and district. He is also working with each school to set up times and locations for him to continue meeting with staff, parents and students through December. This feedback will help him towards his entry plan development. The Superintendent shared his survey tool link for any community member who could not meet with him and would like to provide feedback.
<https://www.surveymonkey.com/r/YNXHXWL>

A. Director of Finance & Operations Report

The business office facilitated several audits recently. The Single Audit, is an annual audit on all City financials. This year's review focused on the districts food services finances and reporting practices. The Student Activity Accounts, is a mandated review of our accounts and practices and it needs to be performed by independent auditors every three years. Mr. Dias is grateful for the work and feedback from the auditors and will share any important findings with the School Committee when the audit reports come in.

Mr. Dias reported there is a negative Cafeteria balance of -\$3,642.19 as of 10/17/18, compared to a negative balance of -\$1,442.91 at the same time last year. This jump is due to an increase in families who had qualified for F/R lunch last year and have not yet applied for benefits for this year. The food service staff and school administrators will be reaching out to these families to reapply.

On Friday, October 19, the bids for redistricting services were due and two qualified bids were submitted. Mr. Dias is excited about starting this project and will report on this more in his November report

Mr. Dias ended his report, sharing that work is actively being done on preliminary FY20 projections. The goal is to continue the partnership with the City in creating a sustainable and fiscally responsible budget,
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especially knowing in FY21 there will be a 'bubble' year due to openings of the new school and anticipated increase in transportation costs.

Mrs. Hennessy asked for clarification, when and how the district reaches out to families about applying for F/R lunch and adding that many families don't realize they need to reapply each year. Tim Goliger commented that the high school cafeteria staff does a good job advertising, in all languages, about F/R lunch and how to navigate it. Mr. Bergeron added, that applications can go directly to the Finance Office to Mr. Dias' attention and they do not need to go through the school offices.

7. Acceptance of Minutes:

Minutes of September 25, 2018 School Committee Meeting

Motion made by Mrs. Ryan, seconded by Mrs. Hennessy, to approve as amended, with corrections to misspelled name, the School Committee minutes of September 25, 2018.

Motion passed 4-0-0.

8. Public Participation: None

9. Action Items/Reports:

A. Memorandum of Agreement between the Marlborough School Committee and Cafeteria Employees

A motion was made by Mr. Walter, seconded by Mrs. Hennessy, to approve the Memorandum of Agreement between the Marlborough School Committee and Cafeteria Employees effective for the school years 2018 through 2020.

Motion passed 4-0-0.

B. FY19 Operating Budget Transfers

Mr. Dias is recommending transfers within the FY19 operating budget, the monies are being transferred for balance purposes. A motion was made by Mr. Walter, seconded by Mrs. Hennessy, to approve as presented the budget transfers.

Motion passed 4-0-0.

10. Reports of School Committee Sub-Committees:

Mrs. Ryan reviewed and signed the Warrant in Mrs. Matthews absence.

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Superintendent Bergeron gave a brief school building update to the committee, reporting the sub bids, for HVAC, electrical and flooring, have come in. The general contracting bids will be in Wednesday, October 24. More information on the contract will be coming later.

Mrs. Hennessy reported the policy subcommittee will be having a meeting shortly and will be moving forward.

11. Members' Forum:

Mrs. Hennessy gave an update that the Akiruno group has landed and they are on their way safely home from Logan Airport. It was a successful trip and she congratulated the program for 20 successful years.

12. Adjournment:

Motion made by Mr. Walter, seconded by Mrs. Hennessy to adjourn at 7:55 pm.

Motion passed 4-0-0.

Respectfully submitted,

Heidi Matthews
Secretary, Marlborough School Committee

HM/cm

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Call to Order

November 13, 2018

1. Mrs. Bodin-Hettinger called the regular meeting of the Marlborough School Committee to order at 7:30 pm at the District Education Center, 17 Washington Street, Marlborough, MA. Members present included Mr. Walter, Mrs. Matthews, Mrs. Ryan, Mrs. Hennessy and Mr. Geary.

Superintendent Michael Bergeron, Assistant Superintendent of Teaching and Learning, Mary Murphy, Director of Finance and Operations Douglas Dias were also present.

In attendance were MEA Representative Rupal Patel and Administrative Support Christine Martinelli.

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

2. **Pledge of Allegiance:** Mrs. Bodin-Hettinger led the Pledge of Allegiance.

3. **Presentation:**

MHS Student Advisory

Sydney Kinz, 12th grade, updated the School Committee on various activities of the Music Department at MHS. Ms. Kinz was enthusiastic when listing the numerous awards, the department has won, in both ensemble and individual competitions, and for Districts and All State competitions. She talked about the two main accomplishments in the Music Department this year that have impacted the students. The first, new technology in the Music Production Studio, where classes are making their own recordings in just a few weeks, having access to twenty Mac books and the software for projects, online text books to do activities to help them learn notes and rhythms and students all having their own computer and headphones to work at their own pace. The second accomplishment in the Music Department that has greatly impacted students is the scholarship for private music and voice lessons. Students having access to teachers and their professional knowledge is invaluable in boosting skills and confidence. Ms. Kinz ended her update stating she sees only growth in the Music Department.

Mrs. Bodin-Hettinger asked Ms. Kinz if she was going to pursue music in college.

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Mrs. Hennessy commented on the upcoming auditions for the high school musical, *West Side Story*, and complimented her on speaking so passionately about her music experiences at MHS.

4. Committee Discussion/Directives: None

5. Communications: None

6. Superintendents Report:

Superintendent Bergeron thanked Michelle Blair and Lynne Medailleu for training MPS directors and supervisors on language objective, goal #2, *Increase the rigor and relevance of vocabulary for every student by adopting language objectives into our daily lesson planning*. The training was on November 5, and on November 6, staff was able to choose additional training in this topic area.

On November 5, Superintendent Bergeron met with Richer Elementary staff as part of his entry plan. He plans to continue to meet with staff, parents and students through December, and will work with each school to set up times and locations. The link for the Superintendents survey tool, www.surveymonkey.com/r/YNXHXWL, is available for any community member who could not meet with him.

At the first School Committee meeting in December, Superintendent Bergeron will ask the Committee to create a new position for Principal of the new K-5 Elementary School being built on Poirier Road. The new Principal would be hired on July 1, 2019, to work in coordination with principals to learn our curriculum expectations, evaluation tool, be an active member of the school building committee and be prepared to open the new school in September 2020.

Mrs. Bodin-Hettinger asked the Superintendent how the link Survey Monkey would be pushed out to families and the community.

Mr. Walter's asked if other senior staff, Assistant Principal, etc., would be hired prior to the opening of the new elementary school and when would that happen.

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A. Assistant Superintendent of Teaching & Learning Report

Whitcomb STEM Week, during the week of October 22-29 and in partnership with i2Learning, who provided all project materials and trained over 80 staff, STEM week at Whitcomb School allowed students to be engaged, excited and having fun while thinking and learning in new ways. On October 29 there was also a STEM Week Showcase at Whitcomb School that included an after-school open house for parents and a STEM Career discussion panel. A highlight of the week was seeing all staff and students wearing STEM Week T-shirts designed by Alex Banos, 8th grade. The T-shirts were possible through generous donations from many businesses.

November 6, Professional Develop Day, Educators registered for a morning and an afternoon session, select paraeducators were assigned Safety Care training and a Pathways 'Bootcamp' and all others completed two separate trainings at Whitcomb School.

Administrator Trainings, October 30, approximately fifty-five administrators and lead teachers attended a training, designed to support school and grade level leaders to support the work that our district trainers are leading in the building.

Marlborough High School Reality Fair, on October 30, over thirty industry partners from the Marlborough business community spent the day at the Marlborough High School Realty Fair. They spent the day interacting with the students and ensuring that our seniors have strong role models and receive sound advice as they get ready to graduate.

8th Grade Marlborough High School Visits were on November 5 – 7. The students listened to a presentation that highlighted all the opportunities at MHS and participated in a tour of the school which was led by student mentors. The final 8th grade team will visit on November 16.

Mrs. Hennessy asked if there was going to be a follow up to STEM week to see what worked and where it could be improved.

Mr. Walter thanked all the staff, students, volunteers and corporate sponsors who participated in STEM week.

Mrs. Matthews shared that she and Mrs. Murphy will be attending the STEM Summit on November 14 and is looking forward to hearing the states input on it.

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Mrs. Bodin-Hettinger mentioned that after reading the STEM course offerings, they all sounded great and she would like to see the feedback from that week.

7. Acceptance of Minutes: None

8. Public Participation: None

9. Action Items/Reports:

A. Akiruno, Japan 2019 Educational Visit

2019 will be the 21st year of Whitcomb School students traveling to our sister city, Akiruno-Shi, Japan, from Thursday, October 10 to Monday, October 21, 2019 to participate in a student exchange program for junior high students. In return, the Whitcomb School and students will welcome students from Akiruno, Japan on October 30 to November 7, 2019. A motion was made by Mrs. Matthews, seconded by Mrs. Hennessy, to approve the Akiruno Exchange Program dates. Motion passed 6-0-0.

Mrs. Bodin-Hettinger commented she is thrilled the Japanese students will be coming back during the school year.

B. FY19 Operating Budget Transfers

Mr. Dias is recommending transfers within the FY19 operating budget, the monies are being transferred for balance purposes. A motion was made by Mrs. Matthews, seconded by Mrs. Bodin-Hettinger, to approve as presented the budget transfers. Motion passed 6-0-0.

C. Assabet Valley Collaborative Quarterly Report

This report serves as the first of four reports for the 2018 – 2019 school year from our local education collaborative, Assabet Valley Collaborative. A motion was made by Mrs. Matthews to accept and place on file the AVC first of four reports. Motion passed 6-0-0.

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D. Policies for First Read

Mrs. Hennessy asked the School Committee to have a First Read on the seven policies presented. Also, that several of the policies would need Mrs. Matthews attention, as the Committee Secretary.

Policy #2.310 Organization of the School Committee

Policy #2.331 Duties of the Mayor as Chairperson

Policy #2.332 Duties of the Vice Chairperson

Policy #2.410 Time and Place of Meetings

Policy #6.550 Social Media

Policy #7.970 Internet Acceptable Usage

Policy #7.981 Computer Network User Agreement

Mrs. Ryan asked a clarifying question regarding policies with no strike out or red in them.

E. Policies for Removal

Mrs. Hennessy presented two First Read policies for removal, asking the SC to read them and to consider if they want to remove them. Superintendent Bergeron clarified that the two policies being considered for removal already are stated in MA general law. Mrs. Bodin-Hettinger added, agreeing that these policies are in our law already, so having them as a policy is not necessary.

Policy #2.261 Conflict of Interest

Policy #2.420 Open Meeting Law

F. Acceptance of Donations and Gifts

Boston Scientific donation of \$3,000.00 to Whitcomb School to be used in the makerspace classroom and helping girls in areas of science and math. A motion was made by Mrs. Matthews and seconded by Mrs. Bodin-Hettinger, to accept with gratitude the \$3,000.00 from Boston Scientific.
 Motion passed 6-0-0.

i2Learning donation of \$1,500.00 for t-shirts for staff and students at Whitcomb School who participated in STEM week. A motion was made by Mrs. Matthews and seconded by Mrs. Bodin-Hettinger, to accept with gratitude the \$1,500.00 from i2Learning.
 Motion passed 6-0-0.

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Boston Scientific donation of \$2,000.00 for t-shirts for staff and students at Whitcomb School who participated in STEM week. A motion was made by Mrs. Matthews and seconded by Mrs. Bodin-Hettinger, to accept with gratitude the \$2,000.00 from Boston Scientific.

Motion passed 6-0-0.

GE Healthcare Life Sciences donation of \$2,000.00 for t-shirts for staff and students at Whitcomb School who participated in STEM week. A motion was made by Mrs. Matthews and seconded by Mrs. Bodin-Hettinger, to accept with gratitude the \$2,000.00 from GE Healthcare Life Sciences.

Motion passed 6-0-0.

MassHire Metro South/West Workforce Board donation of \$1,500.00 for t-shirts for staff and students at Whitcomb School who participated in STEM week. A motion was made by Mrs. Matthews and seconded by Mrs. Bodin-Hettinger, to accept with gratitude the \$1,500.00 from MassHire Metro South/West Workforce Board.

Motion passed 6-0-0.

Quest Diagnostics donation of \$1,000.00 for banners promoting STEM week at Whitcomb School. A motion was made by Mrs. Matthews and seconded by Mrs. Bodin-Hettinger, to accept with gratitude the \$1,000.00 from Quest Diagnostics.

Motion passed 6-0-0.

MA Department of Elementary and Secondary Education(DESE) FY19 734 Early Literacy Grant for \$34,000.00 was awarded to Jaworek Elementary School. A motion was made by Mrs. Matthews and seconded by Mrs. Bodin-Hettinger, to accept the \$34,000.00 grant from MA DESE.

Motion passed 6-0-0.

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10. Reports of School Committee Sub-Committees:

Mrs. Hennessy informed the committee that the next Policy meeting is November 20, and they will receive the agenda from it after.

Mrs. Ryan informed the committee that the School Building Committee met on November 1 and voted to award the building contract to Fontaine Brothers, which was the lowest bid. She also reported the building budget is \$7 million under budget. The Fontaine Brothers could begin as early as September 1.

Superintendent Bergeron added that he thinks the state should look at this project, not only did we come in under budget but before that we were the lowest cost project in the state this year. The district saved cost and did not cut out any of our educational program.

11. Members' Forum:

Mrs. Hennessy wanted to know if the meeting on November 15 for parents of 8th graders was communicated to all the families. Dessert Theatre is this weekend, Friday, November 16 and Saturday, November 17 at the MHS Little Theatre. She complimented all the schools fall sports teams, with many of them moving forward into playoff season. She thanked staff for attending the games and specifically Assistant Principal John Travers who is in the stands cheering on all the students. Mrs. Hennessy complimented Jill Morin for all the work she has done trying to get information and pictures from staff and keeping up with all great things happening in the school district.

Mrs. Ryan informed the committee that on Thursday, November 15 during the Parent Teacher conferences, the MHS All Nighter Committee will be holding a vendor night from 6:00 to 8:30 at MHS.

Mrs. Hennessy, shared that Sunday, November 18, the Music Association is having a mattress fundraiser with proceeds coming back to the music program.

Mrs. Matthews reviewed the warrant and will be reviewing and signing it with Mr. Dias.

Mrs. Bodin-Hettinger informed the public that all members except Mr. Walter were able to attend the annual MA Association of School Committees and MA Association of School Superintendents Joint Conference. She would like to take some time to debrief with the SC about all the information from the conference.

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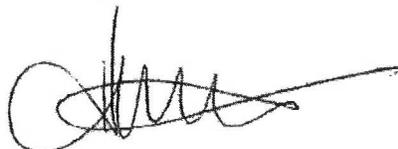
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12. Adjournment:

Motion made by Mrs. Matthews, seconded by Mrs. Bodin-Hettinger to adjourn at 8:12 pm.
Motion passed 6-0-0.

Respectfully submitted,



Heidi Matthews
Secretary, Marlborough School Committee

HM/cm

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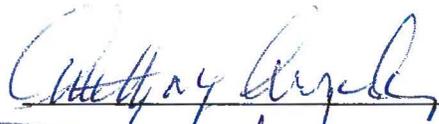
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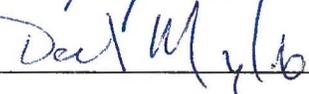
CITY OF MARLBOROUGH BOARD OF ASSESSORS

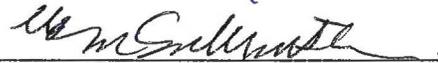
MEETING MINUTES: August 28, 2018

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1. CALL TO ORDER: 9:05 am
2. MEMBERS PRESENT: Ellen Silverstein, David Manzello, also in attendance: Harald Scheid and Jonathan Frank, Regional Assessors, Paula Murphy, Head Clerk
3. MOTION TO ACCEPT: Minutes of the May 16, 2018 meeting: Mr. Manzello, second Ms. Silverstein
Vote 2-0
4. APPROVE AND SIGN: Excise Tax Abatements 4/12/18 through 8/24/2018
Motion to Approve: Ms. Silverstein, second Mr. Manzello
Vote 2-0
5. DISCUSS AND APPROVE: ATB Settlement recommendations presented by Mr. Scheid: 325 Donald J Lynch Blvd (FY2016, 2018)
Motion to Approve: Ms. Silverstein, second Mr. Manzello
Vote 2-0
6. DISCUSS AND APPROVE: ATB Non-Settlement recommendation presented by Mr. Scheid: 82 Northboro Rd East
Motion to Approve: Ms. Silverstein, second Mr. Manzello
7. MOTION TO CONCLUDE – Mr. Manzello, second Ms. Silverstein
MEETING Adjourned – 9:45 am









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

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Wednesday, August 29, 2018 at 10:00 am in Memorial Hall, 3rd Floor, City Hall. Members present: Chairman - Police Chief David Giorgi, DPW Commissioner John Ghiloni and City Clerk Lisa Thomas. Also present: City Engineer Tom DiPersio, Assistant City Engineer Tim Collins and Officer Andy Larose – MPD Traffic Services Unit. Minutes taken by Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Wednesday, July 25, 2018.

MOTION was made, seconded, duly VOTED:

TO APPROVE - Accept and Place on File.

(Lisa Thomas abstaining as she was not present at last meeting.)

2 - New Business

2a) Traffic Issues at Intersection of Lincoln and Bond Street

A local resident of Bond Street came into the station to discuss traffic issues at this intersection. She spoke to Carrie Lizotte and was advised that her issues would be brought to the attention of the Traffic Commission. She said that the traffic has been getting worse and cars fly down the street. She also said that there was a stop sign that had not been replaced and that bushes needed to be cut back. Ms. Lizotte also forwarded the issue regarding the bushes to Code Enforcement.

Tim Collins advised that there has never been a stop sign at this intersection. He said that all signs that were supposed to be there are there now. He mentioned there is a new curve in the road. It used to be a Y intersection and now it's a T intersection. Chief Giorgi advised that he also drove down there to look at the intersection and saw this.

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MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE. No further action required.

2b) Ash Street Concerns – Speeding & Sidewalks

Local resident, Michelle Chiasson, noted several concerns in her original email to the DPW. Chief Giorgi emailed her back on 8/14/18 and advised that her concerns on Ash Street would be added to the Traffic Commission Agenda for the 8/29/18 meeting. He also advised her that he asked the Traffic Unit to focus their enforcement efforts on Ash Street from that date until the meeting and to place the portable speed sign here so that they would be able to gather accurate information for the meeting.

In her email, she mentioned that Ash Street “acts as a racetrack for thru traffic”. She said the speed limit is 25 mph, however, there is only one sign and it is “hanging by a thread”. She said that it is hardly visible and was recently knocked over. She mentioned cars going 50mph and major accidents and being unable to walk dogs and children in strollers on the road. She also said there was a Slow Children sign that was hidden behind trees. She gave several suggestions as to what she would like to see done here.

Officer Larose advised that they first put the speed sign closer to the Rail Trail as there had also been complaints here. Ms. Chiasson asked for it to be moved closer to her home where it has been for the past 7 days. The results show that overall, 85% of vehicles were compliant with the speed limit. The maximum speed came up at 43mph. Officer Larose did however agree that the volume is heavy and when you are sitting out there it does look like people are flying down the road, however, truly they are not speeding. They have had the speed sign out for 7 days in one direction and now it has been 3 days in the other direction.

With regard to the sidewalk request, Commissioner Ghiloni advised that there are currently no plans for sidewalks here. Tim Collins advised that there are actually 3 speed limit signs here, two of which are on the entering streets. He did also see that the sign near Ms. Chaisson’s house had been knocked over and is bent. He advised that the City would move it to the telephone pole which they usually do not do. He also advised that the trees have now been trimmed back.

MOTION was made, seconded, duly VOTED to ACCEPT and PLACE ON FILE. Chief Giorgi or Officer Larose will get back to Ms. Chaisson to advise as to the discussion.

2c) Request for sound activated crosswalk signal at corner of Lincoln St. & Bolton St.

This request came from Jody Hoge on behalf of her father, who is blind, and walks this route regularly. Tim Collins advised that this crosswalk already has a push button with a countdown to cross. The push button at this intersection can be replaced with an audible signal.

MOTION was made, seconded, duly VOTED to REFER to Chief Giorgi to advise Ms. Hoge that the audible signal will be installed. REMOVE FROM AGENDA.

3-Old Business**3a) Request for stop signs on Weed St. at Florence St.**

Update: Commissioner Ghiloni advised that this item is “almost there” but still in process.

MOTION was made, seconded, duly VOTED to TABLE.

Chief Giorgi asked if there were any other issues for discussion.

- 1) Lisa Thomas advised that the recent regulation for No Stopping, Standing or Parking on Elm Street will be advertised on 9/15. She tries to get the best rates and sometimes needs to spread them out.
- 2) Chief Giorgi asked if we could put a stop sign on the island at the intersection of Hildreth St., Maple St. & Main St. All agreed that this could be helpful. Tim Collins will add the second sign, though he noted that it may very possibly get hit.
- 3) The Traffic Commission received a request for a handicapped sign on Prospect Street as a resident has difficulty crossing the street. Tim Collins advised that he sent the Warning Sign Permit Application for completion.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 10:15 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

-City of Marlborough Meeting Posting for Traffic Commission Meeting on Wednesday, August 29, 2018, including meeting agenda.

-Draft of Traffic Commission Minutes from Wednesday, July 25, 2018.

-Email from Carrie Lizotte to Chief Giorgi, dated 8/2/18, re: Traffic Issues at Intersection of Lincoln St. & Bond St. on behalf of local resident, Nancy Seymour.

-Email from Krista Holmi (DPW) to Chief Giorgi and Tim Collins, dated 7/31/18, re: Ash Street – Speeding & Sidewalks – forwarding email from local resident Michelle Chaisson, dated 7/30/18.

-Email from Carrie Lizotte to Chief Giorgi, dated 7/30/18, re: Lincoln St. & Bolton St., on behalf of local resident Jody Hoge.

Additional Handouts:

-Email from Krista Holmi to Tim Collins, dated 8/28/18, re: Handicapped Sign Request, on behalf of local resident of Prospect Street.

- Copy of Warning Sign Permit Application and email from Tim Collins to Krista Holmi regarding same.



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

Traffic Commission Minutes

The Regular Meeting of the Traffic Commission was held on Wednesday, October 31, 2018 at 10:00 am in the City Council Committee Room, 1st Floor, City Hall. Members present: Chairman - Police Chief David Giorgi, Fire Chief Kevin Breen and DPW Commissioner John Ghiloni. Also present: Assistant City Engineer Tim Collins, Sgt. Dan Campbell and Officer Andy Larose – MPD Traffic Services Unit, City Solicitor Don Rider, City Councilor Kathleen Robey, Richard Lodi – President, Regency at Assabet Ridge. Other parties present: Charles Frank, Ryan Donnelly, Beth Connelly, Sean Hayes, Alex Beal and Robyn Gallagher. Minutes taken by Karen Lambert, MPD Records Clerk.

1- Minutes

The minutes of the Traffic Commission meeting of Wednesday, August 29, 2018.

(Note: No meeting held in September)

MOTION was made, seconded, duly VOTED:

TO APPROVE - Accept and Place on File.

2 - New Business

2a) 29 Franklin Street – Parking Concerns.

Gretta Holland, Parking Administrator, received a phone call regarding this issue from the resident of 29 Franklin Street. The resident has trouble getting out of her driveway because cars park on both side of the street and “behind” her. She said that one side of the street is marked with “No Parking” signs.

Tim Collins advised that he went out to review the site. He passed out a diagram of the area with #29 highlighted. He noted that this is the side that is marked as no parking. He also noted that the street is 16 feet wide and is made up of 1 & 2 family homes. It’s often easier for residents to park in the street than to try and rearrange the cars in a single driveway. It is definitely tight to back straight out into this very narrow roadway, however, if it were changed to No Parking on both sides the City would probably get a lot

more complaints. Officer Larose said the same thing. He advised that he would touch base with the resident and work on parking enforcement.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT (Traffic Unit) for better parking enforcement.

- 2b) Our Future Learning Center – Traffic Concerns (Multiple emails received)**
- a) Intersection of Northborough Rd. W and Ret. 20**
 - b) Lane change configurations near intersection of Ret. 20 & Boundary Rd.**
 - c) Issues at entrance/exit**

Chief Giorgi and Sgt. Campbell were in receipt of multiple emails from parents whose children attend daycare at Our Future Learning Center (OFLC) regarding serious traffic concerns when entering and exiting the facility. Several described actual accidents they were either involved in or had witnessed. Their major concerns are with new changes that have been made to the roadway creating a bike lane and right turn only lane at the intersection of Rte. 20 and Boundary Street. Several parents were also in attendance for this issue and reiterated their concerns. Issues occur whether trying to turn right or left when both entering and exiting the facility mainly due to the fact that cars speed down the breakdown lane (westbound), while coming over the crest of the hill, in order to take the right at the lights onto Boundary Street. Often a driver in one lane stops and waves the turning vehicle into or out of the facility while another car speeds over the hill (westbound) in the breakdown lane at the same time and is focused on the light ahead and does not see the turning vehicle. Parents talked about how it is truly only a matter of time before something really serious happens here.

Tim Collins brought several photos to the meeting and a construction diagram. The photos show where the road begins to merge left into one lane, however, there is a sign missing that should state "Lane Ends Merge Left". There is another that shows a sign stating "Begin Right Turn Lane, with a directional arrow showing where to begin, and "Yield to Bikes". This sign is placed just prior to Northboro Road West, when traveling westbound, which is the entrance to the daycare facility. It appears that this sign should be placed after the driveway opening rather than right before. Sgt. Campbell also passed out copies of 3 accident reports, all for accidents at this exact location, on 7/24/18, 9/5/18 and 10/22/18. It was further discussed that this area is controlled by MA DOT, not the City of Marlborough. It was the State that made the changes to this roadway. Mr. Collins advised that the Traffic Commission can only notify the State of the issues going on and make suggestions. Right now, the breakdown lane looks like an actual lane. It would be helpful to hashtag the lines and put the signs in better locations. All agreed that the signage needs to be clearer. At this point, we can remove one sign and replace the missing sign and make further suggestions to the State as vehicles are going into the right turn only lane too early. Tim Collins said that part of the State's criteria now when reconstructing any road is to include a bike lane.

One parent asked if it was possible to have an officer there to help with traffic. This is something the school has also mentioned. Sgt. Campbell advised that he doesn't have the resources to do this every day. He has been putting it on the agenda for his unit, however, he can't commit to having an officer there every day for an hour. Another parent mentioned the police presence at TJX every day. Would it be possible to do this Monday to Friday from 4:30 to 5:30 and have families share the cost? Chief Giorgi

advised that TJX hires a specific police detail every day to direct traffic in front of the building and explained that there is a 4-hour minimum requirement for a detail. The 4-hour minimum calculates to \$250 per day. Someone also mentioned how AMSA has a layperson crossing guard out in front of the school to help with traffic. Chief Giorgi said that he would be very hesitant to put a civilian out there on such a busy road to direct traffic.

Tim Collins advised that in addition to the Traffic Commission making recommendations to the State, parents could also voice their concerns directly as they have done here with the Traffic Commission. He gave the contact name of Joe Frawley and directed parents to the MADOT District 3 website. He also mentioned the name Barry Lion as a contact. Parents can log into the website and follow the instructions to make requests.

Parents also asked about improved signage that would indicate the fact that a school and children were in area, possibly even a blinking light.

Officer Larose also suggested restricting the left turn coming out of the facility. Sgt. Campbell also said he thinks this would be a good idea. Officer Larose also asked Commissioner Ghiloni if it would be possible to put cones out in the meantime to more clearly indicate the merge. The Commissioner said that all the City can do is ask and make suggestions. They are not allowed to restrict the highway as it all needs MA DOT approval.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT to help with traffic in the afternoon.

And

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to reach out to the State with recommendations.

Chief Giorgi made a motion to suspend the rules to discuss the Agenda items out of order for the benefit of attendees at the meeting. All in Favor.

2g) Crowley Drive – Speed & parking Issues.

Chief Giorgi received an email on this issue from Richard Lodi, Trustee at the Regency at Assabet Ridge on Crowley Drive. He was concerned about their liability and stated in his email, “there are no speed signs or restrictions on parking and as a result there are times when the road is difficult to pass as a result of excessive cars parked everywhere”. He was in attendance at the meeting and talked about how people park from Bradley Circle to Crowley during games etc. when the school fields are in use. It is really specific events related to the school or football camps etc. that create the issues. He doesn’t want to “hamper” parking for the Rail Trail, as it doesn’t generate enough of an issue on its own. He wanted to know if they could have No Parking signs posted on the side of Crowley where the houses are located.

Speed is his second major concern. He wanted to know if the association could put up speed limit signs and asked what the speed limit was for the road. He knows that people

don't always read them but for liability reasons it needs to be posted. As Trustee, it is their responsibility to ensure the safety of their people. There is also a big issue with snow being piled at the end of Crowley and causes visibility problems. The City owns the road but it is a private way that they maintain. He asked if the police department patrols this area.

Tim Collins passed out a map and aerial photo/diagram of the area and wording from the agreement the City has with the Owners of Lot 1 and 1B with regard to Crowley Drive. He highlighted specific areas that explain that Crowley Drive is owned by the City but is "laid out as a private way to be utilized for access, for utility purposes, and for ingress and egress..." and "The owners...bear the full responsibility of maintenance, repairs, reconstruction, snow plowing and sanding of said Crowley Drive.

Chief Giorgi advised the Police Department does patrol the area and that the Traffic Commission has discussed this area in the past and it was determined that there could potentially be traffic lights if and when there is enough traffic volume to meet the warrants for a signalized intersection. The area at present is not fully developed. Tim Collins advised that there are 2 lanes going out of the area and 1 lane going in. It goes down to two twelve foot lanes further inside. There was a question as to who would be responsible for paying for any new signage. Commissioner Ghiloni said that signs are not expensive and it would make sense that if the City owns the road then they would also pay for the signs. Don Rider agreed with this as well.

Tim Collins went on to explain the process behind speed limit signs. You can't just pick a speed limit for the area. The speed is based on what the 85th percentile of vehicles are traveling. There are 4 tests that need to be done to determine the speed of the roadway. A speed study is part of this and then it all needs to be submitted to the State. The actual posted speed limit could end up being higher than what was initially intended. If, for example, the 85th percentile is traveling at 40mph the State would not entertain a speed limit of 25 mph. Mr. Lodi said that even if this were the case it would at least give them a base to use. Chief Giorgi said that you could almost manipulate the data as the City could choose the time of day to find the 85th percentile. In order to be enforceable, the signs need to be black and white speed limit signs. The City can only put up yellow and black advisory signs, which are not enforceable. Mr. Collins also said that the City would not normally put speed limit signs on private ways.

Don Rider asked if the City could put up the advisory signs. Fire Chief Breen said that it also sends the message that we are monitoring the area. Mr. Lodi said that they are just trying to establish clarity. The condo association is insured and their policy lists all the streets plus Crowley and he said that they share 32.64% of all liability. If for example, it costs \$10,000 to mow the entire property, they pay 32.64% of that amount. That percentage has changed over time as abutters change.

There was also an issue about trees brought up, however, Mr. Lodi advised that his landscaper can take care of this issue.

MOTION was made, seconded, duly VOTED to REFER to Engineering to look into posting No Parking signs on the specific section of Crowley Drive and to reach out to MA DOT regarding the speed issue.

2i) Order No. 18-1007436 – Review about Veterans Space.

This order was referred to the Traffic Commission by the City Council. The order, if accepted and approved, designates a specific reserved parking space at city for the parking of a veteran in a motor vehicle and is owned and operated by the veteran and that displays a veteran registration plate. The Traffic Commission also needs to approve the order and determine where this specific parking issue should fall within the Rules and Regulations Manual. It would need then also need to be advertised by the City Clerk's office. Councilor Robey was in attendance for this issue.

It was discussed that there are currently designated parking spaces at city hall for handicap parking and the question was raised if these be also be used as joint spaces for veteran parking. Tim Collins advised that no, these handicap spaces need to remain as handicap parking only. Some councilors had preferred that the reserved veteran space be located in the garage. Chief Giorgi said that the Veterans spaces are not meant to be disabled parking spaces. If the veteran is disabled he/she probably already has a handicap plate. The legal definition states that a veteran's plate is required, however, it was also noted that the Veteran's plate is considered a "vanity plate" and costs money. Councilor Robey said that the Town of Ashland has 2 parking space for veterans that are parked with a sign that says, "Veteran Parking – Thank you for your service."

Chief Giorgi asked if it was up to the Traffic Commission to designate the specific parking space. Tim Collins advised that according to building code, handicap spaces need to be in the closest accessible spot where parking is available. Councilor Robey said that the City Council would accept the section of code and then the Traffic Commission would designate the spot and advertise the regulation. The Traffic Commission needs to wait on the City Council, however, can make a favorable recommendation now.

MOTION was made, seconded, duly VOTED to TABLE with a favorable recommendation until it is accepted by City Council.

2c) Huntington Ave. – Request for Do Not Park signs

This request was made by a resident of Huntington Ave. He said in his email that most of the streets in his neighborhood have Do Not Park signs but Huntington Ave. does not. The street "gets pretty loaded with cars making it hard to turn onto our street heading up the hill from Tremont".

Tim Collins passed out a diagram of the area with the section in question highlighted and marked with the width of the roads in the vicinity. He noted that the lower part of Huntington Ave. is only 18 feet wide which does make it difficult to turn. The end near Tremont Street is 22 ft. wide in one direction and 24 ft. wide in the other. There are no sidewalks. Mr. Collins said that with 24 feet of pavement there is plenty of room for cars to turn. The cars do not take up the whole 24 feet of roadway.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT. Chief Giorgi will contact the resident and explain that the discussion and advise that no action being taken.

2d) Dicenzo Blvd. – Speeding Concerns.

This issue was submitted by a resident who lives off Dicenzo Blvd. in Violet Woods. She stated in her email, “I am so tired of people speeding up and down Dicenzo in order to avoid the Light on Rte. 20.” She noted that the street has many children, grandchildren and dog walkers who must avoid the “drag racers” driving at excessive speeds. There are no speed limit signs on the street and she would like to see a type of electronic sign, similar to that on Farm Rd., which shows your speed when you drive past.

Tim Collins passed out a diagram of Dicenzo Blvd. and information from MADOT regarding speed limits. He advised that Dicenzo Blvd. does not have a posted speed limit. In order to be considered “thickly settled” with a lower speed limit, the dwellings need to be less than 200 feet apart for a distance of ¼ mile. Dicenzo Blvd. does not meet these criteria. According to the law, a vehicle would need to travel at a speed over 40 mph for a ¼ mile in order to be issued a ticket. He did not understand the complaint about the lights on Rte. 20. He marked the diagram indicating where the signalized intersection was located and that there is a right turn on red allowed.

MOTION was made, seconded, duly VOTED to REFER to the POLICE DEPARTMENT for speed enforcement in the area. Chief Giorgi will contact the resident and explain the discussion.

2e) Ch. 586-73 Revision – “Sticker Application; fee; display” to “On Street Parking Permit”.

Chief Giorgi and Tim Collins have been discussing this application process. This section of the regulation would be changed to an application process for “On street parking”. He included a copy of the application in the agenda packet. The permit would be good for one year and then the resident would have to reapply so that it can be properly monitored by the City. All permits would renew in January so that they could be dealt with all at once. Some existing applications did not go through the new annual application process. If this section is adopted, prior parties would need to be contacted and have them reapply and be reevaluated.

Chief Giorgi prepared the proposed regulation for a vote based on the language prepared by Mr. Collins.

MOTION was made, seconded, duly VOTED to APPROVE the new Section 586-73, “On Street Parking Permit” ALL IN FAVOR. Chief Giorgi will forward the revised regulation to Lisa Thomas for Advertisement.

2f) Felton Street – One-way portion – Traffic Safety Concern

This issue was brought up by Officer Connors when after he was doing late night directed patrol on this section of Felton Street. He noted that when leaving the gas station there are no signs directing motorists that there is no right turn out of the gas station. Tim Collins advised that there actually is a small sign, internal to the site, which was part of the special permit that directs traffic to Rte. 495. It was agreed that there should be a sign across from the gas station indicating one way out of the station. There are plenty of signs indicating this coming up Felton Street but not leaving the gas station.

MOTION was made, seconded, duly VOTED to REFER to the DPW to install the proper signage.

2h) Request for Handicap Parking Sign.

The Traffic Commission received an application for Handicap Parking Sign Permit for On Street Parking on Estabrook Ave. @ Prospect Street. The requestor indicated that both she and her daughter are handicapped and there is no parking available to her on the actual property. She included a copy of her handicap placard. Mr. Collins noted that the house is not handicap accessible. The issue is that this could possibly be used as a way to get preferential parking in front of a residence. Chief Giorgi said he was "hard pressed" to deny the application when there is no other parking available on site. There is clearly no other option. We would have to abide by the same process for all Handicap Parking Permit Requests. It was noted, however, that this permit does not exempt them from the winter parking ban. All vehicles need to be removed from the roadway for plowing.

MOTION was made, seconded, duly VOTED to APPROVE the Parking Permit. It would be effective until 1/1/2020 and then renewed annually as needed.

2j) Panther Trail Crosswalk Locations.

Chief Giorgi and Tim Collins have been working with Pricilla Ryder on this issue. There is a 26-mile walking through the City that is being created. The Boy Scouts are doing all the trail work. The loop includes numerous crosswalk locations that Mr. Collins has reviewed and measured. He provided the proposed language to Chief Giorgi for the specific crosswalk locations that need to be added to the specific section of the Rules and Regulations Manual.

Chief Giorgi prepared the Regulation for a vote based on the wording provided by Mr. Collins.

MOTION was made, seconded, duly VOTED to APPROVE the Regulation to add the Panther Trail Crosswalks to the Crosswalk Locations Schedule. ALL IN FAVOR.

3-Old Business

3a) Request for stop signs on Weed St. at Florence St.

Update: Commissioner Ghiloni advised that the transfer of ownership of this area is finally official and this parcel is now owned and controlled by the City. Tim Collins provided an aerial photo of the area with the Stop Signs at the intersection of Weed Street and Florence Street indicated. He also provided the proposed language to add these Stop Signs to the Regulations. Chief Giorgi will prepare the regulation based on this language.

MOTION was made, seconded, duly VOTED to APPROVE the regulation for the stop signs as described by Mr. Collins. Chief Giorgi will forward the regulation to Lisa Thomas for advertisement.

Chief Giorgi made a motion to suspend the rules to discuss and item not on the Agenda. All in Favor.

Hudson Street and Union Street Crosswalk Needing Attention

Chief Giorgi received an email on this issue from a resident of Hudson Street. She has children at the Middle School and High School that walk to school and she finds this particular crosswalk location to be “extremely challenging at any time of day”. There is no sidewalk on her side of the street. The speed limit is 30 mph on Hudson Street but she said that people drive much faster than that on a regular basis. Cars regularly fly past and do not stop for children waiting to cross. She is asking if it would be possible to get a flashing crosswalk sign, where when you push the button it flashes in both directions and alerts drivers then someone is attempting to cross.

Chief Giorgi went out to take a look at the area. He noted that when travelling on Hudson Street(southbound) toward Kelleher Field and approaching Union St., there is plenty of signage indicating that there is a crosswalk ahead. However, when traveling in the opposite direction(northbound) on Hudson St. approaching Union St., there is nothing to designate the actual crosswalk location. You really can’t see it coming.

Tim Collins said that if there is an advance warning sign for a crosswalk there should also be a sign to designate the actual crosswalk location. There must have been a sign there previously and maybe it was knocked down.

It was also discussed that the type of flashing sign requested here is cost prohibitive to the City.

MOTION was made, seconded, duly VOTED to REFER to ENGINEERING to replace the missing signage. Chief Giorgi will contact the resident and explain the discussion and findings.

That there being no further business of the Traffic Commission held on this date, the meeting adjourned at 11:29 am.

Respectfully submitted,

Karen L. Lambert
Records Clerk
Marlborough Police Department

List of documents and other exhibits used at the meeting:

- City of Marlborough Meeting Posting for Traffic Commission Meeting on Wednesday, October 31, 2018, including meeting agenda.
- Draft of Traffic Commission Minutes from Wednesday, August 29, 2018.
- Email from Nick Milano to Chief Giorgi, dated 8/28/18, re: voice mail from Ms. Morales – 29 Franklin Street – Parking Concerns.

- Email from Dana Fortini to Sgt. Campbell, dated 9/17/18, re: Dangerous Intersection Concern – Our Future Learning Center
- Email from Lindsey Baumer to Sgt. Campbell, dated 9/5/18, re: Traffic Enforcement Request – Northborough Road West.
- Email from David and Elise McConeghy to Sgt. Campbell, dated 9/14/18, re: Our Future Learn Intersection with Rte. 20.
- Email from Revital Gabay to Sgt. Campbell, dated 9/26/18, re: Our Future Learning Center Turn.
- Email from Alexander Beal to Sgt. Campbell, dated 9/17/18, re: Road in Front of Our Future Learning Center.
- Email from Al Sendzik to Chief Giorgi, dated 9/14/18, re: Do Not Park Signs.
- Email from Paula Silver to Chief Giorgi, dated 9/21/189, re: Speeding problems.
- Proposed wording for C. 586-73 On Street Parking Permit.
 - Proposed Regulation wording for same.
- Email from Officer Connors to Sgt. Campbell, dated 10/11/18, re: Felton Street.
- Email from Richard Lodi to Chief Giorgi, dated 10/15/18, re: Crowley Drive – Speed & Parking.
- Copy of Handicap Sign Permit Request for Estabrook Ave. @ Prospect (with Copy of Handicap Placard for Requestor)
- Email from Steve Kerrigan to Chief Giorgi, dated 10/23/18, re: Order No. 18-1007436, Review about Veterans Space (along with copy of the Order.)
- Copy of proposed regulation to add multiple crosswalk locations for the Panther Trail to the crosswalk schedule.

Additional Handouts:

- Aerial photo/diagram of Crowley Drive along with “further amended Crowley Drive access and Maintenance Agreement with relevant portions highlighted.
- Aerial photo/diagram of Weed St. Ext. @ Florence St. with Stop Signs indicated along with wording for the revised regulation for Schedule IV, Stop Intersections.
- Diagram of Franklin Street with No Parking area indicated.
- Diagram of Huntington Avenue neighborhood.
- Photographs of Boston Post Road West, westbound heading toward Boundary Street with lane markers and notation for missing sign, Lane Ends, Merge Left., including large diagram of entire area.
- Diagram of DiCenzo Blvd. area with markings along with information from MA DOT on “Speed limits in thickly settled or business districts.
- Copy of application for Handicap Parkin Sign Permit for On Street Parking.
- Copy of application for Warning Sign Permit.
- Copies of three accident reports occurred at the intersection of Boston Post Road West and Northboro Road West.
- Copy of letter and photos from Robyn Gallagher explaining the accident she was involved in and issues with cars driving in the breakdown lane.
- Multiple photos of the area near Rte. 20 (BPRW) and Northboro Rd. near Our Future Learning Center.
- Email from Kim Matheson to MPD, dated 10/26/18, re: Hudson Street and Union Street Crosswalk Needing Attention.
- Email from Beth Connolly to Sgt. Campbell, dated 10/30/18, re: Our Future Learning Center accident on Rte. 20.

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2018 NOV 29 A 11:09

CITY OF MARLBOROUGH MEETING MINUTES

MEETING: Council on Aging Board of Directors Meeting

DATE: September 11, 2018

TIME: 8:30 A.M.

LOCATION: Sr. Center Conference Rm, 40 New Street, Marlborough, MA

ATTENDANCE: Leslie Biggar, Richard Collins, Jim Confrey, Brenda Costa, Richard Cygan, Marie Elwood, Pat Gallier, Jeanne McGeough, Mike Ossing, Trish Pope

EXCUSED: Joseph Bisol, Judy Kane

- I. CALL TO ORDER at 8:32 a.m.
- II. APPROVAL OF JUNE 12, 2018 MINUTES
- III. DIRECTOR'S UPDATE - Trish Pope

The senior center has had a very busy summer. Dana left for a position as the Assistant Director at the Belmont Council on Aging. Interviews start next week to fill Dana's position. A total of 10 resumes have been received for the outreach coordinator position. Trish is working with the Mayor to increase the salary of the program coordinator (union position). The Cummings Foundation Grant application is being submitted again for funding. A grant request for \$6,000 to the Brigham Family Trust is being submitted for items for the senior center's greenhouse. A \$4,000 grant was received from AARP for age/dementia friendly. Marlborough was designated as an age friendly community this past summer by AARP. Massachusetts is the 2nd state in the country to become age friendly. Trish is moving forward with the LGBT BayPath Elder Services grant. Events will be held in the communities of Marlborough, Natick, Framingham, Hudson and Northborough. The current lunch program with Kennedy's is 3 days a week. An RFP is going out to search for a caterer to run the lunch program 5 days a week. The MCOA conference is at the end of October and Trish will be attending.

- IV. BOARD UPDATES
 - A. BAYPATH ELDER SERVICES UPDATE - Richard Cygan

See attached BayPath Reports, June and July, Att. #1.

B. TRANSPORTATION REPORT FOR JUNE, JULY & AUGUST – Jeanne McGeough

See attached Transportation Reports, Att. #2.

V. NEW/OLD BUSINESS

A new Burger & Bocce night with police department is on the courts at the senior center.

VI. BOARD MEMBERS' IDEAS REGARDING ITEMS TO BE ADDRESSED AND DISCUSSED AT THIS AND FUTURE BOARD MEETINGS

Attached is a submission of ideas for discussion from Joseph Bisol, Att. #3. Regarding item #2, Trish is an Honoring Choices ambassador, which addresses this issue and she may want to explain the program at the upcoming board meeting.

VII. Meeting adjourned at 9:30 am.

The next board meeting is Tuesday, October 9, 2018 at 8:30 a.m. in the conference room at the Senior Center, 40 New Street, Marlborough, MA.

Respectfully Submitted,

Brenda Costa, Secretary

Board Meeting Highlights – June 27, 2018

Board Meeting Schedule from July 2018 – December 2018

July 25, 2018
October 24, 2018

August 2018 – No Meeting
November - TBD

September 26, 2018
December 19, 2018

New Board Members:

Welcome to our new board members; Brenda Costa – Marlborough at-large and Harriet Merkowitz – Natick COA.

Medical Nutrition Therapy:

BayPath has received approval from CMS to be a provider of medical nutrition therapy and to bill Medicare for this service.

Strategic Plan:

We continue to work on the plan. We have established our Vision, Mission, Values, and continue to work on our Goals and Objectives. Progress to date will be reviewed by the board at the July meeting.

Home Care Programs: Total 1245 Consumers

Town Analysis:

TOWN	CONSUMER #	TOWN	CONSUMER #
Ashland	45	Natick	123
Dover	2	Northborough	36
Framingham	231	Sherborn	1
Holliston	48	Southborough	14
Hopkinton	30	Sudbury	40
Hudson	79	Wayland	22
Marlborough	88	Westborough	32

Nutrition - Meal Days - 22

TOWN	TOTAL	TOWN	TOTAL
Ashland	325	Natick	1244
Dover	18	Northborough	235
Framingham	4740	Sherborn	82
Holliston	597	Southborough	410
Hopkinton	241	Sudbury	537
Hudson	1253	Wayland	516
Marlborough	2349	Westborough	402
Total	12,949		

Board Meeting Highlights – July 25, 2018

Board Meeting Schedule from July 2018 – December 2018

September 26, 2018
December 19, 2018

October 24, 2018

November - TBD

New AAA Advisory Council Members:

Welcome to: John Beeler – COA representative of Sudbury, Eileen Bogle as an at-large member of Framingham, and Elaine Valovic as an at-large member of Holliston.

In an update to the strategic planning process, the Board of Directors approved BayPath's new Vision/Mission Statement. This will be shared with the community at-large once the plan has been written, at the end of the summer.

BayPath continues to work toward our CARF accreditation survey, the accreditation is now required to manage the Adult Family Care Program. As part of the process, the board approved a Draft Corporate Compliance Plan. The final Plan will be presented at the September meeting.

The board also voted on all Title III recommendations for grant allocations for FFY 19. Ms. Bakstran will inform the grantees of the status of their submissions.

Home Care Programs: Total 1,152 consumers enrolled

Town Analysis:

TOWN	CONSUMER #	TOWN	CONSUMER #
Ashland	46	Natick	123
Dover	1	Northborough	37
Framingham	238	Sherborn	1
Holliston	45	Southborough	12
Hopkinton	30	Sudbury	39
Hudson	78	Wayland	21
Marlborough	97	Westborough	34

Nutrition - Meal Days - 21

TOWN	TOTAL	TOWN	TOTAL
Ashland	286	Natick	1204
Dover	22	Northborough	266
Framingham	4601	Sherborn	89
Holliston	560	Southborough	384
Hopkinton	265	Sudbury	507
Hudson	1175	Wayland	530
Marlborough	2200	Westborough	336

Senior Care Options: Total 1,240 consumers enrolled

MARLBOROUGH SENIOR CENTER TRANSPORTATION REPORT
MONTH OF JUNE, 2018

TOTAL NUMBER OF TRIPS = 124

BROKEN DOWN

SUPERMARKET/SHOPPING/RESTAURANTS = 22

SENIOR CENTER = 55

CITY VAN- OTHER = 26

MWRTA = 21

EMPLOYMENT OPTIONS = 0

NEW APPLICANTS = 9 – 6 Female, 3 Male

NEW RIDERS = 2

RETURNING = 27

ATTACHED IS THE LEGEND FOR THE BAY PATH REPORT

MARLBOROUGH SENIOR CENTER TRANSPORTATION REPORT
MONTH OF JULY, 2018

TOTAL NUMBER OF TRIPS = 125

BROKEN DOWN

SUPERMARKET/SHOPPING/RESTAURANTS = 24

SENIOR CENTER = 41

CITY VAN- OTHER = 38

MWRTA = 21

EMPLOYMENT OPTIONS = 0

NEW APPLICANTS = 10

NEW RIDERS = 8

RETURNING = 28

ATTACHED IS THE LEGEND FOR THE BAY PATH REPORT

MARLBOROUGH SENIOR CENTER TRANSPORTATION REPORT
MONTH OF AUGUST, 2018

TOTAL NUMBER OF TRIPS = 145

BROKEN DOWN

SUPERMARKET/SHOPPING/RESTAURANTS = 21

SENIOR CENTER = 65

CITY VAN- OTHER = 38

MWRTA = 21

EMPLOYMENT OPTIONS = 0

NEW APPLICANTS = 8 – 3 Male, 5 Female

NEW RIDERS = 7

RETURNING = 31

ATTACHED IS THE LEGEND FOR THE BAY PATH REPORT

Marlborough Council on Aging Board Meeting
Ideas to be Addressed and Discussed at Future Board Meeting
Submitted by: Joseph Bisol

I have two items for discussions:

1. One of the alternatives to address the cost of providing programs and services increase is to coordinate programs with other communities. As we have seen with the “Daybreak Program” we can successfully partner with Hudson and Northborough to offer a service that would be difficult to do a stand-alone community basis. We may want to revisit prior services or new services that may have been or are too expensive to offer on a stand-alone community basis.
2. A future program to assist Seniors who have “NO Family” to speak for them. The service would involve assistance in handling a variety of decisions. For example, what do you do IF you don’t have relatives or close friends who can serve as your health care proxy or hold your power of attorney. Even when you’ve written advance directives, someone has to bring those documents to the attention of medical personnel. That person may have to become a forceful advocate on an incapacitated patient’s behalf.

I realize that there may be individual programs that may address some of these issues, but the intent is to put under one program all the things that a Senior who has not family would need to consider. A suggestion is to have the program help these individuals establish their personal “Care Committee” which would be comprised of friends and professionals, that will make their values and preferences clear, and authorizes the committee to handle a variety of eventual decisions. The program could be structure as a “how to do establish your care committee” and/or what resources are available to both the individual and committee.