

REGULAR MEETING
FEBRUARY 24, 2020
TIME: 8:00 PM

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

CONVENED:
ADJOURNED:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2020 FEB 20 P 3: 55

1. Minutes, City Council Meeting, February 10, 2020.
2. PUBLIC HEARING On the Petition from Massachusetts Electric, to install a new pole and anchor #79-84 on Berlin Road, which will enable National Grid to remove the pole to tree guy wire, Order No. 20-1007933.
3. PUBLIC HEARING On the Proposed Zoning Amendment to Chapter 650 §17 & §18 relative to Livestock Farms, Order No. 20-1007915.
4. Communication from the Mayor, re: Transfer Request in the amount of \$473,846.52 which moves funds from PEG Funds to Marlborough Cable Trust to fund the operation of WMCT for FY2021.
5. Communication from the Mayor, re: Transfer Request in the amount of \$400,000.00 from Undesignated Fund (Free Cash) to Stabilization – Open Space to replace the money used for the purchases of land on Bolton Street.
6. Communication from the Mayor, re: Grant Acceptance in the amount of \$5,000.00 from the Massachusetts Cultural Council to fund cultural projects, including the Museum in the Streets.
7. Communication from the Mayor, re: Appointment of Lynn Davine as Director of Human Resources for a three-year term from date of confirmation.
8. Communication from the Mayor, re: Appointment of Michael Hennessy as Director of Veterans Services for a three-year term effective February 10, 2020.
9. Communication from the Mayor, re: Reappointment of Beverly Sleeper as Chief Procurement Officer for a three-year term from date of confirmation.
10. Communication from the Mayor, re: Appointment of Melynda Gallagher to the Parks and Recreation Commission for a three-year term from date of confirmation.
11. Communication from City Solicitor, Jason Grossfield, on behalf of Councilor Robey, re: Proposed Zoning Amendment to Chapter 650, §5, §17, & §18 – Contractor Yards and the Proposed Rezoning of land located on Farm Road, identified as Map 85 Parcel 12.
12. Communication from City Solicitor, Jason Grossfield, re: Letters of support for Proposed Zoning Amendment relative to Contractor Yards and the Proposed Rezoning of land on Farm Road and update on pending litigation.
13. Communication from Code Enforcement Officer Pamela Wilderman, re: Request for Sign, Gerardo's Bakery, 115 Apex Drive, Unit D, within the HRMUOD, Order No. 16/20-1006443.

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.

14. Communication from Attorney Brian Falk, on behalf of Vedi Naturals, LLC, re: Request to Extend Time Limitations to June 9, 2020 at 10:00 PM, on the Application for Special Permit to operate an Adult Use Marijuana Retail Establishment, 505 Boston Post Road West (Twin Boro Crossing), Order No. 20-1007881A.
15. Application for LED Sign Special Permit, from William Camuso on behalf of Lincoln 431 LLC, (Shell Station) 431 Lincoln Street.
16. Communication from Central MA Mosquito Control, re: FY 2021 Budget Notification and Compliance Certification Policy.
17. Minutes of Boards, Commissions and Committees:
 - a) Conservation Commission, January 9, 2020 & January 23, 2020.
 - b) Historical Commission, December 19, 2019.
 - c) Library Trustees, January 7, 2020.
18. CLAIMS:
 - a) Mark Bigelow, 29 Pearl Street, pothole or other road defect.
 - b) David & Cindy D'Amico, 102 West Hill Road, residential mailbox claim (2a).
 - c) Eileen Hebert, 512 Linwood Court, Clinton, pothole or other road defect.
 - d) Daniel Hong, 5 Repton Circle, #5214, Watertown, pothole or other road defect.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Public Services Committee

19. **Order No. 19-1007863A – Petition from Massachusetts Electric, to install new underground equipment to feed street lights 52 through 57 from existing street light #24 on Donald J. Lynch Boulevard.**

Albert Galvin, Design Engineer with National Grid, and Thomas DiPersio, City of Marlborough, City Engineer, appeared before the Public Services Committee to review the petition. Mr. DiPersio's comments per an email dated Friday, January 31, 2020 were as follows, "This new street lighting project is proposed at the City's request, as part of our ongoing reconstruction project along Donald Lynch Boulevard. In order to coordinate with construction activities by our contractor, some infrastructure, including the conduits at the roadway crossings, was installed at the end of the construction season in 2019. With the Council's approval the lighting and the electrical connections can be installed in the spring." Motion by Councilor Irish, seconded by Chair, to approve the Petition, as requested. Vote 3-0.

Recommendation of the Public Services Committee is to approve.

20. **Order No. 19-1007877A – Petition from Massachusetts Electric, to install a new pole and anchor #30-84 on Bigelow Street which will enable National Grid to remove the pole to tree guy wire.**

Albert Galvin, Design Engineer with National Grid, and Thomas DiPersio, City of Marlborough, City Engineer, appeared before the Public Services Committee to review the petition. Mr. DiPersio had no issues or comments on the petition. Motion by Councilor Irish, seconded by Chair, to approve the Petition, as requested. Vote 3-0.

Recommendation of the Public Services Committee is to approve.

From Finance Committee

21. **Order No. 19-1007838A -New Library Update.**

Communication from the Mayor dated October 24, 2019 requesting that representatives of the Marlborough Public Library Building Committee provide an update to the City Council. Representatives of the Building Committee provided a thorough update including a slide presentation. Motion by Councilor Tunnera, seconded by Chair, to accept and file. Vote 5-0

Recommendation of the Finance Committee is to accept and file.

22. **Order No. 20-1007916 -Transfer of \$3,029,000.00 for Hudson Street Landfill Redevelopment.**

The Finance Committee reviewed the Mayor's letter dated January 23, 2020 requesting the transfer of \$3,029,000.00 from the Undesignated Fund account for the design and construction of the DEP corrective actions to prepare a portion of the Hudson Street Landfill for active reuse. Motion by Councilor Tunnera, seconded by Councilor Dumais, to approve the Transfer. Vote 3-2 (Oram and Perlman opposed).

Recommendation of the Finance Committee is to approve.

From Personnel Committee

23. **Order No. 20-1007919 – The reappointment of Diane Smith as City Auditor for a three-year term from date of confirmation.**

Recommendation of the Personnel Committee is to approve.

24. **Order No. 20-1007920 – The appointment of Nusrath Khan to the Planning Board for a one-year term to expire the first Monday in February 2021.**

Recommendation of the Personnel Committee is to approve.

25. **Order No. 20-1007902 – The reappointment of Patricia Carlson to the Commission on Disabilities for a two-year term from date of confirmation.**

Recommendation of the Personnel Committee is to approve.

26. **Order No. 20-1007903 – The reappointments to the Zoning Board of Appeals of Paul Giunta and Robert Levine for three-year terms from date of confirmation, in addition to Thomas Golden and Ralph Loftin for two-year terms from date of confirmation.**

Recommendation of the Personnel Committee is to approve.

27. **Order No. 20-1007904 – The appointment of Paul Gould to the Fort Meadow Commission for a three-year term from date of confirmation who will be replacing Commissioner Delgenio.**

Recommendation of the Personnel Committee is to approve.



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2020 FEB 20 A 8: 50

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

FEBRUARY 10, 2020

Regular meeting of the City Council held on Monday, January 27, 2020 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Oram, Perlman, Robey, Wagner, Doucette, Dumais, Tunnera, Irish, Navin and Landers. Meeting adjourned at 8:30 PM.

ORDERED: That the Minutes of the City Council meeting, January 27, 2020, **FILE**; adopted.

ORDERED: That the Transfer Request in the amount of \$1,331,902.00 from Undesignated Fund (Free Cash) to Undesignated Stabilization pursuant to the financial policies of the City of Marlborough, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$13,169,020.00	\$1,331,902.00	10000	35900	Undesignated Fund	\$1,331,902.00	83600	32925	Undesignated Stabilization	\$13,942,532.76
	Reason:	To increase undesignated stabilization funds							
	\$1,331,902.00	Total			\$1,331,902.00	Total			

ORDERED:

That the Transfer Request in the amount of \$1,331,902.00 from Undesignated Fund (Free Cash) to OPEB Trust pursuant to the financial policies of the City of Marlborough, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$13,169,020.00	\$1,331,902.00	10000	35900	Undesignated Fund	\$1,331,902.00	87500	35900	OPEB Trust	\$10,373,553.72

Reason: Transfer funds to OPEB trust

\$1,331,902.00 Total \$1,331,902.00 Total

That the Transfer Requests in the amount of \$838,902.00 from various departments for FY 20, which moves funds from and to accounts as noted in the attached spreadsheets, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT:		Various				FISCAL YEAR:		2020		
Available Balance	Amount	FROM ACCOUNT:	TO ACCOUNT:	Available Balance						
		Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$667,126.75	\$77,350.00	11990006	57820	Reserve for Salaries	\$7,850.00	11210001	50321	Exec Aide to Mayor	\$19,889.39	
	Reason:				Reason:	Funds needed through June 30th				
	\$0.00				\$11,000.00	11210003	51250	Summer Employment	\$744.80	
	Reason:				Reason:	Funds needed through June 30th				
	\$0.00				\$500.00	11110002	50401	Council P/T Sr Clerk	\$9,726.67	
	Reason:				Reason:	Funds needed through June 30th				
	\$0.00				\$44,500.00	12410001	50260	Local Inspector	\$46,402.57	
	Reason:				Reason:	To fund one local inspector not in original budget				
	\$0.00				\$12,100.00	12410001	50370	Plumbing Inspector	\$27,903.94	
	Reason:				Reason:	To fund vacation payout due to retirement				
	\$0.00				\$1,400.00	12410003	51920	Bldg-Sick Leave Buy Back	\$5.68	
	Reason:				Reason:	To fund sick leave buy back due to retirement				
\$1,080,000.00	\$67,600.00	13860006	59254	Interest on BAN	\$5,600.00	11940006	51770	Retirement Fund	\$6.00	
	Reason:	Actual interest rate came in lower than budgeted amount			Reason:	Supplemental appropriation for military service				
	\$0.00				\$50,000.00	11930006	57410	Property Liability Insurance	\$5,725.00	
	Reason:				Reason:	Additional insurance costs not budgeted				
	\$0.00				\$12,000.00	15430006	57710	Veterans Benefits	\$71,699.23	
	Reason:				Reason:	Monthly benefits running higher than expected				
	\$144,950.00	Total			\$144,950.00	Total				

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: City Clerk/Election

FISCAL YEAR: 2020

Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Amount	Balance	
<u>\$30,388.53</u>	<u>\$2,800.00</u>	<u>11610002</u>	<u>50290</u>	<u>Assistant City Clerk</u>	<u>\$5,300.00</u>	<u>11610004</u>	<u>53150</u>	<u>Advertising</u>	<u>\$1,621.11</u>	
Reason:	<u>Surplus in account</u>			Reason:	<u>Additional Funds for remainder of FY20</u>					
<u>\$22,771.81</u>	<u>\$2,500.00</u>	<u>11610002</u>	<u>50770</u>	<u>Senior Clerk</u>						
Reason:	<u>Surplus in account</u>			Reason:						
<u>\$40,676.41</u>	<u>\$6,000.00</u>	<u>11620002</u>	<u>50520</u>	<u>Principal Clerk</u>	<u>\$7,500.00</u>	<u>11620004</u>	<u>53932</u>	<u>Election Programming</u>	<u>\$30.20</u>	
Reason:	<u>Surplus in account</u>			Reason:	<u>Programming for Presidential Primary/Early Voting</u>					
<u>\$1,910.00</u>	<u>\$1,500.00</u>	<u>11620003</u>	<u>51920</u>	<u>Sick Leave Buy Back</u>						
Reason:	<u>Surplus in account</u>			Reason:						
\$12,800.00	Total			\$12,800.00	Total					

**CITY OF MARLBOROUGH
BUDGET TRANSFERS --**

DEPT: HEALTH DEPARTMENT

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$53,455.00	\$15,701.00	15120001	50611	Assistant Sanitarian Salary	\$15,701.00	15120004	53140	Contract Services	\$8,368.00
<hr/>									

Reason: Needed to fund our food inspection program contracted services that has and will be used more this year due to staffing vacancies.

\$15,701.00	Total	\$15,701.00	Total	\$8,368.00
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CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: POLICE		FY: 2020							
		FROM ACCOUNT:			TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$667,126.75</u>	<u>\$93,550.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$11,550.00</u>	<u>12100001 #</u>	<u>50500</u>	<u>Police Captains</u>	<u>\$78,871.88</u>
	Reason:	<u>Contractual % increase not included in FY20 budget</u>				<u>Contractual % increase to contract</u>			
					<u>\$27,000.00</u>	<u>12100001</u>	<u>50510</u>	<u>Police Lieutenants</u>	<u>\$180,203.79</u>
	Reason:	<u>Contractual % increase to contract</u>				<u>Contractual % increase to contract</u>			
					<u>\$55,000.00</u>	<u>12100001</u>	<u>50820</u>	<u>Police Sergeants</u>	<u>\$319,162.72</u>
	Reason:	<u>Contractual % increase to contract</u>				<u>Contractual % increase to contract</u>			
<u>\$65,880.73</u>	<u>\$10,000.00</u>	<u>12100003</u>	<u>51450</u>	<u>Night Shift Differential</u>	<u>\$10,000.00</u>	<u>12100005</u>	<u>54220</u>	<u>Office Supplies</u>	<u>\$9,951.99</u>
	Reason:	<u>Surplus due to open officer positions</u>				<u>Deficit due to increase in classes & Kennel transfers</u>			
<u>\$56,727.36</u>	<u>\$11,500.00</u>	<u>12100003</u>	<u>51342</u>	<u>Longevity</u>	<u>\$8,000.00</u>	<u>12100006</u>	<u>52560</u>	<u>Vehicle Repair & Maintenance</u>	<u>\$6,456.36</u>
	Reason:	<u>Surplus due to open officer positions</u>				<u>Deficit due to higher increased number of cruisers, needed repairs,</u>			
					<u>\$3,500.00</u>	<u>12100006</u>	<u>51975</u>	<u>Initial Equipment</u>	<u>\$7,787.10</u>
						<u>Deficit due to candidates academy attendance in May 2020</u>			
	<u>\$115,050.00</u>	Total			<u>\$115,050.00</u>	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$393,893</u>	<u>\$250,000.00</u>	<u>60086006</u>	<u>52935</u>	<u>Solid Waste Disposal</u>	<u>\$50,000.00</u>	<u>60080004</u>	<u>53110</u>	<u>Legal Services</u>	<u>\$0.00</u>
Reason:	<u>Excess due to end of WeCare Contract</u>					<u>Northborough and closeout of WeCare</u>			
					<u>\$200,000.00</u>	<u>14003006</u>	<u>52920</u>	<u>Rubbish Collection</u>	<u>\$112,000.00</u>
Reason:						<u>Transfer three months of municipal solid waste</u>			
<u>\$60,500</u>	<u>\$60,500.00</u>	<u>14003006</u>	<u>53142</u>	<u>Protection Services</u>	<u>\$60,500.00</u>	<u>61090003</u>	<u>51240</u>	<u>Temporary Part-Time</u>	<u>\$1,674.00</u>
Reason:	<u>Excess due to cancelled contract</u>					<u>Due to Resident Drop-Off employees</u>			
<u>\$66,750</u>	<u>\$37,000.00</u>	<u>13032001</u>	<u>50690</u>	<u>Foreman</u>	<u>\$37,000.00</u>	<u>11920001</u>	<u>50292</u>	<u>Building Maint. Craftsman</u>	<u>\$26,620.00</u>
Reason:	<u>Excess due to vacancy</u>					<u>Due to temporary position</u>			
<u>\$667,127</u>	<u>\$76,947.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$33,437.00</u>	<u>60081001</u>	<u>50910</u>	<u>Head Trmt Plant Op.</u>	<u>\$34,810.00</u>
Reason:	<u>Salary reserve</u>					<u>Due to Retirement - Superannuation</u>			
					<u>\$43,510.00</u>	<u>14001303</u>	<u>50740</u>	<u>Equipment Operators</u>	<u>\$389,881.00</u>
Reason:						<u>Due to Retirement - Superannuation</u>			
<u>\$424,447.00</u>		Total			<u>\$424,447.00</u>	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$667,127</u>	<u>\$31,336.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$3,550.00</u>	<u>14001101</u>	<u>50108</u>	<u>GIS Administrator</u>	<u>\$29,283.00</u>
Reason:	<u>Salary reserve</u>					<u>Due to new Engineering CBA</u>			
					<u>\$8,450.00</u>	<u>14001101</u>	<u>50660</u>	<u>Assistant City Engineer</u>	<u>\$69,621.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$5,150.00</u>	<u>14001101</u>	<u>50700</u>	<u>Senior Engineering Aide</u>	<u>\$20,085.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$12,500.00</u>	<u>14001101</u>	<u>50710</u>	<u>Junior Civil Engineer</u>	<u>\$128,905.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$460.00</u>	<u>14001103</u>	<u>51430</u>	<u>Longevity</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$1,226.00</u>	<u>14001103</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
\$31,336.00	Total				\$31,336.00	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$667,127</u>	<u>\$6,656.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$1,600.00</u>	<u>14001103</u>	<u>51940</u>	<u>Clothing Allowance</u>	<u>\$346.00</u>
Reason:	<u>Salary reserve</u>					<u>Due to new Engineering CBA</u>			
					<u>\$4,250.00</u>	<u>14001301</u>	<u>50660</u>	<u>General Foreman</u>	<u>\$34,913.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$135.00</u>	<u>14001303</u>	<u>51430</u>	<u>Longevity</u>	<u>\$459.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$310.00</u>	<u>14001303</u>	<u>51470</u>	<u>Interim Foreman</u>	<u>\$10,035.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$161.00</u>	<u>14001303</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$2,287.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$200.00</u>	<u>14001303</u>	<u>51940</u>	<u>Clothing Allowance</u>	<u>\$250.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
	<u>\$6,656.00</u>	<u>Total</u>			<u>\$6,656.00</u>	<u>Total</u>			

CITY OF MARLBOROUGH
BUDGET TRANSFERS –

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$667,127</u>	<u>\$5,325.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$4,250.00</u>	<u>14001401</u>	<u>50692</u>	<u>Supt. Auto Maintenance</u>	<u>\$34,808.00</u>
Reason:	<u>Salary reserve</u>					<u>Due to new Engineering CBA</u>			
					<u>\$230.00</u>	<u>14001403</u>	<u>51430</u>	<u>Longevity</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$230.00</u>	<u>14001403</u>	<u>51440</u>	<u>Education Incentive</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$245.00</u>	<u>14001403</u>	<u>51470</u>	<u>Interim Foreman</u>	<u>\$276.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$170.00</u>	<u>14001403</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$1,988.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$200.00</u>	<u>14001403</u>	<u>51940</u>	<u>Clothing Allowance</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
	<u>\$5,325.00</u>	<u>Total</u>			<u>\$5,325.00</u>	<u>Total</u>			

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$667,127</u>	<u>\$5,230.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$4,250.00</u>	<u>14001501</u>	<u>50680</u>	<u>General Foreman</u>	<u>\$34,810.00</u>
Reason:	<u>Salary reserve</u>					<u>Due to new Engineering CBA</u>			
					<u>\$230.00</u>	<u>14001503</u>	<u>51430</u>	<u>Longevity</u>	<u>\$1,643.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$75.00</u>	<u>14001503</u>	<u>51440</u>	<u>Education</u>	<u>\$8,065.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$300.00</u>	<u>14001503</u>	<u>51470</u>	<u>Interim Foreman</u>	<u>\$609.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$175.00</u>	<u>14001503</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$3,841.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$200.00</u>	<u>14001503</u>	<u>51940</u>	<u>Clothing Allowance</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
	<u>\$5,230.00</u>	<u>Total</u>			<u>\$5,230.00</u>	<u>Total</u>			

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$667,127</u>	<u>\$7,734.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$4,500.00</u>	<u>60080001</u>	<u>50570</u>	<u>Chemist</u>	<u>\$29,658.00</u>
	Reason:	Salary reserve				Due to new Engineering CBA			
					<u>\$2,650.00</u>	<u>60080001</u>	<u>50580</u>	<u>Assistant Chemist</u>	<u>\$21,560.00</u>
	Reason:					Due to new Engineering CBA			
					<u>\$100.00</u>	<u>60080003</u>	<u>51430</u>	<u>Longevity</u>	<u>\$0.00</u>
	Reason:					Due to new Engineering CBA			
					<u>\$84.00</u>	<u>60080003</u>	<u>51470</u>	<u>Interim Foreman</u>	<u>\$348.00</u>
	Reason:					Due to new Engineering CBA			
					<u>\$400.00</u>	<u>60080003</u>	<u>51940</u>	<u>Clothing Allowance</u>	<u>\$0.00</u>
	Reason:					Due to new Engineering CBA			
	<u>\$7,734.00</u>	Total			<u>\$7,734.00</u>	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$667,127</u>	<u>\$31,563.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$21,450.00</u>	<u>60081001</u>	<u>50850</u>	<u>Sewage Trmt Plant Op</u>	<u>\$150,046.00</u>
Reason:	<u>Salary reserve</u>					<u>Due to new Engineering CBA</u>			
					<u>\$7,300.00</u>	<u>60081001</u>	<u>50910</u>	<u>Chief Trmt Plant Op</u>	<u>\$34,810.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$900.00</u>	<u>60081003</u>	<u>51430</u>	<u>Longevity</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$98.00</u>	<u>60081003</u>	<u>51470</u>	<u>Interim Foreman</u>	<u>\$2,845.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$615.00</u>	<u>60081003</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$1,200.00</u>	<u>60081003</u>	<u>51940</u>	<u>Clothing Allowance</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
	<u>\$31,563.00</u>	<u>Total</u>			<u>\$31,563.00</u>	<u>Total</u>			

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$667,127</u>	<u>\$28,115.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$19,000.00</u>	<u>60085001</u>	<u>50850</u>	<u>Sewage Trmt Plant Op</u>	<u>\$99,698.00</u>
Reason:	<u>Salary reserve</u>					<u>Due to new Engineering CBA</u>			
					<u>\$7,300.00</u>	<u>60085001</u>	<u>50910</u>	<u>Chief Trmt Plant Op</u>	<u>\$36,246.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$350.00</u>	<u>60085003</u>	<u>51430</u>	<u>Longevity</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$45.00</u>	<u>60085003</u>	<u>51470</u>	<u>Interim Foreman</u>	<u>\$1,183.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$420.00</u>	<u>60085003</u>	<u>51920</u>	<u>Sick Leave Buyback</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
					<u>\$1,000.00</u>	<u>60085003</u>	<u>51940</u>	<u>Clothing Allowance</u>	<u>\$0.00</u>
Reason:						<u>Due to new Engineering CBA</u>			
\$28,115.00	Total				\$28,115.00	Total			

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2020

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$667,127	\$5,195.00	11990006	57820	Reserve for Salaries	\$4,350.00	61090001	50680	General Foreman	\$34,888.00
	Reason:	Salary reserve				Due to new Engineering CBA			
					\$75.00	61090003	51440	Education Incentives	\$0.00
	Reason:					Due to new Engineering CBA			
					\$570.00	61090003	51470	Interim Foreman	\$2,955.00
	Reason:					Due to new Engineering CBA			
					\$200.00	61090003	51940	Clothing Allowance	\$200.00
	Reason:					Due to new Engineering CBA			
	\$5,195.00	Total			\$5,195.00	Total			

ORDERED: That the Proposed Salary Ordinance as offered by the Mayor relative to Chapter 125 §6 of the Code of the City of Marlborough, refer to **FINANCE COMMITTEE**; adopted.

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

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

Position	Effective Date Upon Passage	Minimum	Step 1	Step 2	Maximum
Social Service Coordinator		\$15.4903	\$16.1094	\$16.7540	\$17.6143

<u>Position</u>	<u>Rate</u>
Planning Board Member	\$150 Per Planning Board Meeting Attended
Zoning Board of Appeals Member (including associate member)	\$150 Per Zoning Board of Appeals Meeting Attended
Detention Assistant	Not to Exceed \$18.00 Per Hour
Parking Enforcement Officer	Not to Exceed \$18.00 Per Hour
Mail Clerk	Not to Exceed \$18.00 Per Hour
Crossing Guard	Not to Exceed \$18.00 Per Hour

II. By deleting from the salary schedule referenced in Section 125-6: any reference to salary rate for the following positions: Planning Board Member, Zoning Board of Appeals Member (including associate member), Detention Assistant, Parking Enforcement Officer, Mail Clerk and Crossing Guard.

ORDERED: That the Reappointments to the Community Development Authority Board (CDA) of Stephanie Ferrecchia and David Morticelli for three-year terms to expire from date of confirmation, Paul Sliney for a two-year term to expire from date of confirmation and Renee Perdicaro for a one-year term to expire from date of confirmation, refer to **PERSONNEL COMMITTEE**; adopted.

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

ORDERED: That the Communication from City Clerk, Steven Kerrigan, re: Early Voting for Presidential Primary, **FILE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY FEBRUARY 24, 2020** as the **DATE FOR PUBLIC HEARING** on the Petition from Massachusetts Electric, to install a new pole and anchor #79-84 on Berlin Road which will enable National Grid to remove the pole to tree guy wire, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Communication from Chris White re: Yearly Operational Plan and Vegetation Management Plan, **FILE**; adopted.

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

- a) School Committee, January 6, 2020 & January 14, 2020.
- b) Library Trustees, December 3, 2019.
- c) Planning Board, January 13, 2020.
- d) Retirement Board, December 31, 2019.
- e) Traffic Commission, November 27, 2019.

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

- a) Joseph Mikula, 211 West Hill Road, residential mailbox claim (2a).

Reports of Committees:

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

Marlborough City Council Public Services Committee
Monday, February 3, 2020
In City Council Chambers, 2nd Floor, City Hall, 140 Main Street

Members Present: Chairman Landers, Councilors Irish and Perlman
 Other Councilors: Councilors Doucette, Navin, Ossing, and Robey
 Also Present: City Engineer DiPersio; Albert Galvin, National Grid Design Engineer

The meeting convened at 7:00 PM.

1. **Order No. 19-1007863 – Petition from Massachusetts Electric, to install new underground equipment to feed street lights 52 through 57 from existing street light #24 on Donald J. Lynch Boulevard.** Albert Galvin, Design Engineer with National Grid, and Thomas DiPersio, City of Marlborough, City Engineer, appeared before the Public Services Committee to review the petition.

Mr. DiPersio's comments per an email dated Friday, January 31, 2020 were as follows, "This new street lighting project is proposed at the City's request, as part of our ongoing reconstruction project along Donald Lynch Boulevard. In order to coordinate with construction activities by our contractor, some infrastructure, including the conduits at the roadway crossings, was installed at the end of the construction season in 2019. With the Council's approval the lighting and the electrical connections can be installed in the spring." Motion by Councilor Irish, seconded by Chair, to approve the Petition, as requested. Vote 3-0.

Recommendation of the Public Services Committee is to approve the Petition as requested.

2. **Order No. 19-1007877 – Petition from Massachusetts Electric, to install a new pole and anchor #30-84 on Bigelow Street which will enable National Grid to remove the pole to tree guy wire.** Albert Galvin, Design Engineer with National Grid, and Thomas DiPersio, City of Marlborough, City Engineer, appeared before the Public Services Committee to review the petition. Mr. DiPersio had no issues or comments on the petition. Motion by Councilor Irish, seconded by Chair, to approve the Petition, as requested. Vote 3-0.

Recommendation of the Public Services Committee is to approve the Petition as requested.

The meeting adjourned at 7:11 PM.

Reports of Committee Continued:

Councilor Irish reported the following out of the Finance Committee:

**Marlborough City Council Finance Committee
Monday, February 3, 2020
In City Council Chambers, 2nd Floor, City Hall, 140 Main Street**

Members Present: Chairman Irish, Councilors Dumais, Oram, Tunnera, and Perlman
Other Councilors: Councilors Doucette, Landers, Navin, Ossing, Robey, and Wagner (arrived 7:20 PM)
Also Present: Mayor Vigeant, City Engineer DiPersio, City Auditor Smith; Library Director Cardello and Library Building Committee members and representatives

Meeting convened at 7:15 PM.

- 1. Order No. 19-1007838 -New Library Update:** Communication from the Mayor dated October 24, 2019 requesting that representatives of the Marlborough Public Library Building Committee provide an update to the City Council. Representatives of the Building Committee provided a thorough update including a slide presentation. Motion by Councilor Tunnera, seconded by Chair, to accept and file. Vote 5-0
Recommendation of the Finance Committee is to accept and file.
- 2. Order No. 20-1007916 -Transfer of \$3,029,000.00 for Hudson Street Landfill Redevelopment:** The Finance Committee reviewed the Mayor's letter dated January 23, 2020 requesting the transfer of \$3,029,000.00 from the Undesignated Fund account for the design and construction of the DEP corrective actions to prepare a portion of the Hudson Street Landfill for active reuse. Motion by Councilor Tunnera, seconded by Councilor Dumais, to approve the Transfer. Vote 3-2 (Oram and Perlman opposed).
Recommendation of the Finance Committee is to approve the Transfer as requested by the Mayor.
- 3. Order No. 20-1007917 -Transfer of \$400,000.00 from Open Space Stabilization Account for acquisition of 45-47 and 55 Bolton Street, Assessors Map 57-104 and Map 70-296:** The Finance Committee reviewed the Mayor's letter dated January 23, 2020 requesting approval of an Order to purchase two parcels on Bolton Street, including a transfer of \$400,000.00 from the Open Space Stabilization account to fund the purchase of these parcels within a short distance to the existing DEC building. The District Education Center currently does not have sufficient parking to meet present or future demands. The acquisition of these parcels across Bolton Street will also provide an additional municipal parking lot. Motion by Councilor Oram, seconded by Councilor Perlman, to approve the transfer.
Vote 4-0 (Dumais recused)
Recommendation of the Finance Committee is to approve the Transfer as requested by the Mayor.
 - Chairman Irish will request a suspension of the rules at the February 10, 2020 City Council meeting to vote on the transfer.

Meeting adjourned at 8:58 PM.

Reports of Committee Continued:

Councilor Dumais reported the following out of the Personnel Committee:

**Marlborough City Council Personnel Committee
Monday, February 3, 2020
In City Council Chambers, 2nd Floor, City Hall, 140 Main Street**

Members Present: Chairman Dumais, Councilors Doucette and Landers

Other Councilors: Councilors Irish, Navin, Ossing, Perlman (arrived 6:50 PM) and Robey

The meeting convened at 6:30 PM.

- 3. Order No. 20-1007919 – The reappointment of Diane Smith as City Auditor for a three-year term from date of confirmation.** Diane Smith has worked for the City of Marlborough for the past eighteen years and as City Auditor for the past twelve years. Ms. Smith explained the staffing levels of the Auditor’s Office and the tasks they perform. Motion by Councilor Doucette, seconded by Chair, to approve the reappointment. Vote 3-0.
Recommendation of the Personnel Committee is to approve the reappointment of Diane Smith as City Auditor for a three-year term from date of confirmation.
- 4. Order No. 20-1007920 – The appointment of Nusrath Khan to the Planning Board for a one-year term to expire the first Monday in February 2021.** Ms. Khan moved to Marlborough a year ago. Her interest in the Planning Board stemmed from the fact that there was a vacancy she learned about from the City’s social media page. The committee discussed her background in finance and business and how her strengths could benefit the Planning Board. She has been attending meetings and talking with the current members of the board in advance of her appointment. Motion by Councilor Doucette, seconded by Councilor Landers, to approve the appointment. Vote 3-0.
Recommendation of the Personnel Committee is to approve the appointment of Nusrath Khan to the Planning Board for a one-year term to expire the first Monday in February 2021.
- 5. Order No. 20-1007902 – The reappointment of Patricia Carlson to the Commission on Disabilities for a two-year term from date of confirmation.** Patricia Carlson has served on the Commission on Disabilities since 2012. She provided some information on what they do in the City such as collecting fines from people who park illegally in the City and use those funds to send children with special needs to camp in the summer or purchase special adaptive equipment for them. Motion by Councilor Doucette, seconded by Councilor Landers, to approve the reappointment. Vote 3-0.
Recommendation of the Personnel Committee is to approve the reappointment of Patricia Carlson to the Commission on Disabilities for a two-year term from date of confirmation.

Reports of Committee Continued:

6. **Order No. 20-1007903 – The reappointments to the Zoning Board of Appeals of Paul Giunta and Robert Levine for three-year terms from date of confirmation, in addition to Thomas Golden and Ralph Loftin for two-year terms from date of confirmation.** Paul Giunta, Robert Levine, Thomas Golden, and Ralph Loftin discussed their history with the Zoning Board of Appeals and of the board itself. Their board would have full membership with these reappointments, but they would appreciate having alternate members in case of illness or other unforeseen circumstances. Motion by Councilor Doucette, seconded by Chair, to approve the reappointments. Vote 3-0.

Recommendation of the Personnel Committee is to approve the reappointments of Paul Giunta and Robert Levine for three-year terms from date of confirmation, in addition to Thomas Golden and Ralph Loftin for two-year terms from date of confirmation.

7. **Order No. 20-1007904 – The appointment of Paul Gould to the Fort Meadow Commission for a three-year term from date of confirmation who will be replacing Commissioner Delgenio.** Paul Gould had previously been on the Fort Meadow Commission since about 2000. Mr. Gould explained their meeting structure, April or May through September or October, once a month, and their responsibilities as part of the of Fort Meadow Commission including their coordination with the Town of Hudson. Motion by Councilor Doucette, seconded by Councilor Landers, to approve the appointment. Vote 3-0.

Recommendation of the Personnel Committee is to approve the appointment of Paul Gould to the Fort Meadow Commission for a three-year term from date of confirmation replacing former Commissioner Delgenio.

The meeting adjourned at 6:58 PM.

Suspension of the Rules requested – granted.

ORDERED: Pursuant to MGL c. 30B, § 16(e)(2), the City Council determines that advertising for the proposed purchase of the following two (2) parcels of land will not benefit the City's interest because of the unique qualities and location of the properties:

A parcel identified on the Assessors Map of the City of Marlborough as Map 57 Parcel 104 containing 0.26 acres, more or less, located at 55 Bolton Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 64292, Page 100. The person(s) having a beneficial interest in this parcel is 55 Bolton Street LLC;

A parcel identified on the Assessors Map of the City of Marlborough as Map 70 Parcel 296 containing 0.27 acres, more or less, located at 45-47 Bolton Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 64292, Page 080. The person(s) having a beneficial interest in this parcel is Bolton-Goodale LLC.

The above-identified parcels satisfy the requirements of said MGL c. 30B, § 16(e)(2), because: the land is uniquely located within a short walking distance in close proximity to the existing DEC (District Education Center) building across Bolton Street which can be utilized to increase off-street parking as DEC currently does not have enough parking to meet present or future demands.

And further, that the Mayor is authorized to negotiate and enter into a purchase and sales agreement to acquire said parcels, for a total combined purchase price of \$400,000.00, subject to the following conditions: (i) that, in accordance with MGL c. 43, § 30, the purchase price of any parcel shall not be more than 25% higher than the average assessed value of the parcel during the previous three years; and (ii) that the City's performance under any purchase and sales agreement will be contingent upon a favorable vote of the City Council authorizing the appropriation of sufficient funds for the purchase of the parcel. The Mayor is authorized to accept a deed pursuant to MGL c. 40, § 3 for each parcel.

Pursuant to MGL c. 43, § 30 and c. 40, § 5B, the City Council, by a two-thirds vote of all its members, hereby authorizes an appropriation from Stabilization – Open Space (account # 83600-32918) in the amount of \$400,000.00 as sufficient funds to pay for the purchase of said parcels.

APPROVED; adopted.

Councilor Dumas Recused

Suspension of the Rules requested – granted.

ORDERED: That the Transfer Request in the amount of \$400,000.00 from Stabilization-Open Space to Open Space Acquisition to fund the proposed acquisition of 45-47 and 55 Bolton Street (Map 57 Parcel 104 and Map 70 Parcel 296), **APPROVED**; adopted.

Councilor Dumas Recused

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor FISCAL YEAR: 2020

FROM ACCOUNT: TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$539,397.80	\$400,000.00	83600	32918	Stabilization-Open Space	\$400,000.00	19300006	58170	Open Space Acquisition	\$0.00
Reason:		For purchase of Bolton Street property							
\$400,000.00	Total				\$400,000.00	Total			

Suspension of the Rules requested – granted.

ORDERED: That the Communication from the Mayor, re: Transfer Request in the amount of \$160,000.00 from Undesignated Fund for the proposed acquisition of 59-A Bolton Street (Map 57 Parcel 105) and Order to authorize the Mayor to enter into a purchase and sale agreement, **FILE**; adopted.

Councilor Dumas Recused

Suspension of the Rules requested – granted.

ORDERED: Pursuant to MGL c. 30B, § 16(e)(2), the City Council determines that advertising for the proposed purchase of the following parcel of land will not benefit the City's interest because of the unique qualities and location of the property:

A parcel identified on the Assessors Map of the City of Marlborough as Map 57 Parcel 105 containing 0.14 acres, more or less, located at 59-A Bolton Street, Marlborough, MA, and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 11747, Page 600. The person(s) having a beneficial interest in this parcel is Cecilia A. Lynch;

The above-identified parcel satisfies the requirements of said MGL c. 30B, § 16(e)(2), because: the land is uniquely located within a short walking distance in close proximity to the existing DEC (District Education Center) building across Bolton Street which can be utilized to increase off-street parking as DEC currently does not have enough parking to meet present or future demands, and is adjacent to two parcels on Bolton Street under consideration for acquisition to enhance parking in this area, which is close to downtown Marlborough.

And further, that the Mayor is authorized to negotiate and enter into a purchase and sales agreement to acquire said parcel, for a total purchase price of \$160,000.00, subject to the following conditions: (i) that, in accordance with MGL c. 43, § 30, the purchase price of the parcel shall not be more than 25% higher than the average assessed value of the parcel during the previous three years; and (ii) that the City's performance under any purchase and sales agreement will be contingent upon a favorable vote of the City Council authorizing the appropriation of sufficient funds for the purchase of the parcel. The Mayor is authorized to accept a deed pursuant to MGL c. 40, § 3 for the parcel.

Pursuant to MGL c. 43, § 30, the City Council hereby authorizes an appropriation from Free Cash in the amount of \$160,000.00 as sufficient funds to pay for the purchase of said parcel.

APPROVED; adopted.

Councilor Dumas Recused



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 10, 2020

ORDERED:

That there being no objection thereto set **MONDAY FEBRUARY 24, 2020** as the **DATE FOR PUBLIC HEARING** on the Petition from Massachusetts Electric, to install a new pole and anchor #79-84 on Berlin Road which will enable National Grid to remove the pole to tree guy wire, be and is herewith refer to **PUBLIC SERVICES COMMITTEE**

ADOPTED

ORDER NO. 20-1007933



IN CITY COUNCIL

Marlborough, Mass., JANUARY 27, 2020

ORDERED:

That the Communication from Councilor Robey, re: Proposed Zoning Amendment to Chapter 650 §17 & §18 relative to Livestock Farms, be and is herewith refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, FEBRUARY 24, 2020.**

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:

- I. Section 18 of Chapter 650, entitled “Conditions for uses,” is hereby amended by:
 - a. Amending paragraph (12), entitled “Livestock farms” as follows (new text shown as underlined):

(12) Livestock farms. The raising of or keeping of a small flock of poultry (other than Chicken hens), less than 10, or of saddle horses, private kennel, livestock, or other farm animals for use only by residents of the premises, provided further, that adequate open space is available for their care.
 - b. Inserting the following paragraph:

(49) Chicken hens, personal use. The raising or keeping of female chickens (*Gallus gallus domesticus*) for personal use, not to exceed either 6 hens or 12 hens, as stated in the Table of Uses. The raising or keeping of roosters, cocks, or cockerels is prohibited. The slaughtering of Chicken hens for non-personal use is prohibited.
- II. Section 17 of Chapter 650, entitled “Table of Uses,” is hereby amended by inserting the following:

	RR	A1	A2	A3	RB	RC	RCR	NB	B	CA	LI	I	MV	WAYSIDE
Chicken hens, personal use (6 or fewer) (49)	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N
Chicken hens, personal use (between 7 and 12) (49)	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	N

ADOPTED

ORDER NO. 20-1007915



City of Marlborough
Office of the Mayor

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
MAYOR
2020 FEB 20 A 10:40

Nathan R. Boudreau
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

February 20, 2020

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

Honorable President Ossing and Councilors:

Please find enclosed for your review a transfer request in the amount of \$473,846.52 to fund the Fiscal Year 2021 budget for WMCT in Marlborough from the PEG Fund.

Approximately two years ago, we revised how the City of Marlborough would collect PEG funds. Previously, funds were provided directly from cable companies to WMCT to fund their budget and capital expenses. Since July 1, 2017, all PEG fees collected by the cable companies are now distributed directly to the City.

WMCT has submitted a transfer request to my office for the City Council's review to fund its annual budget. I will be available with WMCT Executive Director Dan Guindon to meet with you at your convenience to discuss this request in greater detail.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2020

FROM ACCOUNT:

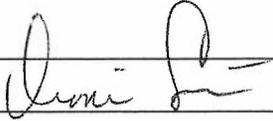
TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$550,853.61</u>	<u>\$473,846.52</u>	<u>27000099</u>	<u>47750</u>	<u>Receipts Reserved-PEG Funds</u>	<u>\$473,846.52</u>	<u>89000</u>	<u>25581</u>	<u>Marlboro Cable Trust</u>	<u>\$0.00</u>
	Reason:	<u>To fund WMCT's operating budget for FY21 with PEG fees</u>							
	Reason:								
	Reason:								
	Reason:								
	\$473,846.52	Total			\$473,846.52	Total			

Department Head signature:

Auditor signature:

Comptroller signature:



PEG FEES

8/29/2017 Verizon	\$111,192.81
8/29/2017 Comcast	\$105,212.77
11/7/2017 Comcast	\$104,451.39
11/29/2017 Verizon	\$108,894.94
2/27/2018 Verizon	\$105,934.98
2/27/2018 Comcast	\$102,247.17
2/27/2018 Comcast-franchise	\$3,332.00
4/2/2018 Verizon-franchise	\$3,295.50
5/8/2018 Comcast	\$96,069.98
5/21/2018 Verizon	\$107,727.46
8/23/2018 Comcast	\$95,348.01
8/23/2018 Verizon	\$101,215.51
8/28/2018 Verizon-franchise	\$2,678.62
11/16/2018 Comcast	\$94,728.72
12/4/2018 Verizon	\$97,462.08
12/4/2018 Verizon-franchise	\$5,049.85
2/20/2019 Comcast	\$95,246.35
2/20/2019 Verizon	\$97,007.90
3/4/2019 Verizon-franchise	\$5,026.30
3/25/2019 Verizon-annual fee	\$2,997.00
3/25/2019 Comcast-annual	\$3,208.00
5/17/2019 Comcast	\$92,916.51
5/31/2019 Verizon	\$99,268.12
8/15/2019 Comcast	\$91,956.97
8/15/2019 Verizon	\$96,147.32
10/31/2019 Verizon-franchise	\$4,981.72
11/27/2019 Comcast	\$91,515.93
11/27/2019 Verizon	\$91,540.94
11/27/2019 Verizon-franchise	\$4,743.06
2/19/2020 Verizon	\$90,845.00
2/19/2020 Comcast	\$91,062.00

Total Funding \$2,203,304.91

12/18/2017 co#17-1007095A	-\$282,100.00
5/21/2018 co# 18-1007263A	-\$355,519.00
10/15/2018 co# 18-1007352A	-\$254,000.00
3/11/2019 co# 19-1007565A	-\$510,832.30
9/9/2019 co# 19-1007730A	-\$220,000.00
9/23/2019 co# 19-1007751A	-\$30,000.00

Total Transfers -\$1,652,451.30

Available for future transfers \$550,853.61



91 Main Street Marlborough, MA 01752
Phone: (508) 481-1373 Fax: (508) 624-6397

Mayor Arthur G. Vigeant City Hall, 4 th Floor Marlborough, MA 01752
--

Client ID: FYFunds

Invoice Number: 0172

For: Operating Funds

Due Date: March 31, 2020

Please make check payable to WMCT-TV

Invoice

Date	Quantity	Description	Amount
2/06/20		Marlborough Cable Trust Operating Funds For FY21	\$473,846.52

Total: \$473,846.52

To: The Marlborough Cable Trust
From: Dan Guindon
Re: FY21 Proposed Operating Budget
Date: December 23rd, 2019

Proposal

For the FY21 Operating Budget that begins on April 1, 2020 and ends on March 31, 2021 I am proposing a budget of \$473,846.52. This is a 7.8% decrease from the FY20 Operating Budget. While we aren't looking for the sky to fall with the decrease in cable subscribers and what the FCC passed for PEG funding, which is wrapped up in the courts at the moment, we do want to be fiscally responsible as we move forward from year to year.

Line Item Groups*(please refer to the attached materials for line-by-line breakdowns):*

- Payroll:** \$301,361.56
- Insurance:** \$93,433.31
- The Office:** \$69,351.65
- Productions:** \$9,700.00

Projected OP Budget 2021

Line Item	2021 Budget Request
Payroll:	
Payroll Services	\$3,000.00
Payroll Tax	\$23,000.00
Salaries	\$272,661.56
Trustee Stipends	\$2,700.00
Office:	
Accounting	\$4,000.00
Cable/Internet/Telephone	\$6,000.00
Dues & Subscriptions	\$500.00
Legal Expense	\$500.00
Office Supplies	\$2,000.00
Postage	\$100.00
Rent	\$49,776.65
Security System	\$350.00
State Tax	\$125.00
Utilities	\$6,000.00
Insurance:	
Dental	\$5,586.31
Directors & Officers	\$1,200.00
General Liability	\$5,647.00
Medical	\$80,000.00
Worker's Comp	\$1,000.00
Production:	
Gas	\$2,200.00
Small Equipment & Supplies	\$3,000.00
Technical Support	\$3,000.00
Web Development	\$1,500.00
Operating Expenses	\$473,846.52

To: The Marlborough Cable Trust
From: Dan Guindon
Re: FY21 Budget Breakdowns
Date: December 23rd, 2019

Payroll

The group of line items here are very important. We can have the finest equipment money can buy, but without the people to create the programming and run the equipment, it wouldn't matter. We are making adjustments here in order to keep our operating budget down as much as possible.

◆ **Freelance Labor-** \$0.00

This line was to for freelancers who we used to shoot specials. I have already talked to the staff about re-evaluating our responsibilities as a whole. I want to put more efforts into covering even more city events as specials and to put forth our best work. End results that can only be produced by our full time staff members. This line item has been removed.

◆ **Payroll Services-** \$3,000.00

ConnectPay is our payroll services provider. This line item is the same as FY20.

◆ **Payroll Tax-** \$23,000.00

The line name is self-explanatory. We are doing well here so I am confident that we can move forward with the same funding as previously approved in FY20.

◆ **Salaries-** \$272,661.56

Another self-explanatory line item. We are saving 10.1% from FY20 by removing 2 of the three part time positions. Please see the attached document (Decreasing PT Positions) for more details.

◆ **Salary Increases-** \$0.00

Again, a self-explanatory line item. In the interest of keeping line items down as much as possible this year, this line item has been removed.

◆ **Trustee Stipends-** \$2,700.00

This line is for the stipends paid to the Marlborough Cable Trustees for attending meetings. The funding here decreased \$5,400.00 from FY19. Please see the attached document (Line Item Adjustments FY21) for more details.

Total: \$301,361.56

To: The Marlborough Cable Trust
From: Dan Guindon
Re: FY21 Budget Breakdowns
Date: December 23rd, 2019

Productions

All the lines in this group are related to in-studio and location productions. It also has to do with our web site and equipment maintenance.

◆ **Equipment: NON-CAPITAL-** \$0.00

This line item has been consolidated. Please see the attached document (Line Item Adjustments FY21) for details.

◆ **Hard Drives/SD Cards/Thumb Drives-** \$00.00

This line item has been consolidated. Please see the attached document (Line Item Adjustments FY21) for details.

◆ **Meals-** \$0.00

Again, in the interest of keeping costs down, this line has been removed.

◆ **Small Equipment & Supplies-** \$3,000.00

This line is now a combination of three line items. Please see the attached document (Line Item Adjustments FY21) for details.

◆ **Technical Support-** \$3,000.00

This line is for paying professionals to fix whatever breaks down. The funding here is the same as it was for FY20.

◆ **Web Development-** \$1,500.00

The funding here is for our subscriptions and additions to our two websites for Marlborough Access and WMCT-TV. The line is the same as it was for FY20.

◆ **Gas-** \$2,200.00

This is for the staff when they travel to location shoots using their own vehicles. The line item is the same as FY20.

Total: \$9,700.00

To: The Marlborough Cable Trust
From: Dan Guindon
Re: FY21 Budget Breakdowns
Date: December 23rd, 2019

Insurance

We are into our third full year of a cheaper plan through Blue Cross and Blue Shield. The research findings concluded what it has the last two years; similar, or like-sized, organizations are providing 100% health and dental coverage. Others that pay 80% offer additional benefits that we do not.

◆ **Dental-** \$5,586.31

This line covers two family plans and three individual plans. This line item increased by \$406.35.

◆ **Directors & Officers -** \$1,200.00

Our liability insurance for the Trustees as indemnification for losses in defense of costs brought on by legal action. This line item is the same as it was for FY20.

◆ **General Liability-** \$5,647.00

This line of insurance covers our belongings (equipment, furniture, etc.) in case of loss. It is the same amount as FY20.

◆ **Medical-** \$80,000.00

We are seeing a slight decrease due to the fact that overall the staff ages got younger this past year due to employee turnover. This line went down by \$801.56. This is not a typo!

◆ **Workmans Comp-** \$1,000.00

This line is self-explanatory. It is also the same as it was for FY20.

Total: \$93,433.31

To: The Marlborough Cable Trust
From: Dan Guindon
Re: Line Item Adjustments
Date: December 23rd, 2019

Line Items Adjusted For FY21

Decreased:

- Trustee Stipends- while the responsibilities of the Marlborough Cable Trust are important I don't think it's necessary to hold monthly meetings. Quarterly meetings would be sufficient and then if there are emergency situations that call for the attention of the Trustess, we can schedule a special meeting. The savings of \$5,400.00 can be used as capital for equipment replacement purchases during the year.
- Small Equipment & Supplies- this is not a decrease exactly, but it's a consolidation of three current line items to make one. It's a neater way of budgeting and making sense of it to those that approve our funding beyond the Marlborough Cable Trust. The consolidation is with Equipment: NON-CAPITAL and Hard Drives/SD Cards/Thumb Drives.

Cut:

- Freelance- I have already talked to the staff about re-evaluating our responsibilities as a whole. I want to put more efforts into covering city events as specials and to put forth our best work. End results that can only be produced by our best staff members.
- 2 Part Time Positions- this automatically brings our salaries line down by \$28,652.00. The remaining staff is more than capable of filling the void.
- Salary Increases- this is a tough one to cut, but it is better to keep our staff employed right now rather than being concerned about a yearly increase. For now, their benefits should be enough to keep them happy.
- Promotional Items- it's nice to have swag and mailers to send in order to promote local access training or to show pride in our crew when we are on location recordings, but it's something that is an easy cut when looking at the big picture.
- Meals- our staff works hard. An argument can be made for low salaries and fewer benefits. This line item was always considered an extra benefit. With what we are facing this line cannot be expected to be in future budgets as it is not, nor has it ever been, a necessity.

As everything stands right now, I brought our budget down 7.9% from FY20.

Line Item Adjustments To Consider For FY22

Decreases:

- Rent- this is such a big ticket item that is becoming harder and harder to accept. I have my eye on a smaller office area that I feel we can fit into for less money. It is currently used, but I have requested that our landlords keep me up to speed on if and when it becomes available. While I don't have exact numbers, I guess it would cut our rent in half.
We would be limited in locations to move to as it would cost roughly \$50,000.00 per cable company to move our system to an outside location from the building we are in currently.
- Medical & Dental- it has been discussed casually to make employees pay in on medical. Even as little as 20% is a big chunk out of paychecks, but if we made the announcement that this coming fiscal year will be the last for 100% coverage and then explain that FY22 will provide a one time bump to cover the 20% that will need to be paid in for medical, it will be a much easier transition.

Raising Decreasing Operating Funds

- Underwriting- The FCC does not allow advertising on local access cable stations. While other towns have stations that break those rules with the hope that nobody will notice, I refuse to do the same. Underwriting is an option that is approved by the FCC Rules and Guidelines. A business or businesses can become a mentioned sponsor of a program or the station as a whole by providing funding, which will be monitored and accounted for specifically for the program's production costs, or the station's general production costs.
- Web Site Advertisements- This option has the potential to bring in much more money than underwriting. We are free to advertise through our web site and On Demand site. Clickable links with a company logo that goes directly to that company's website can be sold on both sites. We can also utilize our production team to create commercials for companies. This can be a descent source of income as we can charge for the production of the video and then charge to run it on our web site in front of and at the ends of our regular video programming. It's not double-dipping because the company will have the right to take the finished product from us and shop it on other cable access stations or even the bigger stations.
- Public Funding- this is the least likely option to work, but it is worth mentioning. Much as the public broadcasting system does annually, WMCT-TV could hold a live broadcast on air and over the internet where we could solicit funding from our viewership. We would show some specials that only we cover in the city to prove our value to those watching. Now, if you are watching on the air, you are already paying for funding through your cable bill, but thanks to the development of the internet, our services are enjoyed by those who do not subscribe to cable too. Asking for donations from those viewers is key.

To: Mayor/Chair Arthur Vigeant
From: Dan Guindon
Re: FY20 Budget Salaries Breakdowns
Date: December 6th, 2018

Salaries

The Marlborough Cable Trust has five full time employees and three part time employees on payroll*. The following breakdown is based on each employee's salary as of April 1st, 2019:

- ◆ **Dan Guindon-** \$97,118.75
- ◆ **Mike Lawton-** \$50,829.01
- ◆ **Talia Clarke-** \$38,110.00
- ◆ **Matt Besachio-** \$36,050.00
- ◆ **Emmalyn Anderson-** \$36,050.00
- ◆ **Sarah Guernelli-** \$14,246.96
- ◆ **Maria Kearns-** \$14,246.96
- ◆ **Brittany Baldassari-** \$13,832.00

Total: \$300,483.68

**there are also seven freelancers we use as needed*

To: The Marlborough Cable Trust
From: Dan Guindon
Re: Decreasing Staff Size
Date: December 23rd,2019

Elimination of Two Part Time Positions

I've always been a strong supporter of the staff being the most important element in the annual operating budget. Tough financial times are forcing us to re-evaluate the size, not the necessity, of our staff. We have three part time staff people that assist our full time staff with production projects.

Current PT Responsibilities:

- News Reporter #1- report on assigned story to record, script and edit one news story per week to run on the weekend newscast. Plus, the story is posted by this reporter on social media platforms. This position allows for crossover with all productions, including sports.
- News Reporter #2- report on assigned story to record, script and edit one news story per week to run on the weekend newscast. Plus, the story is posted by this reporter on social media platforms.
- Sports Reporter- assist sports director with game recordings.

Absorption of PT Responsibilities by FT:

- News Stories- with the upcoming changes to our production plans, this will no longer be a requirement.
- Social Media Sharing- again, with the changes to our production plans, this is not something we need to worry about beyond what the full time staff is already posting and will continue to post.
- Sports- with a known desire of our viewership and followers to see high school sports, we can continue to do so. The sports director can do what he has been doing all along with the occasional assistance of another full time staff person.

The Marlborough Cable Trust can save \$26,676.00 per year by eliminating two part time positions. The extra equipment that won't be used regularly will be saved as replacement for the other pieces of equipment so we won't need to buy as much capital equipment in the future. News Reporter #1 would be the lone part timer position kept because of all the support this staff position gives.

These two staff people would be notified of the cuts on March 1st, 2020 and their final work day would be March 27th, 2020. The positions would come off the budget at the end of the business day on March 31st, 2020.

MINUTES

Present at meeting: Mayor Arthur Vigeant, Dan Guindon, Linda Ossing, Joseph Valarioti, and Greg Franks

Absent: Superintendent Bergeron

Minutes taken by: Trish Bernard

Item 1 – Call to Order

Meeting was called to order by Mayor Arthur Vigeant at 2:01 PM

Item 2 – Acceptance of Minutes

Motion:

Motion was made, and the vote carried to accept and place on file the Cable Trust Meeting Minutes of December 5, 2019.

Item 3 – Executive Director's Report

Executive Director's Report was presented by Dan Guindon.

Please reference your copy of the Executive Director's Monthly Report.

A. FY21 Proposed Operating Budget

Mayor Arthur Vigeant asks about the premium increases on health insurance. Dan Guindon explains that he will not know as the cycle is up April 1st. He estimates on the highest percentage.

There is no capital included in the budget this year. Dan Guindon also notes that payroll is remaining flat.

Motion:

Motion was made to accept the 2021 budget, and the vote carried to approve.

B. Discussion on meeting schedule

Moving forward, Dan Guindon proposes holding the Cable Trust meetings on a quarterly basis with special meeting(s) being scheduled if the need arises.

Motion:

Motion was made by Linda Ossing and the vote carried to accept the Executive Director's Monthly report for December.

Item 4 – Old Business

None reported

Item 6 – New Business

None reported.

Item 5 - Adjournment

Motion:

Motion was made by Joe Valarioti and the vote carried to adjourn the Regular Cable Trust Meeting of January 2, 2020 at 2:06 PM.

Respectfully submitted,

Trish Bernard



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
Arthur G. Vigeant
CITY OF MARLBOROUGH
MAYOR
2020 FEB 20 AM 10:40
Nathan R. Boudreau
EXECUTIVE AIDE

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

Patricia Bernard
EXECUTIVE SECRETARY

February 20, 2020

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

Dear President Ossing and Councilors,

Per the request of Council Vice President Robey, please find enclosed for your review a transfer request from the Undesignated Fund ("Free Cash") to Stabilization – Open Space. This transfer will replenish the \$400,000.00 approved from the Open Space account to purchase two (2) parcels of land located at 45-47 and 55 Bolton Street, across from the DEC building.

As you know, the Bolton Street parcels will be used to increase off-street parking as District Education Center does not have enough parking to meet present or future demands. We are fortunate to have this available "Free Cash" allowing us to maintain funds in stabilization accounts for future projects and to save for times when it may be needed.

I am available to discuss these transfers with you further. If you have any questions, please do not hesitate to contact me.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Office of the Mayor

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

RECEIVED
CITY CLERK'S OFFICE
Nathan R. Boudreau
CITY OF MARLBOROUGH
MAYOR
2020 FEB 20 A 10:40
Nathan R. Boudreau
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

February 20, 2020

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

Re: Grant Acceptance – Mass Cultural Council

Honorable President Ossing and Councilors:

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

This money will be used in the Downtown Village District to create and promote historically significant projects that will enhance the beauty of our historic downtown area and develop a climate conducive to retail, service, tourist, and commercial business. Last year, these funds were used to create the popular Museum in the Streets Program. These projects are a partnership between the City, MEDC, Marlborough Historical Society, and the Marlborough Historical Commission. We appreciate the continued support of the Mass Cultural Council.

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

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



RECEIVED
12/23/19

Power of culture

December 18, 2019

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 Marlborough Downtown Village Cultural District has been approved for an FY20 grant of \$5,000 (Grant #FY20-DI-CDI-2389) 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 Friday, January 31, 2020. Let us know immediately if this deadline is problematic. The award and matching funds must be spent by June 30, 2020, the end of MCC's fiscal year.

For guidance about publicizing news of this grant award, please contact MCC's Communications Officer, Carmen Plazas at 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

A handwritten signature in cursive script that reads 'Anita Walker', enclosed within a hand-drawn oval.

Anita Walker

Enclosures

cc: Meredith Harris, Executive Director, MEDC, Marlborough Downtown Village Cultural District

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: MEDC DATE: 2/18/2020

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Meredith Harris

NAME OF GRANT: Mass Cultural Council Grant

GRANTOR: Mass Cultural Council

GRANT AMOUNT: \$5,000.00

GRANT PERIOD: FY2020

SCOPE OF GRANT/
ITEMS FUNDED Downtown Village Associate cultural initiatives

IS A POSITION BEING
CREATED: No

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? NO

ARE MATCHING CITY
FUNDS REQUIRED? NO

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:
No

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS
TO BE USED:
No

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: No

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

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



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

RECEIVED

JAN 11 2020

MASSACHUSETTS
CULTURAL COUNCIL

CONTRACTOR LEGAL NAME: City of Marlborough for Marlborough Downtown Village Cultural District (and d/b/a): City Hall, 140 Main Street, Marlborough MA 01752-3871		COMMONWEALTH DEPARTMENT NAME: Mass Cultural Council MMARS Department Code: ART	
Legal Address: (W-9, W-4):		Business Mailing Address: 10 St. James Ave 8th Floor Boston MA 02116	
Contract Manager: Arthur Vigeant	Phone: 508/460-3770	Billing Address (if different):	
E-Mail:	Fax: 508/481-6354	Contract Manager: Cynthia E. Gaviglio	Phone: 617/8-2711
Contractor Vendor Code: VC VC6000192111		E-Mail: Cyndy.Gaviglio@art.state.ma.us	Fax: 617-730-7305
Vendor Code Address ID (e.g. "AD001"): AD_01 (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): FY20-DI-CDI-2389	
RFR/Procurement or Other ID Number:			

<p style="text-align: center;"><input checked="" type="checkbox"/> NEW CONTRACT</p> <p>PROCUREMENT OR EXCEPTION TYPE: (Check one option only)</p> <p><input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department)</p> <p><input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget)</p> <p><input checked="" type="checkbox"/> Department Procurement (includes all Grants - 815 CMR 2.00) (Solicitation Notice or RFR, and Response or other procurement supporting documentation)</p> <p><input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget)</p> <p><input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget)</p> <p><input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)</p>	<p style="text-align: center;"><input type="checkbox"/> CONTRACT AMENDMENT</p> <p>Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20 ____.</p> <p>Enter Amendment Amount: \$ _____ (or "no change")</p> <p>AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.)</p> <p><input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget)</p> <p><input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget)</p> <p><input type="checkbox"/> Contract Employee (Attach any updates to scope or budget)</p> <p><input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)</p>
--	--

The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option): 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.)

Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or new total if Contract is being amended). \$ 5,000

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 (M.G.L. c. 29, § 23A); ___ 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.)

This is a grant of financial assistance to support community initiatives in the Downtown Village district of Marlborough like the "Museum in the Streets" a self-guided historical walking tour for both residents and tourist that seek to learn about our community's historical identity and preserve Marlborough's history.

ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations:

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 07/01, 2019, 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 06/30, 2020 with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.

CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 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: 12/24/19

(Signature and Date Must Be Handwritten At Time of Signature)

Print Name: _____

Print Title: _____

AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:

X: [Signature] Date: 2-4-20

(Signature and Date Must Be Handwritten At Time of Signature)

Print Name: David T. Slattery

Print Title: Deputy Director

ATTACHMENT A - SCOPE OF SERVICES AND ADDITIONAL TERMS & CONDITIONS

CONTRACTOR NAME: City of Marlborough-for Marlborough Downtown Village Cultural District
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 #: FY20-DI-CDI-2389.

Marlborough Downtown Village Cult. Dist.: to support community initiatives in the Downtown Village district of Marlborough like the "Museum in the Streets" a self-guided historical walking tour for both residents and tourist that seek to learn about our community's historical identity and preserve Marlborough's history.

TOTAL MAXIMUM OBLIGATION OF CONTRACT: \$5,000

DATES OF PROJECT: July 1, 2019 - June 30, 2020

CONTRACT START DATE: July 1, 2019

CONTRACT TERMINATION DATE: June 30, 2020

DATE FINAL REPORT IS DUE: July 15, 2020

Cultural Districts Initiative
Scope of Services and Terms & Conditions

1. SCOPE OF AGREEMENT

The Contractor agrees to perform the services set forth in the original Application for funding and Narrative Report filed by the Contractor with the Council (the "Application") in accordance with the terms and conditions of the Agreement (the "Agreement"). The Application and Narrative Report documents are incorporated into the Agreement by reference; the terms of the Application and Narrative Report are binding on the Contractor unless amended by a subsequent written agreement signed by both the Council and the Contractor. The Contractor represents that it is qualified to perform, and has obtained all necessary licenses and permits required to perform the services under this Agreement.

2. PAYMENT

(a) Unless otherwise agreed upon by the Council and Contractor, the Contractor will be reimbursed for expenses approved by the Council included in the budget submitted to the Council.

(b) The Contractor will be reimbursed one hundred percent (100%) of the grant amount upon receipt of a signed Agreement. The Council shall make reasonable efforts to process payments promptly. The Council shall not be liable for any interest or penalty charges for late reimbursement.

3. INTELLECTUAL PROPERTY RIGHTS, PUBLICITY, PUBLICATION, REPRODUCTION, AND USE OF AGREEMENT MATERIALS

(a) The Council defines "deliverables" for this Agreement as being the Final Report. The Final Report will be owned by the Council at the termination of this Agreement.

4. NON-DISCRIMINATION AND ACCESS FOR PEOPLE WITH DISABILITIES

The contractor agrees to abide by state and federal regulations which bar discrimination on the basis of race, gender, religious creed, color, national origin, ancestry, disability, age, gender identity or sexual orientation, and which require accessibility for persons with disabilities. The MCC expects the contractor to be in compliance with:

- The Americans with Disabilities Act of 1990 (ADA)
- Section 504 of the Rehabilitation Act of 1973 (Section 504)
- Title VI of the Civil Rights Act of 1964
- Other applicable state and local laws

(a) If a complaint or claim alleging violation by the Contractor of any statute, order, rule, or regulation with which the Contractor is obligated to comply is presented to the Massachusetts Commission Against Discrimination ("MCAD"), the Contractor agrees to cooperate with MCAD in the investigation and disposition of such complaint or claim and to assume all legal fees incurred by the Contractor in connection with the defense of such claim.

(b) In the event of the Contractor's non-compliance with the provisions of this Section 4, the Council shall impose such sanctions as it deems appropriate, including but not limited to: (i) withholding of payments due the Contractor under the Contract until the Contractor complies; and (ii) termination or suspension of the Contract.

5. CULTURAL DISTRICT PARTNERSHIP

At any point in the life of this grant, the partnership configuration must meet the eligibility requirements specified in the Cultural District Initiative guidelines.

Organizations that are official partners with the primary Contractor must comply with the terms of this Agreement, including the following credit and publicity requirements. The Contractor is responsible for informing said partners of this policy and seeing that they fulfill these obligations.

6. CREDIT

(a) Life of Cultural District Requirement: It is expected that the Contractor follow the below stated credit policy for the lifetime of the project.

(b) MCC Credit Logo: The Council must be credited for the support it provides by using the agency's current credit logo (downloadable on the MCC's web-site at:

http://www.massculturalcouncil.org/contracts/logos_step1.asp. The logo must be reproduced as a unit without alteration. Various styles are supplied for different uses as indicated on the web-site.

(c) Promotional Materials: Credit must be given by the Contractor to the Council regarding all activities to which Council funds contribute **by using the credit logo in:** 1) printed materials, especially season and subscription brochures, newsletters, press releases, and announcements; 2) films/video tapes; and 3) electronic transmissions, including Internet sites.

(d) Promotional Appearances and Newspaper Interviews: On television and radio appearances by representatives of the Contractor, verbal credit must be given at least once during a broadcast to acknowledge the support the Contractor received from the Council toward its overall operation. Also, the Contractor must acknowledge the Council's support in any newspaper interviews about the Contractor's programs.

(e) Programs/Playbills: 1) Credit must be given on the title page of all programs printed by a Contractor in a type size not smaller than 7 point. The statement is as follows: *This project is funded in part by the Mass Cultural Council, a state agency.* 2) The Council's logo credit must appear within the first 10 pages of the program booklet. 3) The Council must be listed in the donor category that is most appropriate to the level of financial support that the organization is receiving from the Council.

(f) Exhibition Signage: For any exhibition presented with funding from the Council, the wall text must include the Council listed with other major public, private, and corporate sponsors, in proportional order of the size of contribution. If there is no sponsor list in the wall text, a placard must be placed at the entrance to the exhibit crediting the Council. Non-written announcements apply to such situations as radio broadcasts and audio descriptions for people who are hearing impaired.

(g) Online Materials: Use the credit line and credit logo prominently in online materials (including web sites, listservs, electronically distributed releases, intranets, etc.) regarding all activities to which your grant contributes. The electronic logo should also link to the MCC web site, www.massculturalcouncil.org.

(h) Educational Materials: Credit must be given to the Council in all educational materials distributed in association with any Council-funded program/exhibition, such as brochures, pamphlets, flyers, etc.

(i) Verbal Credit: When written credit is not applicable, such as there being no printed program, verbal credit shall be given prior to each performance. If an announcement is not feasible, a sign must be placed in the lobby crediting the Council.

(j) Advertising: Credit must be given to the Council in all print advertising by a grantee that is 10 column inches or larger. Billboard advertising must also include a Council credit. Any advertising (regardless of size or length) placed by a grantee that credits an annual funding source must also credit the Council.

(k) Donor Recognition: Any wall plaques or advertisements that acknowledge the Contractor's annual or ongoing support from corporations and/or foundations must also acknowledge the Council.

(l) Co-sponsorship: Those programs that are "co-sponsored" will have additional, specific publicity requirements, dependent on the program at the time of negotiation. Under no circumstances may a Contractor state or imply that its programs and/or activities are "sponsored", "co-sponsored", or "presented" by the Council without expressed, written consent from the Council.

7. ADDITIONAL REQUIREMENTS

The Council reserves the right to negotiate additional requirements regarding credit and publicity on a case by case basis.

8. EVALUATION AND ANALYSIS OF SERVICES

(a) The Contractor agrees to provide the Council with a written evaluation (in the form of a Financial and Narrative report provided by the Council) and analysis of the services provided under the Agreement by **July 15, 2020**. Failure to comply with the requirements of this Section 8 will result in the ineligibility of the Contractor to receive further funds from the Council.

(b) Reinstatement of the Contractor's eligibility is pending until submission of said reports are reviewed and approved by Council staff.

City of Marlborough for Downtown Village Cultural District
Print the Organization/Contractor's Name

✓ Mary B. Scott Arthur G. Vigeant
Print the Executive Director's Name / MAYOR'S NAME

✓ Mary B. Scott Arthur G. Vigeant 1/22/20
Signature of Executive Director / MAYOR'S NAME ✓ Date

✓ Mary B. Scott _____ 1/22/20
Print the name of Person Responsible for Contractor's ✓ Date
Publicity and Publications

✓ Mary B. Scott _____ 1/22/20
Signature of Person Responsible for Contractor's ✓ Date
Publicity and Publications



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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Nathan R. Boudreau
2020 FEB 20 10:40
EXECUTIVE SECRETARY

Patricia Bernard
EXECUTIVE SECRETARY

February 20, 2020

Council President Michael H. Ossing
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

Re: Lynn Davine- Director of Human Resources

Honorable President Ossing and Councilors:

I am pleased to submit for your approval the appointment of Lynn Davine as the City of Marlborough's new Director of Human Resources for a three-year term to expire three years from the date of City Council approval. Mrs. Davine began her tenure on Tuesday, February 18, 2020, under my 60-day appointment.

Most recently, Mrs. Davine has been employed as Human Resources Director in the City of Taunton, Massachusetts. Mrs. Davine, an attorney, comes experienced in contract negotiation, office management, and handling the complexities within the world of municipal human resources.

I want to thank former Human Resources Director David Brumby for his assistance in the search process and for assuming an interim role while we searched for the right candidate. Additionally, I wanted to express my appreciation to Mary Ward and Diane Rego for their continued support of the office during the search process.

Thank you in advance for your consideration, and please let me know if you have any questions.

Sincerely,


Arthur G. Vigeant
Mayor

Lynn T. Davine

- Education**
- 1995-1998 New England School of Law Boston, MA
- Juris Doctor, 1998
 - Graduated Cum Laude
- 1990-1994 North Adams State College North Adams, MA
- Bachelor of Arts in Interdisciplinary Studies, 1994
 - Graduated Cum Laude
- Experience**
- 2017-Present City of Taunton Taunton, MA
- Human Resources Director – SHRM-CP certification**
- Handle all personnel issues within the City including hearing grievances
 - Negotiate contracts with all City Unions
 - Administer all benefits including health, dental, flex spending, vision
 - Administer the workers compensation and 111F benefits
 - Coordinate the hiring process
 - Administer and oversee the onboarding process for new employees
 - Provide and coordinate trainings as necessary
 - Organize and direct the labor service process
 - Act as the CORI officer
 - Administers the FMLA for City Employees
 - Advises the Mayor and City Council on personnel matters
 - Advises the Mayor, City Council and Department heads on disciplinary proceedings
 - Maintain personnel files
 - Advises the Mayor and City Council regarding changes in municipal policies, practices, rules and regulations
- 1998-2017 Law Offices of Walter J. Korzeniowski South Easton, MA
- Associate**
- Workers Compensation, Personal Injury, Employment and Social Security cases
 - Experience in client interviewing and witness preparation, written and deposition discovery, Alternative Dispute Resolution, administrative law, settlement negotiations and motion practice
 - Researched and wrote a Summary Judgment brief regarding the Americans with Disabilities Act
- 2007-2009 Phelan Law Offices, P.C. Norwell, MA
- Associate**
- Personal Injury, Business Litigation

1997

New England School of Law

Boston, MA

Student Attorney

- Represented clients in court pursuant to SJC Rule 3:03
- Researched all pertinent issues and accompanying law
- Drafted necessary legal documents

Bar Admissions

- Massachusetts 1998
- United States District Court for the District of Massachusetts 1999



City of Marlborough
Office of the Mayor

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www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR
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EXECUTIVE AIDE
Patricia Bernard
EXECUTIVE SECRETARY

February 12, 2020

Council President Michael H. Ossing
Marlborough City Council
Marlborough City Hall – 2nd Floor
140 Main Street
Marlborough, MA 01752

Re: Michael Hennessy - Director of Veterans Services

Honorable President Ossing and Councilors:

This letter serves to inform you that I am appointing Michael Hennessy to the position of Director of Veterans Services effective Monday, February 10, 2020.

Most recently, Mr. Hennessy, a veteran, has been employed by the Veterans Northeast Outreach Center as a Veterans Agent covering our veterans' service needs on an interim basis since late fall 2019. Before that, he served as the Veterans Agent in the Town of Wrentham, Massachusetts. Mr. Hennessy served for six years in the United States Army as a Medical Specialist and has earned several military honors. Mr. Hennessy is passionate about helping his fellow veterans and brings a wide variety of experience to the role.

I have appointed Mr. Hennessy for sixty days and ask for your confirmation for a full three-year appointment.

Sincerely,


Arthur G. Vigeant
Mayor

MICHAEL HENNESSY

To obtain a position as a Veteran Agent

EXPERIENCE

11/2019 – PRESENT

VETERAN AGENT, VETERANS NORTHEAST OUTREACH

Take over as the Veteran Service Officer for the city, maintain records and service the local veterans. Assist with issuing the state Ch 115 benefits.

1/2018 – PRESENT

VETERAN AGENT, TOWN OF WRENTHAM, MA

Serve as a medium between veterans and town government. Maintain records, and issue state and federal benefits

7/2018 – 11/2019

Laborer, TOWN OF WRENTHAM, MA

Maintain and perform light maintenance for all town buildings.

7/2007 – 11/2016

ISO III, Massachusetts Department of Youth Services

Observe and Monitor all access and movement throughout the facility. Respond to emergencies as needed.

1/2006 – 11/2011

EMT, PUTNAM EMERGENCY MEDICAL SERVICES

Provide coverage for the district ambulance and respond to emergencies as dispatched.

EDUCATION

AUGUST 2015- PRESENT

CRIMINAL JUSTICE, UNIVERSITY OF MASSACHUSETTS, BOSTON

Using my veteran benefits to pursue my degree, at times taking breaks from working to attend full time. Currently taking a leave to focus on my career.

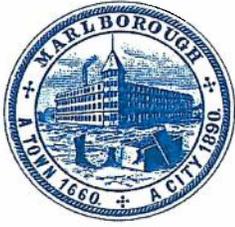
MAY 2000

DIPLOMA, BLACKSTONE VALLEY TECH

Graduated National Honors

MILITARY SERVICE

Served from 2000-2006 in the United States Army. I was a Medical Specialist and earned multiple awards and medals including an Army Commendation Medal which is the highest non-combat medal.



City of Marlborough
Office of the Mayor

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MAYOR

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508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

Patricia Bernard
EXECUTIVE SECRETARY

February 20, 2020

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

Dear President Ossing and Councilors,

I am pleased to submit for your confirmation the reappointment of Chief Procurement Officer Beverly Sleeper for a three-year term to commence upon City Council approval.

The position of procurement officer is vital to ensuring that City departments correctly follow all procurement laws and regulations. Procuring services and supplies as a governmental entity is very different from how the process works in the private sector. Complicated rules and regulations must be followed precisely as missing a deadline or improperly running a bid process can result in everything from bid disqualification to court challenges, which cost time and taxpayer funds.

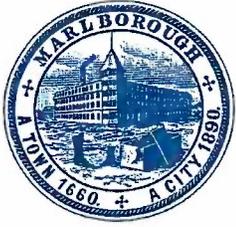
Ms. Sleeper is detailed and process-oriented in the handling of all procurement operations for the City of Marlborough. She has played a crucial role in the procurements for all large and small scale City projects and in everyday tasks that require contracts or procurement to be completed. Ms. Sleeper has stayed up to date with all changes to procurement law and serves a vital role in ensuring our city departments complete projects on schedule.

In addition to her duties overseeing procurement, Ms. Sleeper works closely with the Massachusetts Interlocal Insurance Association (MIIA), the City's insurer. In this role, she has worked with the Human Resources department to identify training programs and apply for credits from MIIA. Due to Ms. Sleeper's efforts, Marlborough has earned significant credits for our training programs.

Thank you in advance for your consideration of this reappointment. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Arthur G. Vigeant
Mayor



City of Marlborough
Office of the Mayor

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Patricia Bernard
EXECUTIVE SECRETARY

February 20, 2020

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

Re: Parks and Recreation Commission Appointment – Melynda Gallagher

Honorable President Ossing and Councilors:

I am pleased to submit for your review and confirmation the appointment of Melynda Gallagher to the Marlborough Parks and Recreation Commission for a three-year term to expire three years from the date of her approval.

Mrs. Gallagher recently opened Lost Shoe Brewing Company and enjoys participating in the recreational events and festivals Marlborough offers. After speaking with Recreation Director Thebado, Mrs. Gallagher expressed interest in further supporting Marlborough Recreation and the parks, trails, and athletic fields provided to the public.

If you have any questions, please do not hesitate to contact Recreation Director Thebado or my office.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

Melynda Gallagher
150 West Hill Road
Marlborough, MA 01752

February 6, 2020

Mr. Charles Thebado
Recreation Director
239 Concord Road
Marlborough, MA 01752

Dear Chuck,

I would like to express my interest in joining the City of Marlborough Recreation Department Commission.

I am a lifelong resident of Marlborough and attended Marlborough Public Schools, participated in the youth soccer program growing up and was captain of the Marlborough High School track team. My experience in these programs was extremely positive and I believe they played a significant role in setting me up for a successful future.

I recently opened Lost Shoe Brewing and Roasting Company with my husband in downtown Marlborough. One of our biggest intentions and values is to be a space for the community; bringing to the taproom a variety of unique events and activities for the community to enjoy which is something I know the Recreation Department also values. We loved participating in the Horribles Parade this past year and seeing Downtown Marlborough buzzing with excitement.

The City of Marlborough has so much to offer with an abundance of parks, trails, and athletic fields for the public to enjoy and I would be honored to have the opportunity to support the Recreation Department's programs and to help develop new and exciting opportunities for residents.

Sincerely,

A handwritten signature in cursive script that reads "Melynda Gallagher". The signature is written in black ink and is positioned above the printed name.

Melynda Gallagher



City of Marlborough Legal Department

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

JASON D. GROSSFIELD
CITY SOLICITOR

JASON M. PIQUES
ASSISTANT CITY SOLICITOR

HEATHER H. GUTIERREZ
PARALEGAL

February 19, 2020

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

Re: Proposed Zoning Ordinance Amendment

Dear Honorable President Ossing and Councilors:

At the request of Councilor Kathleen D. Robey, enclosed please find a proposed zoning ordinance amendment relative to contractor's yards and landscape contractor's yards, and a zoning map amendment for parcel 85-12.

I have reviewed the proposed amendment and it is in proper legal form. Please contact me if you have any questions or concerns.

Respectfully,


Jason D. Grossfield
City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor
Zoning Board of Appeals
Planning Board
Jeffrey Cooke, Building Commissioner
Christopher J. Alphen, Esq.
Donald J. O'Neil, Esq.

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2020 FEB 19 P 4: 29

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:

- I. Section 650-5, entitled “Definitions; word usage,” is hereby amended, as follows:
 - a. By amending the definition in subsection B of “OUTDOOR STORAGE,” by inserting at the end thereof the following sentence: “Outdoor storage shall not include either a contractor’s yard or a landscape contractor’s yard.”
 - b. By inserting the following new definitions:

CONTRACTOR’S YARD - Premises used for the storage of equipment and/or materials used for providing contracting services, including but not limited to building construction, heating, plumbing, roofing, and excavation.

LANDSCAPE CONTRACTOR’S YARD – Premises used for the storage of equipment and/or materials used by a business principally engaged in the decorative and functional alteration, planting, and maintenance of grounds, including the installation of hardscape such as stonework, patios, decks, arbors, and other decorative elements of the landscape. Such a business may engage in the installation and construction of underground improvements, but only to the extent that such improvements (e.g., irrigation or drainage facilities) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the grounds being otherwise landscaped.

- II. Section 650-17, entitled “Table of Uses,” is hereby amended by adding the following new uses:

	RR	A1	A2	A3	RB	RC	RCR	B	CA	LI	I	MV	NB	WAYS.
Contractor’s Yard (48)	N	N	N	N	N	N	N	N	N	SP	SP	N	N	N
Landscape Contractor’s Yard (48)	N	N	N	N	N	N	N	N	N	SP	SP	N	N	N

- III. Section 650-18, entitled “Conditions for uses,” is hereby amended as follows:
 - a. By inserting in subsection A thereof a new paragraph (48) as follows:
 - (48) Contractor’s yard and landscape contractor’s yard.

(a) **Exemptions; Design Standards for Certain Existing Yards.** All existing contractor’s yards and landscape contractor’s yards in the CA or

LI zoning district as of the date of this amendment that existed prior to December 31, 2014 shall not be required to obtain a special permit, but shall file for site plan review with an as-built plot plan by the City of Marlborough Site Plan Review Committee within nine (9) months of the effective date of this paragraph, and complete site plan review within twenty-four (24) months of the effective date of this paragraph. Said site plan review shall be limited to the following design standards:

(1) *Screening*. To the maximum extent practicable, the yard shall be adequately screened from the street and adjacent properties to obscure the vehicles parked thereon, and the equipment and/or materials stored therein, to create an effective visual barrier.

(2) *Vehicles, Equipment and/or Materials*. To the maximum extent practicable, all vehicles, equipment and/or materials associated with the yard must be stored on and accessed from impervious or otherwise dust-free surfaces.

(3) *Flammable, Combustible or Dangerous Substances*. A yard shall not store excessive quantities of flammable, combustible or dangerous substances, and may be required to comply with the notification, reporting and permitting requirements set forth in SARA Title III (the Emergency Planning and Community Right-To-Know Act, or EPCRA) and/or MGL c. 148.

(4) *Maximum size of yard*. The maximum size of the yard (including all structures, parking and driveways on the lot) shall not exceed the percentage of maximum lot coverage permitted under Section 650-41 for the zoning district in which the lot is located. If the yard exceeds said lot coverage percentage, the yard shall not increase its lot coverage and shall be made compliant within twenty-four (24) months of the effective date of this paragraph.

For yards that are in compliance with a prior special permit or site plan approval, no special permit or site plan review is required.

(b) **Design Standards for All Other Permissible Yards**. Yards shall require a special permit, and site plan approval by the City of Marlborough Site Plan Review Committee, whose review shall include, but not be limited to, the following design standards.

(1) *Screening*. Yard shall be adequately screened from the street and adjacent properties to obscure the vehicles parked thereon, and the equipment and/or materials stored therein, to create an effective visual barrier from ground level to a height of at least five (5) feet.

(2) *Vehicles, Equipment and/or Materials.* All vehicles, equipment and/or materials associated with the yard must be stored on and accessed from impervious or otherwise dust-free surfaces.

(3) *Flammable, Combustible or Dangerous Substances.* A yard shall not store excessive quantities of flammable, combustible or dangerous substances, and may be required to comply with the notification, reporting and permitting requirements set forth in SARA Title III (the Emergency Planning and Community Right-To-Know Act, or EPCRA) and/or MGL c. 148.

(4) *Maximum size of yard.* The maximum size of the yard, when combined with all structures, parking and driveways on the lot being proposed for the lot on which the yard is proposed to be located, shall not exceed the percentage of maximum lot coverage permitted under Section 650-41 for the zoning district in which the lot is located.

(5) *Proximity to existing residential zoning districts/uses.* (i) Yard shall not be located on a lot less than two hundred (200) feet from a residential zoning district, and on any lot if a residential use is being made of any abutting lot(s); and (ii) *Minimum lot area.* Minimum area of the lot shall be 22,500 square feet.

IV. Zoning Map Amendment

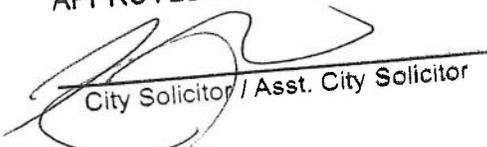
The Zoning Map, Section 650-8, is amended by making the following changes:

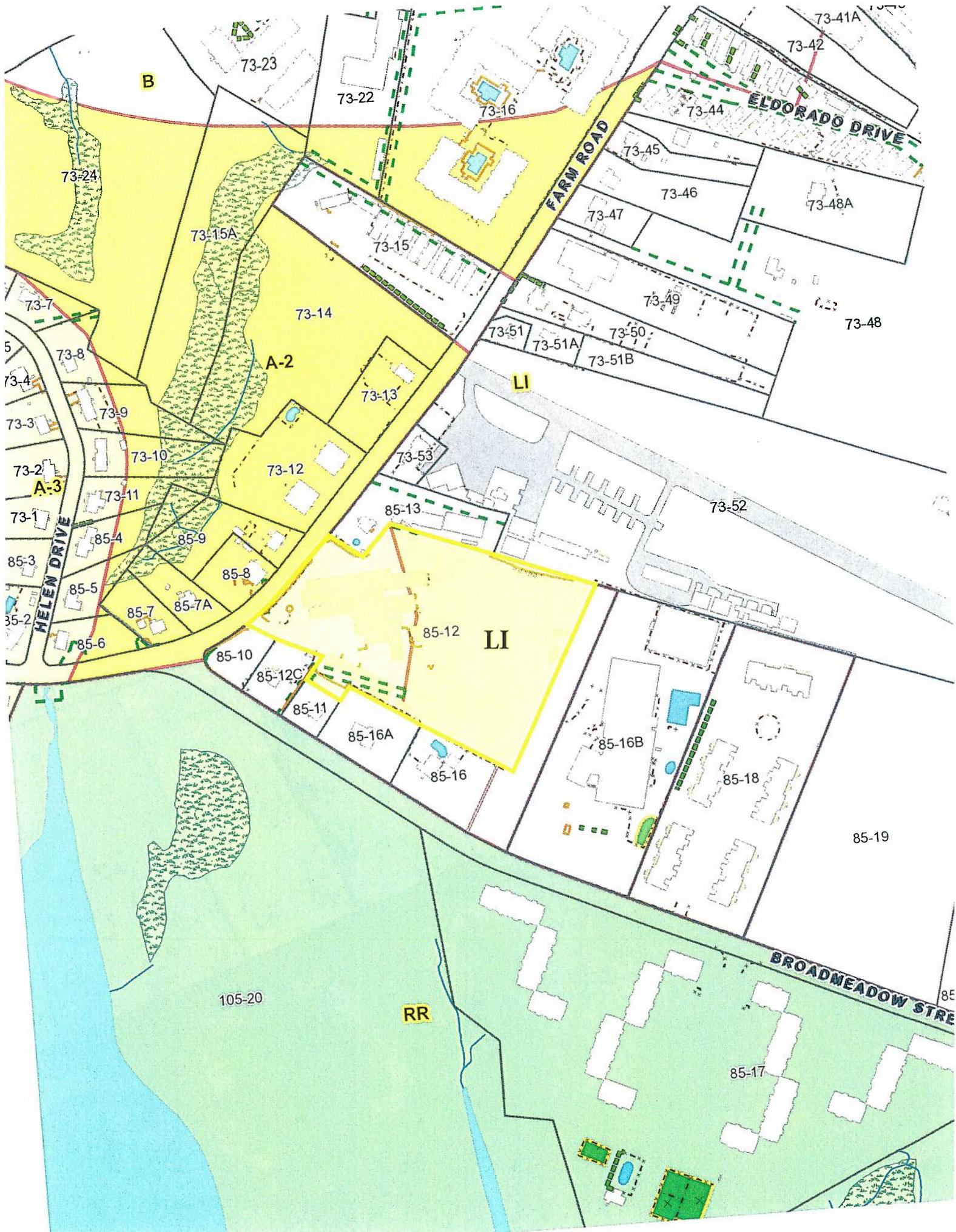
Change a portion of Assessor's Parcel 85-12, consisting of less than 6.53 +/- acres, being the portion of the property currently zoned Business (B), to the adjacent Light Industrial (LI) District. The proposed Zoning Map change is shown on the attached map.

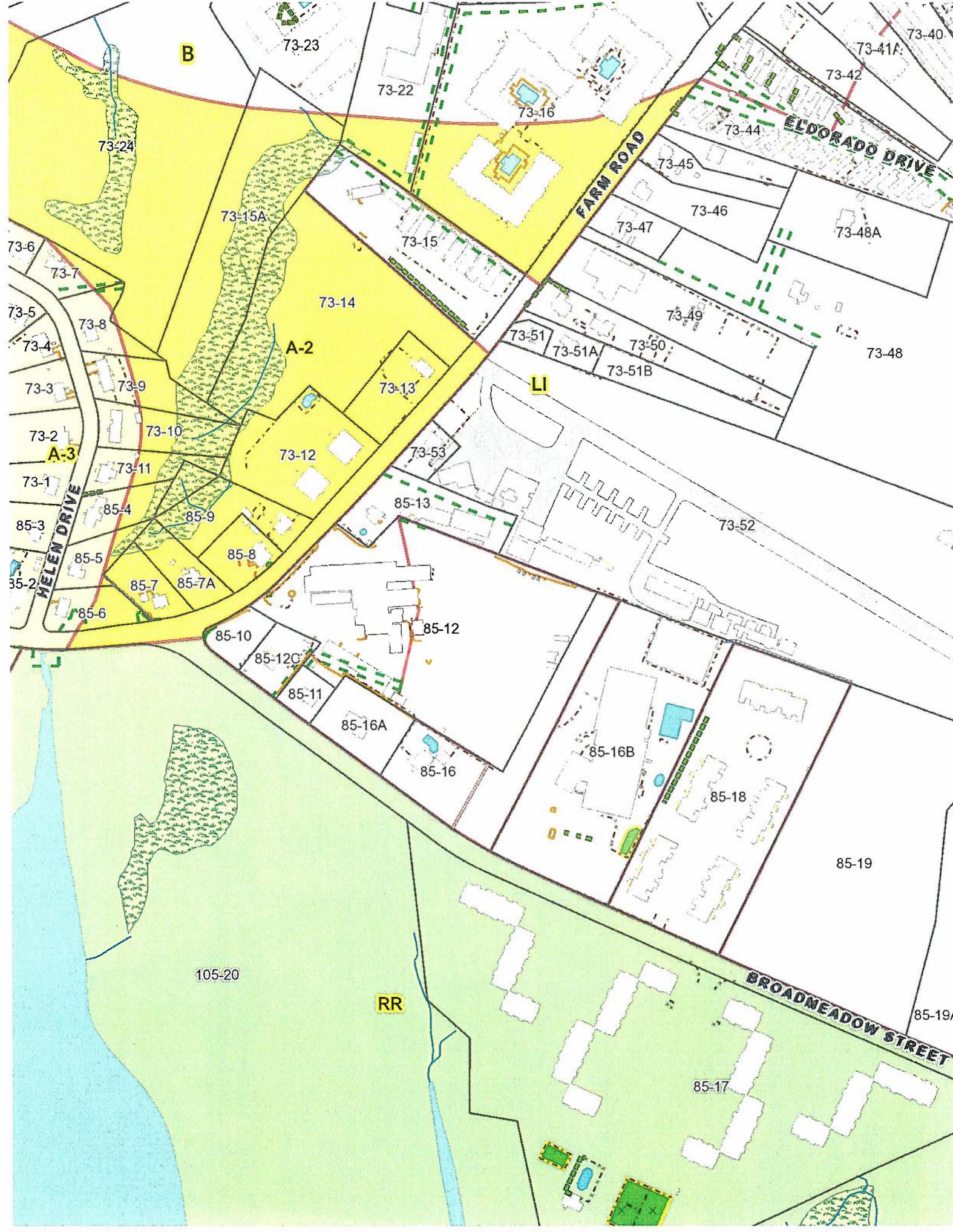
ADOPTED
In City Council
Order No. 20-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

APPROVED AS TO LEGAL FORM:

City Solicitor / Asst. City Solicitor





B

73-23

73-22

73-16

73-41A

73-40

73-42

73-44

ELDORADO DRIVE

73-45

73-46

73-48A

73-24

73-15A

73-15

73-47

73-6

73-7

73-14

73-49

73-5

73-8

73-51

73-51A

73-50

73-48

73-4

73-9

73-13

73-51B

73-3

A-2

LI

73-2

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85-8

85-1

85-7

85-7A

85-12

85-3

85-6

85-10

85-12C

85-11

85-16A

85-16

85-16B

85-18

85-19

105-20

RR

BROADMEADOW STREET

85-19A

85-17



City of Marlborough

Legal Department

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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
JASON M. PIQUES
ASSISTANT CITY SOLICITOR
2020 FEB 19 PM 2:53
HEATHER H. GUTIERREZ
PARALEGAL

February 19, 2020

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

Re: *Trombetta Family Limited Partnership v. City of Marlborough Zoning Bd. of Appeals* (19MISC000509); *DiMatteo v. Giunta et al. as Members of the City of Marlborough Zoning Bd. of Appeals* (1981CV03045)
Proposed Zoning Ordinance Amendment

Dear Honorable President Ossing and Councilors:

Enclosed for submittal please find letters of support for the proposed zoning ordinance amendment relative to contractor's yards and a map amendment for parcel 85-12, as received from counsel for Gina A. DeMatteo, Individually and as Trustee of the 729 Farm Trust and Trombetta Family Limited Partnership. I recommend these letters be referred to committee with the proposed zoning amendments.

This office represents the Zoning Board of Appeals ("ZBA") in the above-referenced appeals filed by each party from the ZBA's decision upholding certain determinations of the Building Commissioner's office, and has worked collaboratively to engage in discussions with the above parties on a proposed approach to address this type of land use as part of the city's zoning ordinance. As the enclosed letters both reference, each party supports adoption of the amendments and has agreed to dismiss their respective pending litigation if the zoning amendments are adopted.

Please contact me if you have any questions or concerns.

Respectfully,



Jason D. Grossfield
City Solicitor

Enclosures

cc: Arthur G. Vigeant, Mayor
Zoning Board of Appeals
Planning Board
Jeffrey Cooke, Building Commissioner
Christopher J. Alphen, Esq.
Donald J. O'Neil, Esq.

DONALD J. O'NEIL

COUNSELOR AT LAW

688 PLEASANT STREET
WORCESTER, MASSACHUSETTS 01602
TELEPHONE: 508-755-5655
FAX 508-755-9655

DONALD J. O'NEIL, ESQ.

DJO@ONEILBARRISTER.COM

February 18, 2020

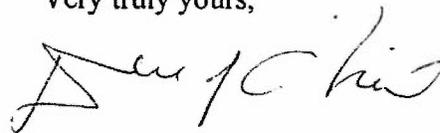
Marlborough City Council
City Hall
140 Main Street
Marlborough, MA 01752

Re: DiMatteo v. Giunta et al as Members of the City of
Marlborough Zoning Board of Appeals
Case No. 1981CV03045

Dear Councilors,

I am writing on behalf of my client, Gina A. DiMatteo, Individually and as Trustee of the 729 Farm Trust, to confirm for the record that she supports the proposed zoning ordinance amendments negotiated with the City, including the proposed map change and will file a Stipulation of Dismissal With Prejudice with the Middlesex Superior Court for the pending Zoning Board of Appeals case regarding her property within 14 days of the passage of the proposed zoning amendments.

Very truly yours,

A handwritten signature in black ink, appearing to read "Donald J. O'Neil", written in a cursive style.

Donald J. O'Neil

cc. Gina A. DiMatteo

BLATMAN, BOBROWSKI & HAVERTY, LLC
ATTORNEYS AT LAW

9 DAMONMILL SQUARE, SUITE 4A4
CONCORD, MA 01742
PHONE 978.371.2226
FAX 978.371.2296

CHRISTOPHER J. ALPHEN, ESQ.
Chris@bbhlaw.net

February 18, 2020

Jason D. Grossfield
City Solicitor
City of Marlborough
City Hall, 4th Floor
140 Main Street
Marlborough, MA 01752

RE: 19 MISC 000509 Trombetta Family Limited Partnership v. City of Marlborough
Zoning Board of Appeals , et al. VHAY

Attorney Grossfield:

As we have discussed, please accept this letter that my client, Trombetta Family Limited Partnership owner of the property known as 655 Farm Road, Marlborough, Massachusetts ("Trombetta") fully supports the proposed zoning ordinance amendment as recommended and attached hereto as Exhibit A.

If the zoning ordinance amendment is passed, Trombetta will file a stipulation of dismissal with prejudice in regard to the above referenced matter within fourteen (14) days.

Please do not hesitate to contact me with any questions.

Very truly yours,



Christopher J. Alphen, Esq.

Enclosures

Cc:

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:

- I. Section 650-5, entitled “Definitions; word usage,” is hereby amended, as follows:
 - a. By amending the definition in subsection B of “OUTDOOR STORAGE,” by inserting at the end thereof the following sentence: “Outdoor storage shall not include either a contractor’s yard or a landscape contractor’s yard.”
 - b. By inserting the following new definitions:

CONTRACTOR’S YARD - Premises used for the storage of equipment and/or materials used for providing contracting services, including but not limited to building construction, heating, plumbing, roofing, and excavation.

LANDSCAPE CONTRACTOR’S YARD – Premises used for the storage of equipment and/or materials used by a business principally engaged in the decorative and functional alteration, planting, and maintenance of grounds, including the installation of hardscape such as stonework, patios, decks, arbors, and other decorative elements of the landscape. Such a business may engage in the installation and construction of underground improvements, but only to the extent that such improvements (e.g., irrigation or drainage facilities) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the grounds being otherwise landscaped.

- II. Section 650-17, entitled “Table of Uses,” is hereby amended by adding the following new uses:

	RR	A1	A2	A3	RB	RC	RCR	B	CA	LI	I	MV	NB	WAYS.
Contractor’s Yard (48)	N	N	N	N	N	N	N	N	N	SP	SP	N	N	N
Landscape Contractor’s Yard (48)	N	N	N	N	N	N	N	N	N	SP	SP	N	N	N

- III. Section 650-18, entitled “Conditions for uses,” is hereby amended as follows:

- b. By inserting in subsection A thereof a new paragraph (48) as follows:
- (48) Contractor’s yard and landscape contractor’s yard.

(a) **Exemptions; Design Standards for Certain Existing Yards.** All existing contractor’s yards and landscape contractor’s yards in the CA or

LI zoning district as of the date of this amendment that existed prior to December 31, 2014 shall not be required to obtain a special permit, but shall file for site plan review with an as-built plot plan by the City of Marlborough Site Plan Review Committee within nine (9) months of the effective date of this paragraph, and complete site plan review within twenty-four (24) months of the effective date of this paragraph. Said site plan review shall be limited to the following design standards:

(1) *Screening*. To the maximum extent practicable, the yard shall be adequately screened from the street and adjacent properties to obscure the vehicles parked thereon, and the equipment and/or materials stored therein, to create an effective visual barrier.

(2) *Vehicles, Equipment and/or Materials*. To the maximum extent practicable, all vehicles, equipment and/or materials associated with the yard must be stored on and accessed from impervious or otherwise dust-free surfaces.

(3) *Flammable, Combustible or Dangerous Substances*. A yard shall not store excessive quantities of flammable, combustible or dangerous substances, and may be required to comply with the notification, reporting and permitting requirements set forth in SARA Title III (the Emergency Planning and Community Right-To-Know Act, or EPCRA) and/or MGL c. 148.

(4) *Maximum size of yard*. The maximum size of the yard (including all structures, parking and driveways on the lot) shall not exceed the percentage of maximum lot coverage permitted under Section 650-41 for the zoning district in which the lot is located. If the yard exceeds said lot coverage percentage, the yard shall not increase its lot coverage and shall be made compliant within twenty-four (24) months of the effective date of this paragraph.

For yards that are in compliance with a prior special permit or site plan approval, no special permit or site plan review is required.

(b) **Design Standards for All Other Permissible Yards**. Yards shall require a special permit, and site plan approval by the City of Marlborough Site Plan Review Committee, whose review shall include, but not be limited to, the following design standards.

(1) *Screening*. Yard shall be adequately screened from the street and adjacent properties to obscure the vehicles parked thereon, and the equipment and/or materials stored therein, to create an effective visual barrier from ground level to a height of at least five (5) feet.

(2) *Vehicles, Equipment and/or Materials.* All vehicles, equipment and/or materials associated with the yard must be stored on and accessed from impervious or otherwise dust-free surfaces.

(3) *Flammable, Combustible or Dangerous Substances.* A yard shall not store excessive quantities of flammable, combustible or dangerous substances, and may be required to comply with the notification, reporting and permitting requirements set forth in SARA Title III (the Emergency Planning and Community Right-To-Know Act, or EPCRA) and/or MGL c. 148.

(4) *Maximum size of yard.* The maximum size of the yard, when combined with all structures, parking and driveways on the lot being proposed for the lot on which the yard is proposed to be located, shall not exceed the percentage of maximum lot coverage permitted under Section 650-41 for the zoning district in which the lot is located.

(5) *Proximity to existing residential zoning districts/uses.* (i) Yard shall not be located on a lot less than two hundred (200) feet from a residential zoning district, and on any lot if a residential use is being made of any abutting lot(s); and (ii) *Minimum lot area.* Minimum area of the lot shall be 22,500 square feet.

IV. Zoning Map Amendment

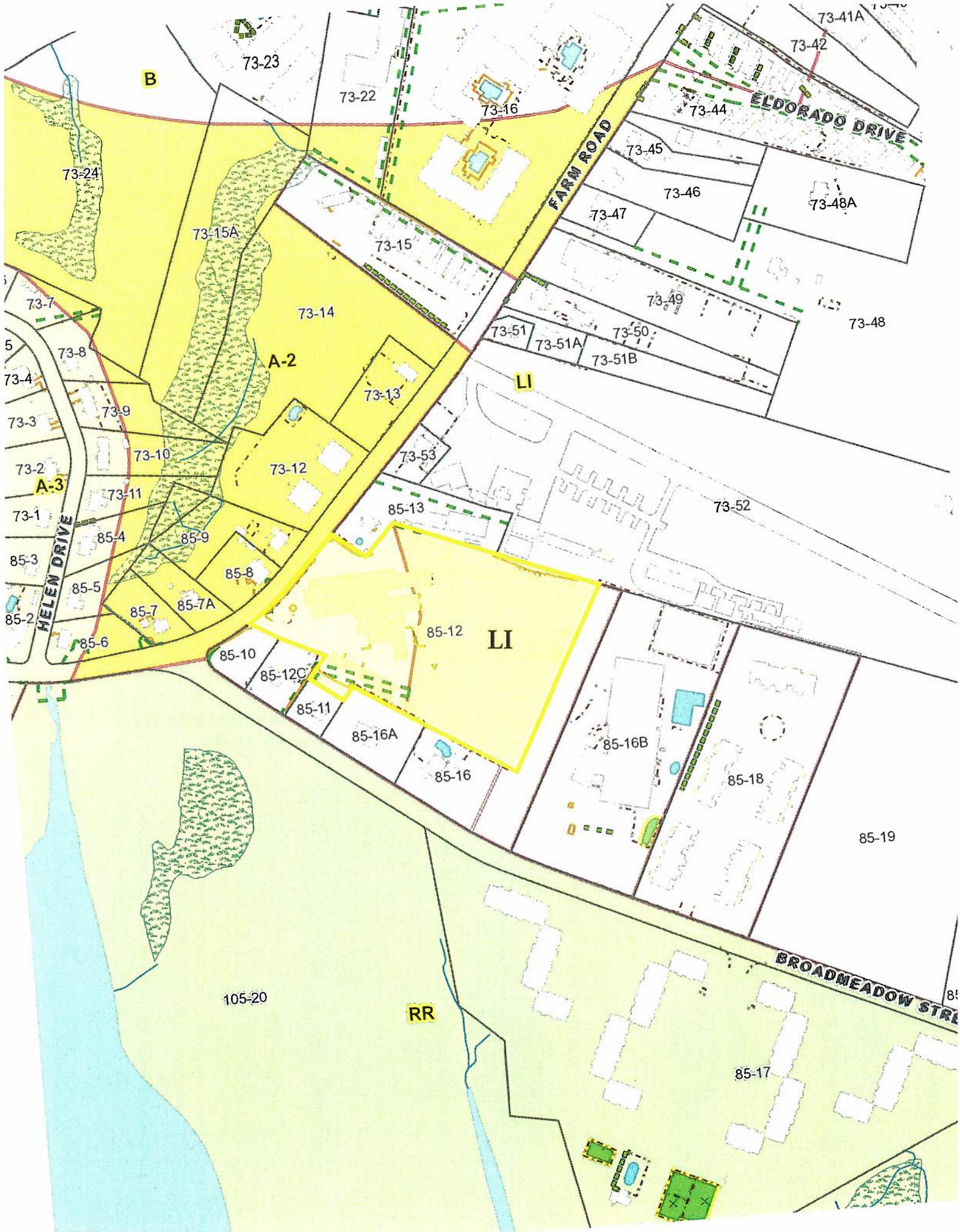
The Zoning Map, Section 650-8, is amended by making the following changes:

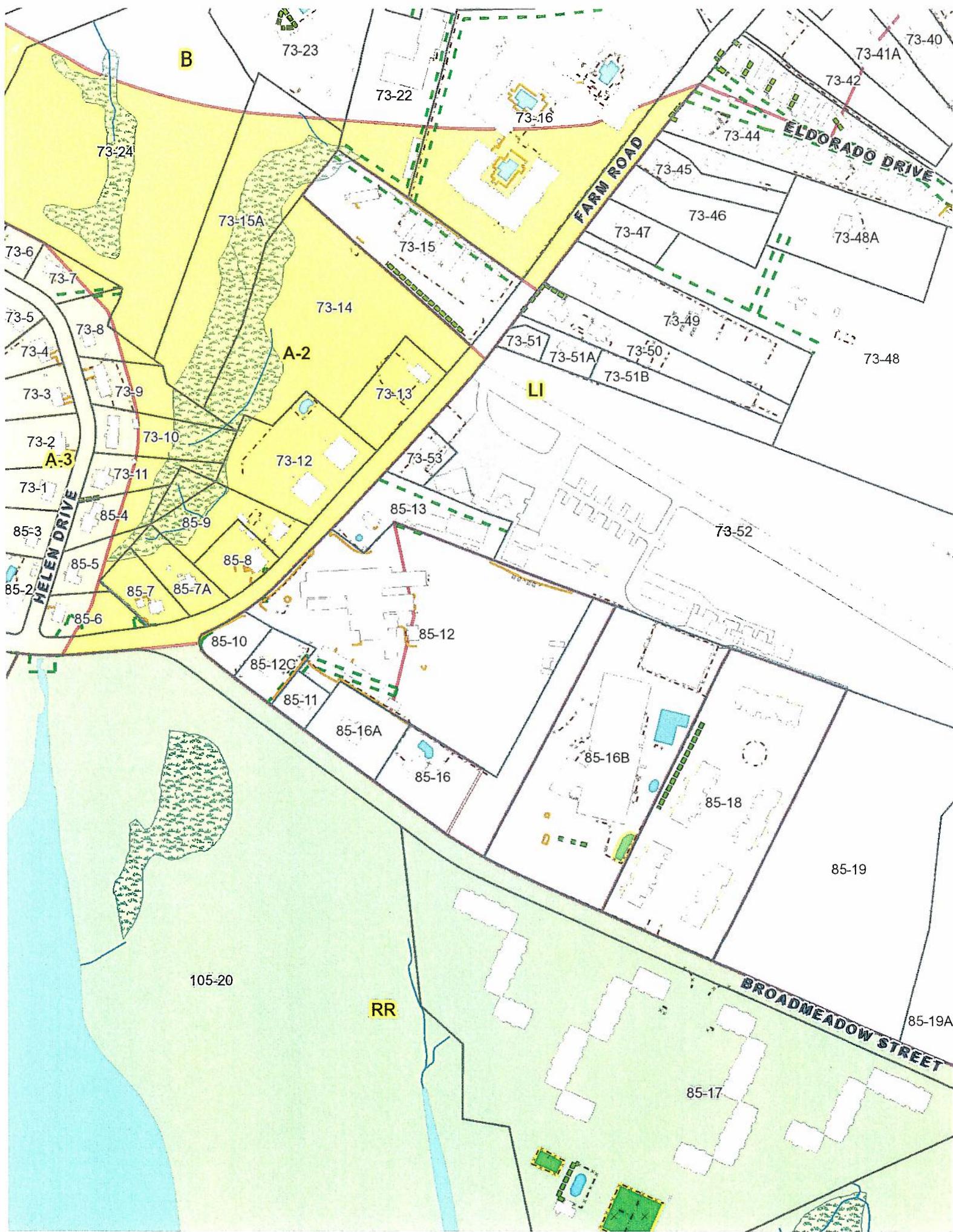
Change a portion of Assessor's Parcel 85-12, consisting of less than 6.53 +/- acres, being the portion of the property currently zoned Business (B), to the adjacent Light Industrial (LI) District. The proposed Zoning Map change is shown on the attached map.

ADOPTED
In City Council
Order No. 20-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:





B

73-23

73-22

73-16

73-41A

73-40

73-42

73-44

ELDORADO DRIVE

73-45

73-46

73-47

73-48A

73-24

73-15A

73-15

73-6

73-7

73-5

73-8

73-4

73-14

73-49

73-48

73-3

73-9

73-13

73-51

73-51A

73-50

73-51B

LI

73-2

73-10

73-1

73-11

73-12

73-53

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85-10

85-12

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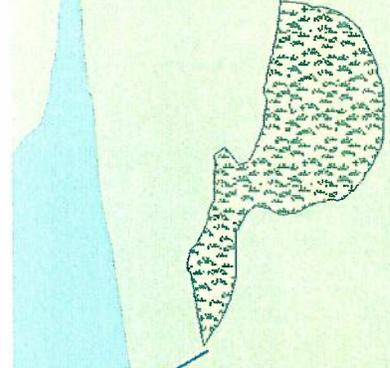
85-6

85-12C

85-11

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RR

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85-19

BROADMEADOW STREET

85-19A

85-17

City of Marlborough
Commonwealth of Massachusetts

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2020 FEB 18 P 4:45



Pamela A. Wilderman
Ethan Lippitt
Justin Gale
Code Enforcement
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3776 (x30201)
Fax: (508) 460-3736
Email: pwilderman@marlborough-ma.gov
elippitt@marlborough-ma.gov
jgale@marlborough-ma.gov

February 18, 2020

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

RE Sign Permit Application
Gerardo's Bakery
115D Apex Drive

Dear President Ossing and Members:

Attached please find a permit application for a flat wall sign at Gerardo's Bakery at the Apex Center. In keeping with the requirements of the development agreement, all sign applications must be approved by both the property owner and the City Council. A special permit is not required; just design approval.

Included in the package is correspondence from Walker Realty LLC giving their approval and I would ask that this item be placed on the next Council Agenda (Monday, February 24, 2020 for review and approval. A review of the proposed sign appears to meet the requirements of Chapter 526 (sign ordinance) for commercial flat wall signs.

As always, please feel free to contact this office if you have any questions or if we can be of any further assistance.

Sincerely,

Pamela A. Wilderman
Code Enforcement Officer

Cc: Lyons Sign
Walker Realty LLC
File



CITY OF MARLBOROUGH

Building Department
(508) 460-3776

BUILDING PERMIT

PERMIT NO: BP-2020-000197
ISSUE DATE: 02/08/2020
APPLICANT: LYONS SIGNS

JOB WEATHER CARD

PERMIT TO: Flat Wall Sign

AT (LOCATION): 115 APEX DR UNIT D, MARLBOROUGH, MA ZONING DISTRICT: B Bldg. Type: Commercial

SUBDIVISION MAP BLOCK LOT: 78-14 BUILDING IS TO BE: CONST TYPE USE GROUP: Business

WORK DESCRIPTION: Installation of a Flat Wall Sign for "Gerardo's Bakery" Length 12.5', Width 5.5', Area 68.75 SQFT.

CONTRACTOR LICENSE: 0000 Construction Supervisor SIGN INSTALLATION

AREA (SQ FT): 925,388,204 EST COST(\$): 7000.00 PERMIT FEE (\$): 50.00

PAID stamp with signature and date 2/8/20

OWNER: ROBERT WALKER ADDRESS: 4 LAN DRIVE WESTFORD MA

BUILDING DEPT BY PHONE: 9786923232

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

MINIMUM INSPECTIONS REQUIRED FOR ALL CONSTRUCTION WORK: 1) FOUNDATIONS OR FOOTINGS. 2) PRIOR TO COVERING STRUCTURAL MEMBERS (READY FOR LATH OR FINISH COVERING) 3) FINAL INSPECTION BEFORE OCCUPANCY 4) REFER TO DETAILED INSPECTION SCHEDULE APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED, SUCH BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE APPLICABLE SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL PLUMBING/GAS AND MECHANICAL INSTALLATIONS.

POST THIS CARD SO IT IS VISIBLE FROM STREET

BUILDING INSPECTIONS APPROVALS

Table with 3 columns and 4 rows for tracking inspections. Middle column header: REQUIRED INSPECTIONS LISTED ON REVERSE. Row 3 contains 'OTHER:'.

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

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

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

WALKER REALTY

LLC

Re: Exterior Building Signage – Gerardo's
Bakery

Dear Lessee:

This letter is to confirm that your signage company, Lyons Signs, is permitted to install your exterior building sign on the building at 115 Apex Drive, Marlboro, MA. If you need anything else, please let me know. Thank you

Jeff



Jeff White
Asset Manager
978-799-4289
jwhite@raventures.net



City of Marlborough
BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752
508-460-3776

RECEIVED
JAN 30 2020
BY [Signature]

78-12

350 PERMIT

Date: 1-30-20

Permit No. BP-2020-00012

Address/Location of Sign 115 D Apex Drive

Name of Business Gerardo's Bakery

Name of Owner of Business Gerardo Sarli Telephone 5089815550

Type of Sign: (check off which applies)

Flat Wall Free Standing Awning Banner Projecting

Does this site have a Special Permit YES NO

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

Dimensions Sign:

Length 12'5" Width 5'5" Height (Free Standing) _____ Area 68.75 sq. ft.

Location of Sign on Bld. North South East West

Dimensions Façade:

Length 28' Width 118" (9.8') Area 274 sq. ft.

Signature of Responsible Party [Signature] Telephone 508-254-2501

Installer Company LYONS SIGNS INC. Telephone 508-757-2501

Email LYONSSIGNS@AOL.COM

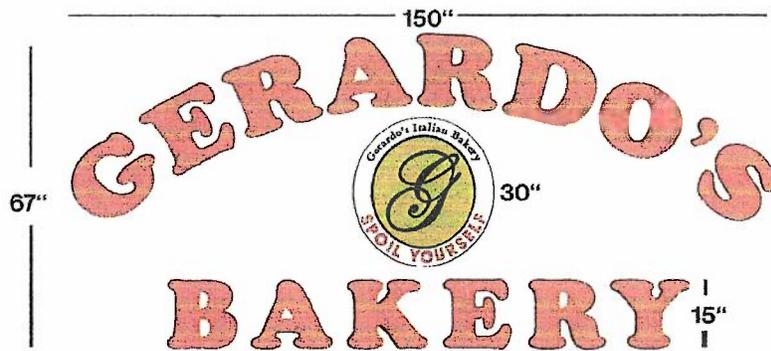
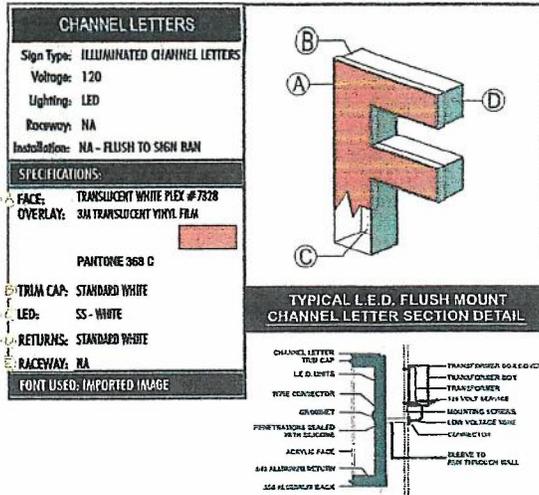
I hereby declare that I have the authority to request this permit and that the statements and information provided are true and accurate to the best of my knowledge and belief as well as to conform to the City's current Sign Ordinance and MA State Building Code, signed under the pains and penalties of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

Signature [Signature]

Date 1/30/20

Cost of Sign(s) 7000,-

Permit Fee \$ 50.00



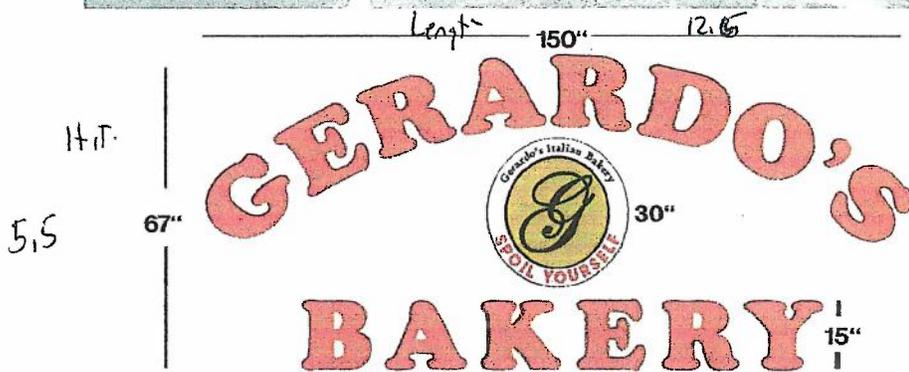
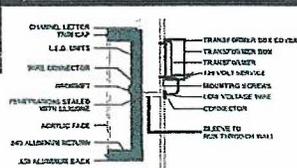
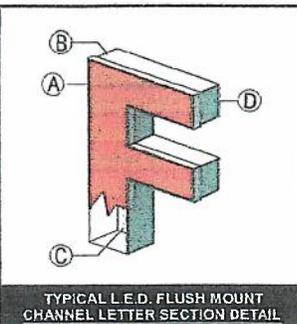
- (1) set of 15"x 5.5" Channel lit raised letters. White aluminum cabinets (040 gauge) with diabond backing. Red translucent film on white signgrade acrylic letters, black plastic trimcap. LED lighting, all UL listed wiring devices.
- (1) 31"x30" one sided oval sign. Vinyl graphics copy with LED lighting. Same as above. Installed on exterior steel facade.

Lyons
SIGNS

1454 Grafton Street Worcester, MA 01604
508-754-2501
www.lyonssignsinc.com

Gerardo's Bakery
115D Apex Drive
Marlboro, MA 01752

CHANNEL LETTERS	
Sign Type:	ILLUMINATED CHANNEL LETTERS
Voltage:	120
Lighting:	LED
Routeway:	NA
Installation:	NA - FLUSH TO SIGN BAW
SPECIFICATIONS:	
FACE:	TRANSCURENT WHITE PLYX #7222
OVERLAY:	3M TRANSCURENT VINYL FILM
	PARTICULATE 358 C
TRIM CAP:	STANDARD WHITE
LED:	SS - WHITE
RETURNS:	STANDARD WHITE
FACEWAY:	NA
FONT USED:	IMPORTED IMAGE



- (1) set of 15"x 5.5" Channel lit raised letters. White aluminum cabinets (040 gauge) with diabond backing. Red translucent film on white signgrade acrylic letters, black plastic trimcap. LED lighting, all UL listed wiring devices.
- (1) 31"x30" one sided oval sign. Vinyl graphics copy with LED lighting. Same as above. Installed on exterior steel facade.

Lyons
SIGNS

1454 Grafton Street Worcester, MA 01604
508-754-2501
www.lyonssignsinc.com

Gerardo's Bakery
115D Apex Drive
Marlboro, MA 01752



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

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CITY OF MARLBOROUGH

2020 FEB 18 P 1:53

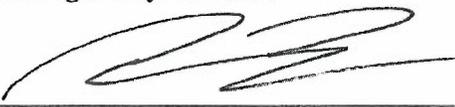
**AGREEMENT TO EXTEND
TIME LIMITATIONS**

Order No.2019-1007881
Application for Special Permit by Vedi Naturals, LLC
505 Boston Post Road West (Twin Boro Crossing)
To Operate an Adult Use Marijuana Facility

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

Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, is hereby extended, by agreement, until 10:00 p.m. on June 9, 2020

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

By: 

For Petitioner *Brian Falk, Esq.*



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

MARLBOROUGH CITY COUNCIL

2020 FEB 19 P 4:48

LED SIGN PERMIT APPLICATION

INSTRUCTIONS: This application must be filled out and submitted to the City Council. Applicant must attach to this application a copy of the Building Commissioner's decision detailing the requirements and reason for City Council action. This application form must be signed by the applicant or his authorized agent (and the owner of the property if the owner is not the applicant) prior to submittal to the City Council.

1. Location of the property where sign is located: Street and Number:

431 Lincoln St.

2. What other signs exist on the property (type, size, location):

Freestanding - 6' wide by 15' overall height (corner of Lincoln + Pleasant Sts.)
Gas canopy - (2) 3' x 3' pecten logos (at each end)
Building - 33" x 8' (front of the building)

3. Are there other signs on the property of similar type to what is requested in the LED Sign Permit Application? If so, please state size and location.

NO

4. Names of business or activity applying for sign:

MARLBOROUGH STEEL

5. Applicant: WILLIAM CAMUSO

Street/City/Zip Code:

87 WALKERS BROOK DR.
READING, MA 01867



City of Marlborough

6. Building Owner:

LINCOLN ST. LLC 431
Street/City/Zip Code:
431 LINCOLN ST
MARLBOROUGH, MA 01752

7. Contact Information. Please provide an E-mail address as well as Business and Mobile telephone numbers.

Building Owner.

E-mail: BILLCAMUSO@GMAIL.COM Business: 508 485-9772 Mobile: 978-846-0255

Agent/Owner of Business where sign will be located.

E-mail: SAMF Business: _____ Mobile: _____

Applicant.

E-mail: SAMF Business: _____ Mobile: _____

8. Applicant is (please check).

Business Owner: Tenant: Other (describe): _____

Required Attachments & Copies

Description of Sign and Plan: Please include letter from Building Commissioner noted above together with **15 copies** of completed application and plans and color renderings to assist the City Council in its deliberations on the application for a Special Permit for an LED Sign. Other pertinent information may be submitted with this application and may be required by the City Council.

The City Council will hold a Public Hearing on the Application for an LED Sign. Applicant shall pay for advertising of Hearing. Applicant shall obtain a certified abutters' list from the Assessors' Office to attach to this application. Applicant shall notify abutters of Hearing and provide proof of mailing prior to the Hearing.

After the close of the Public Hearing, Applicant shall submit a draft LED Sign Special Permit Decision to the City Council, through the appropriate City Council Committee. A sample decision will be provided to Applicant upon request.

[Signature]
Applicant Signature

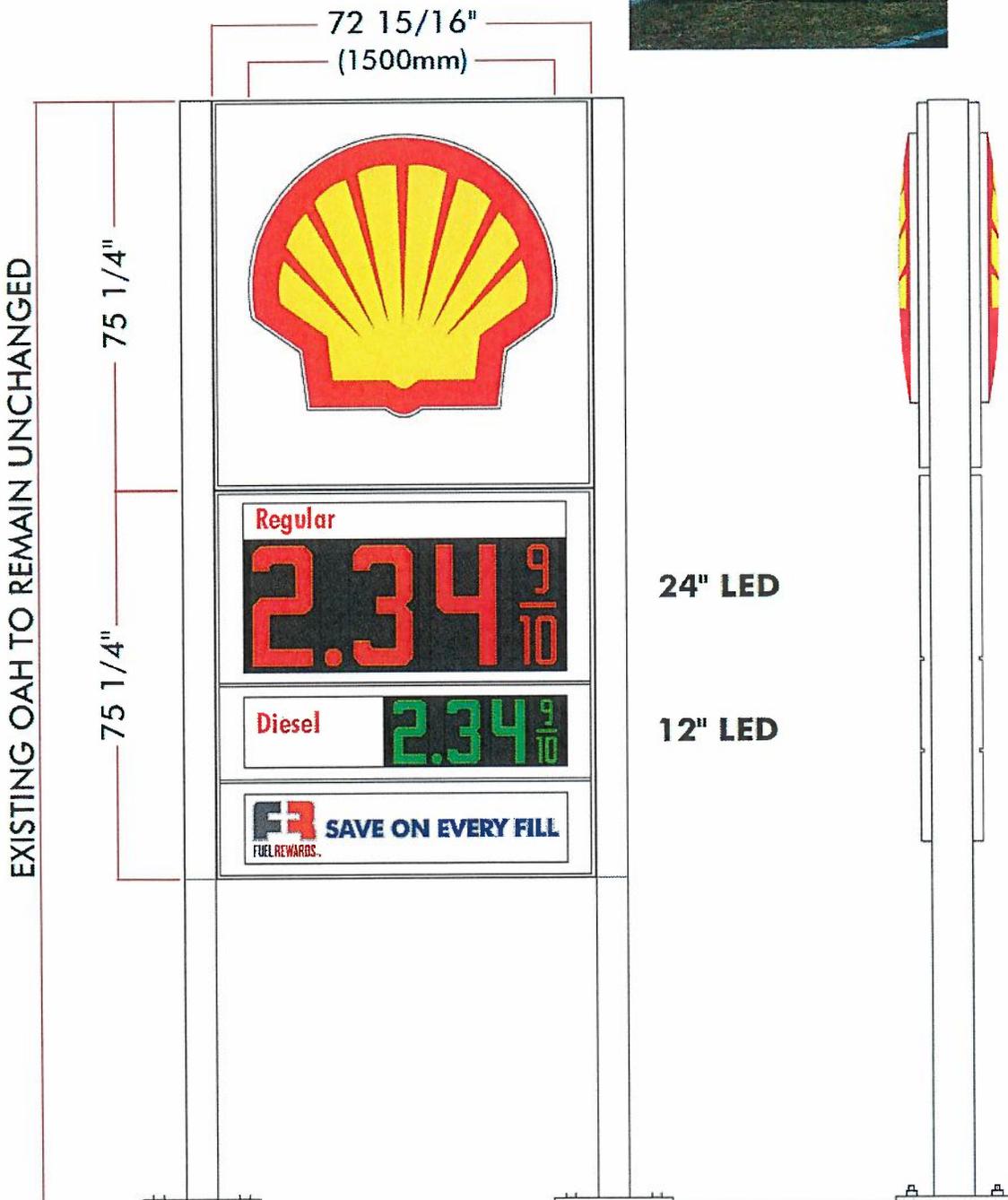
2/4/20
Date

[Signature]
Property Owner Signature

2/4/20
Date

NOTE: New LED Sign(s) may not be erected until the City Council LED Sign Special Permit has been granted and building permit has been issued by the Building Department.

NEW RVI Evolution
6' Mod Cabinets between
Existing Poles.



VISUAL COMMUNICATIONS
 www.FederalHeath.com

1500 North Bolton • Jacksonville, Texas 75766
 (903) 589-2100 • Fax (903) 589-2101

Manufacturing Facilities:
 Oceanside - Euless - Jacksonville - Columbus
 Office Locations:
 Oceanside - Las Vegas - Laughlin - Idaho Falls
 Euless - Jacksonville - Houston - San Antonio
 Corpus Christi - Grafton - Milwaukee
 Willowbrook - Louisville - Indianapolis - Columbus
 Cincinnati - Westerville - Knoxville - Tunica
 Atlanta - Tampa - Daytona Beach - Winter Park

Building Quality Signage Since 1901

Revisions:
 1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____

Account Rep: **Dan Hull**

Project Manager: **V. Hernandez**

Drawn By: **Brian Essary**

Project / Location:

Shell
RVI Evolution
GLOBAL

Underwriters Laboratories Inc. ELECTRICAL TO USE UL LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS
ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. #8 AND ARTICLE 600 OF THE N.E.C. STANDARDS, INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Client Approval/Date: _____

Landlord Approval/Date: _____

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Health Sign Company LLC or its authorized agent. © 2008
 Colors Depicted In This Rendering May Not Match Actual Material Finishes. Refer To Product Samples For Exact Color Match.

Job Number: **197105**

Date: **10/01/19**

File Name: **SG197105_e**

Sheet Number: **1** or **1**

Design Number: _____

City of Marlborough
Commonwealth of Massachusetts



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

2/7/2020

Advance Signs, INC
PO Box 188
846 Bronco Hwy.
Mapleville, RI 02839

RE: Sign Denial Letter at 431 Lincoln Street

To whom it may concern,

On 7/9/2019 it was noted that a Sign Permit was applied for relating to the installation of Electronic Message Signage at the Gulf Station located at 431 Lincoln Street.

- This would be a violation of Marlborough General City Code §526-13 in that a Special Permit is required for all Electronic Message Center Signs.

§ 526-13 Electronic message center signs; digital display signs.

[Added 8-25-2014 by Ord. No. 14-1005880B]

A. Applicability.

(2) The regulations in § 526-13 permit digital display signs and electronic message center (EMC) signs in all zoning districts except for Rural Residence (RR) Districts, Residence (A-1) Districts, Residence (A-2) Districts, Residence (A-3) Districts, Residence B (RB) Districts, Residence C (RC) Districts, Retirement Community Residence (RCR) Districts, and the Downtown Business District outlined in § 526-9L, in which districts such signs are strictly prohibited. Digital display signs and EMC signs shall be permitted with the approval of the Building Commissioner, shall be subject to all other provisions governing signs in Chapter 526, the City's Sign Ordinance, and shall require a special permit.

§ 526-13 Electronic message center signs; digital display signs.

[Added 8-25-2014 by Ord. No. 14-1005880B]

C. Legally preexisting nonconforming EMC and digital display signs. Legally preexisting nonconforming EMC signs and digital display signs, to the extent they have the technical capability to do so, shall be operated in conformance with the operational standards set forth in this § 526-13. In the absence of a light-sensing device, sign owners shall ensure either that the signs are dimmed to meet brightness standards set forth in § 526-13B(6) above or that the signs are turned off from sunset to sunrise. All legally preexisting nonconforming signs shall be brought into compliance with this amendment upon being significantly updated or replaced, as determined by the Building Commissioner or a designee of the Building Commissioner, or at the end of 10 years from the date of approval of this amendment, whichever is sooner.

The special permit application package can be found at https://www.marlborough-ma.gov/sites/marlboroughma/files/uploads/1_special_permit_application.pdf

Code Enforcement Officer Ethan Lippitt

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

CC File
City Council
Commissioner Cooke
City Clerk



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

February 3, 2020

Pursuant to the State Reclamation & Mosquito Control Board's (SRMCB) budget notification and compliance certification policy, as revised, please find enclosed Form SRB-1.

These documents show our preliminary proposed budget amount, increase from FY20 and estimated balance forward on page 1. Pages 3 and 4 show each member community's percentage of total budget, share amounts for CMMCP and SRMCB, and total assessment estimate for FY21.

There are no forms to be mailed back to our office. Please direct any questions, comments or concerns to me at (508) 393-8766 or deschamps@cmmcp.org before April 15, 2020.

For more information, please find budget information posted on our website at this link: <https://www.cmmcp.org/budget-information>. Thank you.

Sincerely,

Timothy D. Deschamps
 Executive Director

- cc:
 Town Administrators/ Town Managers
 Select Board Chair
 Finance Committee Chair
 Board of Health Director/Agent

Project Name: Central Mass. Mosquito Control Project

NOTICE OF PRELIMINARY PROPOSED BUDGET FOR FY2021

Notice is hereby given that the Central Mass. Mosquito Control Project's (the "Project") preliminary proposed budget for FY2021 is available online for viewing at (<https://www.cmmcp.org/budgetinformation>) and summarized below. Any questions, comments or concerns regarding this preliminary budget should be directed to: Mosquito Control Project deschamps@cmmcp.org by April 15th.

1. The total preliminary dollar amount that the Project is proposing for FY2021 is \$ 2,642,190. The chart found below highlights the preliminary budget request by the Project for the coming year with pertinent budget information that fully describes the "total trust fund account" budget amount available for the Project to expend in FY2021.

A.	B.	C.	D.	E.	F.	G.	H.	I.
Project Name	Number of Employees	FY2021 Preliminary Proposed Budget Amount	FY2021 % Increase towards Operating Budget	FY2021 % Increase towards Capital Budget	FY2021 Total % Increase Over Certified FY2020 Budget (Add D + E)	FY2020 Estimated Balance Forward /Rollover Amount	FY2020 Actual Budget Revenues	FY2020 Total Est'd Funding Available in Trust Account (Add C + G)
Central Mass.	22	\$2,642,190	2.5%	0%	2.5%	\$100,000	\$2,577,745	\$2,677,745

2. The member municipalities within the Project together with each municipality's estimated proportionate share thereof expressed both as a percentage and as a dollar amount, are as set forth on Form SRB-1, Page 2. **As of the date of this notice, the Project is comprised of 42 municipalities as listed on Form SRB-1, Page 3.**

If the composition of the Project changes because one or more municipalities join or withdraw from the Project, the total preliminary budget will be adjusted pro rata.

8. A copy of this Notice, together with a copy of the preliminary budget proposed, has been delivered or mailed to the Chief Administrative Officer, Chief Executive Officer, to the Finance Committee of each member municipality having a finance committee, and to the State Reclamation and Mosquito Control Board.

Project Name: Central Mass. Mosquito Control Project
FY2021 Proposed Cherry Sheet Assessments Estimates
Based on the preliminary proposed Project budget
(2018 Equalized Valuations)

Municipality	Percentage of Total Budget	Project Share Amount*	State Reclamation Board Share Amount*	Total Assessment Estimate*
Acton	2.84%	\$74,975	\$3,207	\$78,182
Ashland	1.76%	\$46,434	\$1,986	\$48,420
Auburn	1.93%	\$50,901	\$2,177	\$53,078
Ayer	1.12%	\$29,600	\$1,266	\$30,866
Berlin	1.40%	\$36,933	\$1,580	\$38,513
Billerica	3.84%	\$101,333	\$4,335	\$105,668
Blackstone	1.26%	\$33,276	\$1,423	\$34,699
Boxborough	1.24%	\$32,891	\$1,407	\$34,298
Boylston	1.73%	\$45,642	\$1,952	\$47,594
Chelmsford	3.34%	\$88,195	\$3,773	\$91,968
Clinton	0.82%	\$21,763	\$931	\$22,694
Dracut	2.75%	\$72,674	\$3,109	\$75,783
Fitchburg	3.22%	\$84,982	\$3,635	\$88,617
Gardner	2.44%	\$64,351	\$2,753	\$67,104
Holliston	2.35%	\$62,098	\$2,656	\$64,754
Hopedale	0.66%	\$17,326	\$741	\$18,067
Hopkinton	3.35%	\$88,531	\$3,787	\$92,318
Hudson	1.65%	\$43,710	\$1,870	\$45,580
Lancaster	2.91%	\$76,976	\$3,293	\$80,269
Leominster	3.56%	\$94,183	\$4,029	\$98,212
Littleton	2.01%	\$53,161	\$2,274	\$55,435
Lowell	2.90%	\$76,676	\$3,280	\$79,956
Lunenburg	2.87%	\$75,928	\$3,248	\$79,176
Marlborough	3.19%	\$84,276	\$3,605	\$87,881
Milford	2.08%	\$55,076	\$2,356	\$57,432
Millbury	1.87%	\$49,352	\$2,111	\$51,463
Millville	0.55%	\$14,431	\$617	\$15,048
Natick	3.09%	\$81,752	\$3,497	\$85,249

Northborough	2.39%	\$63,182	\$2,703	\$65,885
Northbridge	2.02%	\$53,398	\$2,284	\$55,682
Sherborn	1.83%	\$48,228	\$2,063	\$50,291
Shrewsbury	3.19%	\$84,386	\$3,610	\$87,996
Southborough	1.88%	\$49,763	\$2,129	\$51,892
Stow	1.99%	\$52,573	\$2,249	\$54,822
Sturbridge	3.94%	\$104,102	\$4,453	\$108,555
Tewksbury	2.96%	\$78,308	\$3,350	\$81,658
Webster	1.54%	\$40,583	\$1,736	\$42,319
Westborough	2.82%	\$74,549	\$3,189	\$77,738
Westford	3.92%	\$103,617	\$4,432	\$108,049
Wilmington	2.56%	\$67,742	\$2,898	\$70,640
Worcester	6.22%	\$164,333	\$7,030	\$171,363
TOTAL	100.00%	\$2,642,190	\$113,024	\$2,755,214

CITY OF MARLBOROUGH
CONSERVATION COMMISSION

Minutes

January 9, 2020 (Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM

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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2020 FEB 11 P 3:47

Present: Edward Clancy-Chairman, Allan White, David Williams, William Dunbar, John Skarin, and Karin Paquin. Also present was Priscilla Ryder-Conservation Officer

Absent: Dennis Demers

Approval of Minutes – The minutes of December 5, 2019 were reviewed and unanimously approved.

Public Hearings:

Request for Determination of Applicability

1001 Boston Post Rd. East – Raytheon

David Cowell of Hancock Associates and Ann- Margaret Proulox of Raytheon were both present. Mr. Cowell explained that they need to install two new generators for backup data power. They are proposing to install these on an area with existing concrete pad, however the pad needs to be stronger so they will remove the existing pad and replace it with a thicker pad that meets the specifications needed. He has the dimensional requirements and can provide that to the Commission.

The Commission asked if they needed a pad with secondary containment. Ms. Ryder said she would check the requirements with the Fire Dept. The work is within the 20' buffer zone, however no new disturbance is proposed, only work on the existing paved area. The Commission asked about the pad construction and what it looks like. Ms. Proulox provided a photo showing there is a very short lip around the wetland edge of the pad. Mr. Cowell noted that the notes on the plan specify that concrete trucks will not be washed out near the wetlands and that all excess materials will be removed from the site. The containers currently on the pad will be moved so they are closer to the building.

After some discussion the Commission continued the hearing to the January 23rd meeting in order to get the specifications for the pad and confirmation from the Fire Dept.

Notice of Intent (continuation)

107 Simarano Dr. (Green District)-Andrew Montelli-Post Road Realty LLC

Joe Peznola from Hancock Associates; John Shipe from SHIPE Consulting; and Scott Goddard of Goddard Consulting were present. Mr. Peznola explained that from the last meeting there were three items that needed to be addressed which have been met as follows:

1. Review of the DEP comments on the detention basin by City Engineer Tom DiPersio - Mr. Peznola noted, and Ms. Ryder confirmed that Mr. DiPersio had looked at the comments and that he provided an e-mail with recommended conditions related to test pits prior to construction and changes if results warrant.
2. Turbidity level changes per EPA recommendations - Ms. Ryder noted that she had reviewed the EPA data Mr. Peznola provided at the last meeting and had made some phone calls and reviewed information from the State of Oregon regarding what Nephelometric Turbidity Unit (NTU) levels to use. EPA recommends 280 for construction sites. Oregon requires that the discharge be no greater than 10% above the upstream (clean) flow of the receiving water, DEP has no NTU standard. Eric Olson, Environmental Monitor at Avalon suggested that anything above 300 NTU does leave a deposit in the stream so anything between 250-300 NTU would be reasonable. The Commission determined that 280 could be the standard and we could try that for this project and see if it works.
3. Invasive plant species control plan – The Commission had asked for an invasive plant management plan for the area near the dog park and in the buffer zone which is infested with bittersweet and honeysuckle. Mr. Goddard explained that he had submitted a plan to the Commission this afternoon dated June 8, 2020 which outlines a plan for management of this area. Ms. Ryder said she has not had a chance to look at the plan in detail. After some discussion, about the area to be restored and the methods of restoration and planting plan, the Commission agreed to review it and that this would be discussed in detail with the site contractor when Site 2/Phase 2 of the project is done at the required pre-construction meeting for Site 2. A condition can be drafted to reflect this.

After further discussion, the Commission closed the hearing and then reviewed the draft Order of Conditions and made some amendments to the language. The Commission then voted unanimously 6-0 to approve the Order of Conditions as drafted and amended.

Correspondence/Other Business - The Commission reviewed the following correspondence as follows:

- Letter to Joseph Biasaaza-178 Simpson Rd. RE: Wetland Notice – new permit required, dated: Dec. 6, 2019- The Commission noted that it looks as if additional fill continues to be added. They asked that Ms. Ryder send a cease and desist letter to Mr. Biasaaza and have him come to the next meeting before he does any further work.

The commission reviewed the next three items and voted to accept and place on file.

- Memo to Barbara Fenby, Chairwomen-Planning Board, RE: Commonwealth Heights Subdivision, Dated: Dec. 6, 2019.

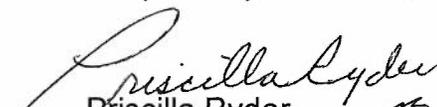
- Letter from National grid, RE: 45 Day Yearly Operational Plan Public Notice, Review and Comment. 2020 Yearly Operational Plan (YOP)
- E-mail from Joey Wigglesworth, MassDEP, RE: Regulatory Alert MassDEP's Proposed changes to Wetlands Protection Act Regulations (310 CMR 10.00) Dated: Dec. 11, 2019.
- Letter from Solitude Lake Management, RE: Chronology of this year's management and brief description of events, Dated: Dec. 16, 2019. The Commission reviewed this annual report for the lake treatment and discussed the recommendations made. They asked Ms. Ryder to get more info about the new herbicide listed in the recommendations to see if this is something the City should investigate.
- The Mass. Dept. of Environmental Protection's Snow Disposal Guidance - As it does annually, the DEP provided the Commission their Snow Disposal Guidance document. The Commission asked Ms. Ryder to check with Ted Scott or John Ghiloni to see if any changes have been made to the previous snow storage plans. The Commission also discussed the concern with higher concentrations of salt in our lakes and streams
- Trash cans at Conservation Land Properties - Chris White has asked if the trash barrels they put out at conservation land properties can be removed all year. They continue to get household waste dumped in the cans, rather than just trail waste, so he is suggesting removing them. The Commission discussed this and decided to let Mr. White make that decision since it is their staff that do all the work. However, there was concern raised that the dog poop bags would then be tossed everywhere. Ms. Ryder will talk to Mr. White.

Next Meeting – January 23rd and February 6th, 2020.

Adjournment

There being no further business, the meeting was adjourned at 8:25 PM.

Respectfully submitted;


Priscilla Ryder
Conservation Officer

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
January 23, 2020 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2020 FEB 11 P 3:47

Present: Edward Clancy-Chairman, David Williams, Dennis Demers, John Skarin, and Karin Paquin. Also present was Priscilla Ryder-Conservation Officer

Absent: Allan White

Approval of Minutes – January 9, 2020

Public Hearings:

Request for Determination of Applicability (Continuation)

1001 Boston Post Rd. East – Raytheon (note: David Williams had to leave in the middle of this presentation)

David Cowell of Hancock Associates and Ann Margaret Proulx of Raytheon were both present. Mr. Cowell indicated that he had provided the specifications for the generator and a cross section detail of the pad prior to the meeting as requested at the last meeting. The commission members reviewed these documents and had questions about the pad thickness, anchoring and the retaining wall at the back of the pad. Ms. Ryder noted that she had asked the Fire Dept. if spill containment was required for these types of generators and was told it was not. Ms. Proulx explained that Raytheon has a hazard mitigation plan, and someone is always at the site when fueling is occurring, so would catch any spill during fill operations. The Commission recommended that the wall behind the pad be extended to the side of the pad too as a barrier to the wetland. Mr. Cowell indicated that would be acceptable and this could be conditioned.

The Commission closed the hearing and voted unanimously 5-0 (note David Williams had to leave) to issue a negative determination with conditions regarding extension of the wall and standard notification and stabilization conditions.

Abbreviated Notice of Resource Area Delineation (Continuation)

339 Boston Post Rd. - WayPoint Marlborough MA Owner LLC

Scott Goddard of Goddard Consulting was present and explained that they had reflagged the areas that had been questioned by the Commission. He provided a revised plan dated 1-23-2020 showing the changes to the plans made out in the field and confirmed by Ms. Ryder, Mr. Dunbar and Ms. Paquin over several site visits. The wetland lines in the two paddocks increased, and an additional wetland area around the track was added and the isolated wetland in the field was enlarged. All these flag changes are shown on the plan.

The Commission discussed the floodplain elevations as shown on the plans, which were imported from the FEMA 2014 floodplain layer. This was an area of detail study so the elevations across the properties range from 269 to 277 in elevation. As a summary, Mr. Goddard noted that the site contains the following resources areas: Bordering Vegetated Wetland (BVW), Bank, Land Under Water, Land Subject to Flooding and three pockets of Isolated Land Subject to flooding that do not meet the state's size criteria for protection. However, because the streams on the property are tributary to the Sudbury Reservoir, they are designated as "outstanding resource water" and require higher protection levels during construction. The isolated wetlands may require a 401 Water Quality Certificate, so they are prepared to file for that.

The Commission discussed the desire to protect all the land that will be left undeveloped through a Conservation Restriction or other legal means to keep it open and undeveloped in perpetuity. And encouraged the connection by way of a walking path from Rte. 20 to Kane School along the sewer taking land. Mr. Goddard said he would convey this idea.

After some discussion on resource clarification and jurisdiction, the Commission voted unanimously, 5-0 to issue an Order of Resource Area Delineation approving the wetland delineation as shown on the plan dated 1-23-2020. Ms. Ryder shall hold the permit until such time as a stamped version of the plans are delivered.

Certificate of Compliance

- 212-1190 1001 Boston Post Rd. – Raytheon - Ms. Ryder noted that this Order of Conditions has been completed and is the same location as the new Request for Determination of Applicability noted above. The Commission voted unanimously 5-0 to issue a Full Certificate of Compliance for this project.
- 212-427 89 Kelleher St. (Lot 53) – Jericho Hill Estates - Ms. Ryder noted this is a very old filing and based on site visit and reviewing the file a full certificate is recommended. The Commission voted unanimously 5-0 to issue a full certificate of compliance for this project.

Violation Notice:

- 178 Simpson Rd.- Ms. Ryder noted that she has not received a response from the owner. The Commission asked that she follow up with the owner to see if they can attend the next meeting and to ensure no further work is done until he meets with the Commission.

Correspondence/Other Business - The Commission reviewed the following correspondence and voted to accept and place on file:

- MACC Conference – Feb. 29, 2020
- Dept. of Public Works – Forestry, Parks & Cemetery – Yearly Operation Plan 2020

Next Meeting – February 6th and February 20th, 2020

Adjournment- There being no further business, the meeting was adjourned at 8:06 PM

Respectfully submitted,


Priscilla Ryder *PR*
Conservation Officer

Marlborough Historical Commission Meeting Minutes

December 19, 2019

City Hall 3rd Floor, Memorial Hall

Board Attendees: Robert Fagone, Melanie Whapham, Brendan Downey, Alan Slattery, Pamela Wilderman, Cpt. Nicholas Evans.

Absent: Andrea Bell Bergeron

Other Attendees: John Irish – Ward 5 City Consoler, Mallory Demty – LLB Architects, Tom Gatzanis & Alicia Monks – Daedalus Projects, Margaret Cardillo – Director of Marlborough Public Library (MPL), Samantha Khosla – Library Trustee.

Meeting called to order 7:02 PM

1. November minutes approved.
2. Presentation of the current state of the new library project.
 - a. The presentation contained a proposed site plan and several renderings of the new structure based on the work of the MPL Building Committee.
 - b. The Committee requested a copy of any renderings when available to the public.
 - c. A vote was taken by the Marlborough Historical Commission to endorse plan. The vote was 5 -1 in favor.
 - d. During discussion, concerns were focused on the “institutional” look of the new extension, at least as of the renderings presented.
 - e. The results of the vote and the specific concerns will be forwarded in writing to the Director of the MPL.
3. Historic House Signs Project Discussion.
 - a. Still exploring commercial options for producing the signs. A suggestion was made to distribute the signs via a “donation” to encourage participation of homeowners.
4. Correspondence & Communications.
 - a. The John Cotting House (74 Main St) was brought up as example of proactive preservation. Chair had spoken directly with owner, Attorney Sem Aykanian.
 - b. 35 John St/St Mary’s Credit Union project (133 South Bolton St). The opinion of the MHC is that while the house at 35 John Street is located in an area of historic interest (Howe Street Area Shoe Factory Residences), the structure itself does not require protection. This opinion of the MHC will be sent in writing to the contractors that contacted the chair.
5. Preservation by Education
 - a. Based on recent development activity in the city it has been determined that the MHC should proactively create a list of historically significant properties so that we can educate property owners and developers before specific projects are undertaken. With Chair Fagone, Andrea Bell Bergeron & Melanie Whapham (and any other interested members) will take the lead in gathering information from existing sources, particularly the 1994-95 Survey of Historical Properties.
6. January 2020 meeting moved to 1/23 to accommodate schedules.
7. Motion to adjourn. Seconded and so moved 8:38 PM

Respectfully submitted,
Brendan Downey

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2020 FEB -6 P 4: 59

Marlborough Public Library Board of Trustees

Meeting Minutes

January 7, 2020

Bigelow Auditorium, Marlborough Public Library

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CITY OF MARLBOROUGH

2020 FEB 10 A 7:58

Meeting called to order by Tom Abel at 7:05pm

Board Members Present: Tom Abel, Fred Haas, Nena Bloomquist, Robyn Ripley, Janice Merk, Samantha Khosla, Karen Bento

Also Present: Margaret Cardello, Library Director

Documents Reviewed/Referenced:

1. Agenda
2. Minutes from the December 3, 2019 meeting
3. Trust Fund/State Aid reports for December 2019
4. Director's Report

Proceedings:

1. **Minutes:** *A motion to approve the meeting minutes from the December 3, 2019 meeting was passed (Bloomquist/Haas).*
2. **Trust Fund Reports:** *A motion to approve the Trust Fund Reports for December 2019 was passed (Bloomquist/Haas).*
3. **Director's Report:** (see attached for more details)

Assistant Director Morgan Manzella began her maternity leave on December 16 and is expected to return in late March. A part-time Reference Librarian has been contracted to assist the staff with additional coverage during her leave.

- Margaret provided several updates regarding the library renovation project:
 - She continues to work with John Ghiloni on plans to use the Walker Building as a temporary library during the construction. The move will take place in September but the goal is to complete as much of the setup as possible by April, after which time many city resources will be directed to the new school project.
 - The Library Building Committee met on December 11 to review options for the parking lot design and building entry layout. Another meeting is scheduled on January 9 to review the revised plans.
 - The building schematic designs were presented to the Marlborough Historical Commission on December 19. The Commission voted to approve the design while also requesting that additional architectural features be incorporated into the windows.

4. **Committee Reports:**

- Marlborough Public Library Foundation:
MPLF Chair Nena Bloomquist reported that the December 17 meeting of the Foundation was cancelled due to a snowstorm. The Foundation is working with Margaret on scheduling a series of public meetings to update the community on the current status of the project. During these meetings, the architectural renderings will be shared and key donors will explain why they feel supporting the Foundation's fundraising efforts is an important and valuable contribution to the community.

5. **Old Business:**

- Following concern expressed by a library neighbor regarding individuals parking in the library parking lot after hours to access the WiFi network, Margaret checked with the police department to see if there had been any reported incidents. She was informed that the police had received one call and investigated the area, but nothing illegal was taking place. Margaret, with the assistance of the police, will continue to monitor this.
- *A motion was unanimously passed to approve the slate of officers for 2020, as presented at the December meeting (Bloomquist/Ripley).* The officers are: Tom Abel, Chair; Bill Brewin, Vice Chair; Janice Merk, Secretary/Treasurer.
- *A motion was passed to amend the bylaws to reflect the time of Trustees' monthly meeting as 7:00pm. (Haas/Ripley).* Margaret will make the update and send the revised document to the City Clerk.

6. **Old Business:**

- There was no new business at this meeting.

7. **Adjournment:** *A motion to adjourn passed at 8:21pm (Bloomquist/Ripley)*

Minutes submitted by Janice Merk.