

REGULAR MEETING
MARCH 22, 2021
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
2021 MAR 18 P 1:40

This meeting of the City Council will be held virtually on Monday, March 22, 2021 at 8:00 PM with Councilors attending in person and/or remotely. **NO PUBLIC ATTENDANCE WILL BE PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34) or you can view the meeting using the link under the Meeting Videos tab on the city website (www.marlborough-ma.gov).

1. Minutes, City Council Meeting, March 8, 2021.
2. PUBLIC HEARING on the Application for Special Permit from Cal Verde Naturals, LLC, to operate an Adult Use Marijuana Retail Establishment, 239 Boston Post Road West, Order No. 21-1008214.
**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 400 705 706 #. ****
3. PUBLIC HEARING on the Proposed Zoning Amendment to Chapter 650 to amend Section 33 the Results Way Mixed Use Overlay District (RMUOD) with a Proposed Zoning Map Amendment, Order No. 21-1008216.
**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 400 705 706 #. ****
4. Communication from Ward 1 Councilor Laura Wagner, re: Summary of comments related to Application for Special Permit to be known as Walcott Heritage Farms, 339 Boston Post Road East (McGee Farm) from March 8, 2021 City Council meeting, Order No. 20/21-1007995J.
5. Communication from the Mayor, re: Grant Request in the amount of \$25,000.00 per the Legislative mandate in the FY2021 General Appropriation (Chapter 277 of the Acts of 2020) to support the installation of security cameras for the Fire Department.
6. Communication from the Mayor, re: Proposed Acceptance of Land Title from MEDC.
7. Communication from the Mayor, re: Transfer Request in the amount of \$158,128.90 for the DPW as requested by Commissioner Divoll.
8. Communication from the Mayor, re: Request for an increase in the spending limit for the Council on Aging Revolving Fund for FY21 to \$85,000.00.
9. Communication from the Mayor, re: Proposed Amendment to Chapter 67 "Finance", §28 "Principal Assessor; powers and duties" of the Code to amend qualifications of the Principal Assessor along with a Proposed updated job description.
10. Communication from the Mayor, re: Proposed Amendment to Chapter 19 "Boards and Commissions", Article VI "Youth Commission" of the Code to amend Youth Commission.

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.

11. Communication from the Mayor, re: OPEB Trust Update.
12. Communication from City Solicitor Jason Grossfield, re: Proposed Amendment to Chapter 125 "Personnel" §6 "Salary Schedule" of the Code relative to the proposed new position of Resident Drop-Off Station Attendant.
13. Communication from Code Enforcement Officer Ethan Lippitt, re: Request for Approval of a replacement panel on the Free-Standing Monument Sign, Apex Mini Golf, 21 Apex Drive, within the Hospitality and Recreation Mixed Use Overlay District (HRMUOD).
14. Communication from Code Enforcement Officer Ethan Lippitt, re: Request for Approval of two replacement panels on the Free-Standing Monument Signs, Apex Kids, 21 Apex Drive, within the Hospitality and Recreation Mixed Use Overlay District (HRMUOD).
15. Minutes of Boards, Commissions and Committees:
 - a) School Committee, February 23, 2021.
 - b) Conservation Commission, February 18, 2021.
 - c) OPEB Trust, March 9, 2021.
16. CLAIMS:
 - a) Barbara Barrile, 55 Schofield Drive, residential mailbox claim (2a).
 - b) Jillian Barrile, 41 Schofield Drive, residential mailbox claim (2a).
 - c) Clare Fishman, 175 Maple Street, #306, pothole or other road defect.
 - d) Matthew Hassapes, 40 White Terrace, other property damage and/or personal injury.
 - e) Kevin Kolodziejwski, 54 Berlin Road, other property damage and/or personal injury.
 - f) Stephen Storr, 815 Edmands Road, Framingham, pothole or other road defect.

REPORTS OF COMMITTEES:

17. ORDERED: That the Human Services Committee hold a public meeting to allow the Marlborough Hospital Leadership to present additional details regarding the Mass General Brigham proposed expansion.Submitted by Councilor Wagner.

UNFINISHED BUSINESS:

From Finance Committee

18. **Order No. 20-1007959: That the City Council approve the Massachusetts Department of Revenue Financial Review Recommendation for adopting an abbreviated budget authorization format for all departments for future city budgets.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Tunnera, seconded by Chair, to recommend authorization for the adoption of an abbreviated budget process for all departments for future city budgets. Chair Irish called the Roll; Motion carried 5-0.

19. **Order No. 21-1008185: Transfer Request in the amount of \$579,275.76 from Undesignated Fund (Free Cash) to Miscellaneous Mitigation account to be used to finish mitigation costs related to trench repair as noted by City Engineer Thomas DiPersio.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0.

20. **Order No. 21-1008202: Transfer Request in the amount of \$370,000.00 from PEG Cable Trust to fund the FY22 Budget for WMCT-TV.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Oram, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0.

21. **Order No. 21-1008206: Transfer Request in the amount of \$10,400,000.00 which moves funds from Ballparks and Fields Capital and Undesignated Fund to various accounts as outlined on the transfer sheet.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0.

22. **Order No. 21-1008207: Transfer Request in the amount of \$1,250,101.00 from the Meals Tax Revenue account to fund FY21 bond payments associated with parks and recreation improvements.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0.

23. **Order No. 21-1008208: Transfer Request in the amount of \$459,600.00 which moves funds from and to various accounts within DPW to fund equipment for the Easterly Wastewater Treatment Plant.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Oram, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0.

24. **Order No. 21-1008211: Request to rescind \$4,889,927.00 in various bonds for projects that are either complete or no longer available for bonding due to regulations.**

Recommendation of the Finance Committee is to recommend rescinding of bonds. Motion by Councilor Tunnera, seconded by Chair, to recommend RESCISSION of the Bonds. Chair Irish called the Roll; Motion carried 5-0.

From City Council

25. **Order No. 21-1008195A-2: Proposed amendment to Chapter 125 “Personnel” §6 “Salary Schedule” of the Code of the City of Marlborough to add a stipend of \$150.00 per meeting attended for members of the Conservation Commission.**

Recommendation of the Finance Committee is to approve. Proposed Ordinance was properly advertised on March 2, 2021 and the 10-day requirement has been met.

26. **Order No. 21-1008195B-1: Transfer in the amount of \$3,150.00 to fund Conservation Commission Members, \$150.00 per meeting stipend, through June 30, 2021.**

Recommendation of the Finance Committee is to approve. Action on item was postponed at the March 8, 2021 City Council meeting.

Councilors-at-Large

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

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CITY OF MARLBOROUGH

2021 MAR 15 A 7:40



Ward Councilors

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

Council President

Michael H. Ossing

Council Vice-President

Kathleen D. Robey

**CITY OF MARLBOROUGH
CITY COUNCIL
MEETING MINUTES
MONDAY, MARCH 8, 2021**

The regular meeting of the City Council was held on Monday, March 8, 2021 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Wagner, Doucette, Dumais, Tunnera, Irish, Navin & Landers. Councilors Participating Remotely: Oram, Perlman & Robey. Meeting adjourned at 9:46 PM.

Council President Ossing explained that this meeting is being held under the Emergency Order of the Governor allowing relief from the Open Meeting Law (MGL c. 30A §20). The Emergency Order allows for remote participation by public bodies. President Ossing further stated that all votes of the City Council will be taken by roll call vote pursuant to 940 CMR 29.10.

The City Council President asked for a roll call to confirm attendance of all City Councilors.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Minutes of the City Council meeting, February 22, 2021, **FILE**; adopted.

Yea: 11 – Nay: 0

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

ORDERED: That **CONTINUED PUBLIC HEARING** on the Application for Sign Special Permit, from Serrato Signs, LLC on behalf of Starbucks (St. Mary’s Credit Union), 133 South Bolton Street, Order No. 21-1008199B, all were heard who wish to be heard, hearing closed at 8:14 PM, adopted.

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

President Ossing called a recess at 8:14 PM and returned to open meeting at 8:16 PM.

Mayor Vigeant provided the City Council with an update on the vaccine rollout and the city’s efforts regarding COVID-19.

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

Suspension of the Rules requested to allow a communication from the Mayor – granted.

ORDERED: That the Communication from the Mayor, re: Resolution to MA Department of Public Health for COVID-19 vaccine, **FILE**; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED:

A RESOLUTION URGING THE MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH TO ALLOW LOCAL BOARDS OF HEALTH TO ADMINISTER COVID-19 VACCINE TO THEIR RESIDENTS BY MAKING THE VACCINE AVAILABLE ON A LOCAL LEVEL

WHEREAS, on January 30, 2020, the World Health Organization designated the 2019 novel Coronavirus outbreak as a Public Health Emergency of International Concern; and,

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a national public health emergency; and,

WHEREAS, on March 10, 2020 Governor Baker declared a state of emergency giving the state flexibility to respond and mitigate the spread of COVID-19 to protect the health and welfare of the people of the Commonwealth of Massachusetts; and,

WHEREAS, the City of Marlborough's Board of Health, by its staff and volunteers, has administered COVID-19 vaccine first doses and continues to seek additional first and second doses to complete the administration of eligible phase one and two participants and future phase three and four participants; and,

WHEREAS, the City of Marlborough's Board of Health has the capacity to administer up to 500 vaccines per day outside of the regional collaborative sites to all residents who are eligible within the state's phased guidelines; and,

RESOLVED, that the Mayor and City Council hereby urge the Massachusetts Department of Public Health to grant local boards of health an additional and continuous supply of vaccine to administer to their area residents ensuring a convenient location to obtain vaccine.

APPROVED; adopted.

Yea: 11 – Nay: 0

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

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

Suspension of the Rules to allow the Mayor and representatives of UMASS Marlborough Hospital to speak – granted.

Yea: 11 – Nay: 0

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

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

ORDERED:

A RESOLUTION URGING THE MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH TO HOLD A PUBLIC HEARING AND CONDUCT AN INDEPENDENT COST ANALYSIS RELATIVE TO A PROPOSAL THAT THREATENS THE FINANCIAL VIABILITY AND SAFETY NET MISSION OF MARLBOROUGH HOSPITAL

WHEREAS, Marlborough Hospital has been a vital resource to the residents of the City of Marlborough since 1890 and presently provides this city with critical services including emergency care and a wide range of inpatient and outpatient medical, surgical and ancillary services; and

WHEREAS, Marlborough Hospital's deep commitment to health equity is reflected in its recent A+ rating and Top 100 ranking out of nearly 3,300 U.S. hospitals by *The Lown Index*, America's first ranking system that accounts for how well hospitals serve people of lower income or education levels and people of color; and

WHEREAS, the Commonwealth of Massachusetts Center for Health Information and Analysis ("CHIA") recognizes Marlborough Hospital's status as a safety net and low cost provider, as reflected in its classification of the hospital as a "High Public Payer" Community Hospital and its cost data showing that the hospital's relative price is lower than the statewide median; and

WHEREAS, a recently published report by the Attorney General of the Commonwealth found that safety net providers "typically receive less revenue per patient than providers that have smaller proportions of Medicaid patients" and that safety net providers "must ensure that they have a high enough share of commercially insured patients for financial survival"; and

WHEREAS, the Commonwealth's largest and most expensive health system has proposed to open an expansive facility in Westborough on a site that is easily accessible to higher income, commercially insured patients from this region; and

WHEREAS, this proposal should be closely scrutinized to assess its impact on the ability of Marlborough Hospital and other safety net providers to maintain high enough shares of commercially insured patients for financial survival, explore how resultant financial instability of safety nets would impact their ability to serve vulnerable patients, evaluate the risk it will increase health care costs by drawing even more commercially insured patients into the largest and highest cost health system in the Commonwealth, and analyze how such increased healthcare costs could drive up health insurance rates for businesses and their employees; and

WHEREAS, Chapter 111, Section 25C of the Massachusetts General Laws directs the Massachusetts Department of Public Health (“DPH”) to review any such proposal and “approve or disapprove in whole or in part”, directs DPH to take “into account any comments from” CHIA or the Massachusetts Health Policy Commission, and allows DPH to “require a public hearing” and require “an independent cost-analysis...to demonstrate that the application is consistent with...the health care cost-containment goals” of the Commonwealth; now therefore be it

RESOLVED, that the Mayor and City Council hereby urge the Massachusetts Department of Public Health to exercise its full authority under Massachusetts General Law to hold a public hearing on this proposal, to require a thorough and truly independent cost analysis, to closely scrutinize potential impacts upon health equity, the financial viability of safety net providers and health care costs, and, in so doing, to consider all relevant data and reports from other divisions of the Commonwealth such as the Center for Health Information and Analysis, the Health Policy Commission and the Office of the Attorney General.

APPROVED; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Mayor and City Council formally register as the City of Marlborough TTG and designate Mayor Arthur G. Vigeant as the representative of the City of Marlborough TTG for the purpose of receiving all communications regarding the application,
APPROVED; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$17,300.00 from the Massachusetts Cultural Council awarded to the Cultural Council to fund grants for programming and cultural experiences; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Transfer Request in the amount of \$243,000.00 from PEG fund to IT to fund various upgrades to equipment and software programs, referred to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS -									
DEPT:		IT		FISCAL YEAR:		2021			
FROM ACCOUNT:				TO ACCOUNT:					
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$436,486.54	\$243,000.00	27000099	47750	Receipts Reserved-PEG Funds	\$243,000.00	19300006	58618	IT Equipment	\$0.00
Reason:		Use PEG funds for network monitoring system							
\$243,000.00	Total				\$243,000.00	Total			

Yea: 11 – Nay: 0

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

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

ORDERED: That the: Proposed Amendment to Code of the City of Marlborough, Chapter 510 “Sewers” §2(D) “Use of Public Sewers” as submitted by the Mayor, referred to **PUBLIC SERVICES 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 510, ENTITLED "SEWERS," AS FOLLOWS:

Chapter 510, entitled “Sewers”, Section 510-2, entitled "Use of Public Sewers.", subsection (D), is hereby amended as follows (new text shown as underlined, deleted text shown as ~~strikethrough~~):

D. The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated with the City and abutting on any street, alley or right-of-way in which there is now or may in the future be located a public sanitary sewer of the City, are hereby required, at their expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within the following time limits~~within 90 days after date of official notice to do so, provided that such public sewer is within 100 feet of the property line;~~

(i) Where said public sewer now exists at the time of the effective date of this clause, the connection shall be completed: (a) prior to transfer of the property, (b) prior to change in use of a structure as set forth in Chapter 650, Zoning, (c) prior to an increase in the sewage design flow applicable to a structure for purposes of Title 5, 310 CMR 15.000, of the State Environmental Code, or (d) upon failure of any system under said Title 5, 310 CMR 15.000, whichever shall occur first.

(ii) Where said public sewer is constructed and/or located after the effective date of this clause, the connection shall be completed: Within 180 days after date of official notice by the commissioner that the public sewer is available for connection.

For purposes of this subsection, the term “transfer” shall mean the conveyance of any interest in real property, with or without consideration, including by deed, lease, or assignment, but excluding: (a) taking a security interest in a property, including but not limited to issuance of a mortgage; (b) refinancing a mortgage or similar instrument, whether or not the identity of the lender remains the same; (c) a change in the form of ownership among the same owners, such as placing the property within a family trust of which the owners are the beneficiaries, or changing the proportionate interests among a group of owners or beneficiaries; (d) adding or deleting a spouse as an owner or beneficiary; or a transfer between spouses during life, out right or in trust; or the death of a spouse; and (e) the appointment of or a change in a guardian, conservator, or trustee.

An exemption from the connection requirement in this section may only be granted upon application to the board of health, and with the recommendation of the city engineer, unless prevented by topographical or other for reasons of extraordinary site conditions due to which the land cannot be drained into such sewer, or due to weather conditions limiting the ability to connect, provided that the exemption shall apply only until such incapacity is removed and subject to a private disposal system meeting all applicable requirements and any other conditions imposed by the board.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Appointment of Christine Purple as Human Resources Director for a 3-year term effective day after Council confirmation, referred to **PERSONNEL COMMITTEE**; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: Appointment of Robert Gustafson to the Retirement Board for a 3-year term effective on date of Council confirmation, replacing David Keene whose term expired on January 31, 2021, referred to the **PERSONNEL COMMITTEE**; adopted.

Yea: 9 – Nay: 2

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

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

ORDERED: That Communication from Town of Berlin, Zoning Board of Appeals, re: Notice of Decision on Special Permit and Site Plan approval for retail marijuana establishment, 64 Banner Road, Berlin, MA, **FILE**; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: That Communication from National Grid, re: Vegetation Maintenance Notification, **FILE**; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Communication from various residents and business owners in support of the Application for Special Permit to build a multifamily residential project in the Business District to be known as Walcott Heritage Farms, 339 Boston Post Road East (McGee Farm), **FILE**; adopted.

Yea: 11 – Nay: 0

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

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

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

- a) School Committee, January 26, 2021 & February 9, 2021.
- b) Commission on Disabilities, December 1, 2020.
- c) Conservation Commission, January 21, 2021.
- d) Cultural Council, February 2, 2021.
- e) Historical Commission, January 21, 2021.
- f) Planning Board, February 8, 2021.
- g) Traffic Commission, January 27, 2021.
- h) Zoning Board of Appeals, February 9, 2021.

Yea: 11 – Nay: 0

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

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

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

- a) Eric Natoli, 38 Gregoire Drive, residential mailbox claim (2a).
- b) Freida Silva, 72 Millham Street, residential mailbox claim (2a).
- c) Larry Vifquain, 85 Johansen Drive, residential mailbox claim (2a).

Yea: 11 – Nay: 0

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

Reports of Committees:

Councilor Irish reported the following out of the Finance Committee:

**City Council Finance Committee
March 1, 2021
Minutes and Report**

The meeting convened at 6:30 PM and was held virtually with Councilors attending in person and/or remotely per the Governor's orders and began with a Roll Call vote of committee members present. Chair Irish called the Roll – All members present:

Chair Irish, Councilors Dumais and Tunnera in Chamber; Councilors Oram and Perlman participating remotely.

Also participating remotely: Councilor Robey; Mayoral Aide Bernard; Finance Director Jones and City Auditor Smith.

Also Present in Chamber: Councilors Navin, Ossing, Landers and Doucette arrived at 6:41PM. Mayor Vigeant; WMCT Acting Director Lawton; DPW Commissioner Divoll; City Engineer DiPersio; Asst. DPW Commissioner Scott and Asst. DPW Commissioner LaFreniere

Reports of Committee Continued:

Order No. 21-1008202: Transfer Request in the amount of \$370,000.00 from PEG Cable Trust to fund the FY22 BUDGET for WMCT-TV. Motion by Councilor Oram, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0

Order No. 21-1008185: Transfer Request in the amount of \$579,275.76 from Undesignated Fund (Free Cash) to Miscellaneous Mitigation account to be used to finish mitigation costs related to trench repair as noted by City Engineer Thomas DiPersio. Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0

Order No. 21-1008206: Transfer Request in the amount of \$10,400,000.00 which moves funds from Ballparks and Fields Capital and Undesignated Fund to various accounts on the transfer sheets. Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0

Order No. 21-1008208: Transfer Request in the amount of \$459,600.00 which moves funds from and to various accounts within DPW to fund equipment for the Easterly Wastewater Treatment Plant. Motion by Councilor Oram, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0

Order No. 21-1008207: Transfer Request in the amount of \$1,250,101.00 from the Meals Tax Revenue account to fund FY21 bond payments associated with parks and recreation improvements. Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0

Order No. 20-1007959: That the City Council review the results of the FY20 Abbreviated Budget process: and it is further Ordered: That the City Council approve the Massachusetts Department of Revenue Finance Review Recommendation for adopting an abbreviated budget authorization format for all departments for future city budgets (Irish and Ossing sponsors). Motion by Councilor Tunnera, seconded by Chair, to recommend authorization for the adoption of an abbreviated budget process for all departments for future city budgets. Chair Irish called the Roll; Motion carried 5-0.

Order No. 21-1008211: Request to rescind \$4,889,927.00 in various bonds for projects that are either complete or no longer available for bonding due to regulations. Motion by Councilor Tunnera, seconded by Chair, to recommend RESCISSION of the Bonds. Chair Irish called the Roll; Motion carried 5-0

It was moved and seconded to adjourn. Chair Irish the Roll; Motion carried 5-0

The meeting adjourned at 7:43 PM

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

ORDERED:

CITY COUNCIL RESOLUTION

TRAFFIC SIGNAL, ROUTE 20 EAST

WHEREAS, the Commonwealth of Massachusetts is finalizing the design plans and will be completing roadway reconstruction work on Route 20 (Boston Post Road East) in the City of Marlborough, to include a new road layout with a center turning lane and bike lanes and new sidewalks; and,

WHEREAS, there currently exists an over-55 housing development at Village Drive with approximately 100 townhouses; and,

WHEREAS, the location of Village Drive is approximately one mile from the signal at Hosmer Street, and during rush hours the residents have difficulty finding gaps in the traffic to turn into and out of Village Drive onto Route 20; and,

WHEREAS, there is a proposed housing development to be built across from Village Drive which will include 140 units and require 2 parking spaces per unit; and,

WHEREAS, there currently exists on the direct abutting lot to the proposed housing development, an over-55 manufactured home association with approximately 124 homes; and,

WHEREAS, the traffic counts for the proposed housing development do not meet the warrant for a traffic signal at this new intersection; and,

WHEREAS, the developer of the proposed housing development is willing to pay for the costs associated with the installation of a traffic light as a mitigation fee,

NOW, THEREFORE BE IT RESOLVED, that the Marlborough City Council petitions the Massachusetts Department of Transportation to allow a traffic signal to be constructed at this proposed intersection, the design and construction of which to be paid for by the developer of the proposed housing development.

AND FURTHER, the Honorable Senator Eldridge, Honorable Representative Gregoire and Honorable Representative Gentile are respectfully requested to lend their enthusiastic support for the installation of the traffic signal which will enhance the public safety for nearby residents residing along this stretch of Route 20.

APPROVED; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Transfer Request in the amount of \$1,504,785.40 which moves funds from Undesignated Fund (Free Cash) to OPEB Trust pursuant to the financial policy of the city, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS -										
DEPT:		Mayor				FISCAL YEAR:		2021		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$15,047,854.00	\$1,504,785.40	10000	35900	Undesignated Fund	\$1,504,785.40	87500	35900	OPEB Trust	\$12,287,064.87	
	Reason:	Transfer funds to OPEB trust								
	\$1,504,785.40	Total			\$1,504,785.40	Total				

Yea: 11 – Nay: 0

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

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

ORDERED: That the Transfer Request in the amount of \$1,504,785.40 which moves funds from Undesignated Fund (Free Cash) to Undesignated Stabilization pursuant to the financial policy of the city, **APPROVED**; adopted.

BUDGET TRANSFERS -										
DEPT:		Mayor				FISCAL YEAR:		2021		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$15,047,854.00	\$1,504,785.40	10000	35900	Undesignated Fund	\$1,504,785.40	83600	32925	Undesignated Stabilization	\$15,294,571.21	
	Reason:	To increase undesignated stabilization funds								
	\$1,504,785.40	Total			\$1,504,785.40	Total				

Yea: 11 – Nay: 0

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

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

ORDERED: That the Transfer Request in the amount of \$39,447.00 from various departments for FY 21, which moves funds from and to accounts as noted on the spreadsheet, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS –									
DEPT:		Various			FISCAL YEAR:		2021		
Available Balance	Amount	FROM ACCOUNT:		Account Description:	Amount	TO ACCOUNT:			Available Balance
		Org Code	Object			Org Code	Object	Account Description:	
\$76,260.00	\$30,492.00	11990006	57820	Reserve for salaries	\$5,572.00	11510001	50175	Paralegal	\$16,964.80
	Reason:				Reason:	To cover pay increase through June 30th			
					\$3,440.00	15120001	50605	Director of BOH	\$38,698.63
	Reason:				Reason:	To cover pay increase through June 30th			
					\$7,380.00	15430001	50080	Veterans Director	\$20,213.31
	Reason:				Reason:	To cover pay increase through June 30th			
					\$14,100.00	14001103	51183	Planning Board Members	\$600.00
	Reason:				Reason:	To fully fund through June 30th			
\$10,935.00	\$2,500.00	11620004	53932	Election Programming	\$1,460.00	11610002	50770	Senior Clerk	\$18,450.96
	Reason:	Surplus			Reason:	To fund comp time paid out in January			
\$8,294.52	\$685.00	11610004	53180	Clerks-Professional & Tech	\$1,725.00	11610001	50050	City Clerk	\$37,345.68
	Reason:	Surplus			Reason:	To fully fund through June 30th.			
\$38,414.46	\$5,770.00	11410002	50550	Head Clerk	\$5,770.00	11410004	53180	Assessors-Prof & Tech	\$0.00
	Reason:	Surplus due to a retirement			Reason:	To fully fund RRG contract through June 30th			
	\$39,447.00	Total			\$39,447.00	Total			

Yea: 11 – Nay: 0

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

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

ORDERED: That the proposed amendment to the Code of the City of Marlborough, to amend Chapter 125 entitled “PERSONNEL”, Section 6 entitled “SALARY SCHEDULE”, **POSTPONED TO THE MARCH 22, 2021 CITY COUNCIL MEETING**; 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:

<u>Position</u>	<u>Rate</u>
Conservation Commission Member	\$150 Per Conservation Commission Meeting Attended

II. This ordinance shall supersede and replace any existing rate for said position in the current salary schedule.

I. The effective date of these amendments shall be April 1, 2021.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Transfer Request in the amount of \$3,150.00 which moves funds from Summer Employment to Conservation Commission Members to cover the proposed stipends through June 30, 2021, **POSTPONED TO THE MARCH 22, 2021 CITY COUNCIL MEETING**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS -									
DEPT:		Mayor				FISCAL YEAR:		2021	
FROM ACCOUNT:					TO ACCOUNT:				
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$50,000.00	\$3,150.00	11210003	51250	Summer Employment	\$3,150.00	12410003	51186	Conservation Comm Member	\$0.00
	Reason:	Unused due to COVID-19				To fund stipends for board members			
	\$3,150.00	Total			\$3,150.00	Total			

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

ORDERED: That the Reappointment of James Griffin to the Board of Health for a 3-year term to expire on the first Monday in February (February 5, 2024), **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Appointment of Phillip Short to the Board of Health for a 3-year term to expire on first Monday in February (February 5, 2024), **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Appointment of Jonathan Steinberg to the Board of Assessors for a 3-year term from date of Council confirmation, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Appointment of Shanissa Sampson to the Parks & Recreation Commission for a 3-year term from date of Council confirmation, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: That the Appointment of Krista Holmi as Chief Procurement Officer for a 3-year term effective the day after Council confirmation, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED: Pursuant to MGL Chapter 40 §4A and MGL Chapter 115 §10, the Mayor is authorized to enter into an inter-municipal agreement (“IMA”) relative to the “Marlborough-Sudbury Regional Veterans’ District”, to continue to enable the Director of the Marlborough Veterans’ Services Department to perform the duties of such office for Sudbury and to share the services and costs associated with doing so per attached IMA agreement, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

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

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 9:46 PM; adopted.

Yea: 11 – Nay: 0

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



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

ORDERED:

That there being no objection thereto set **MONDAY, MARCH 22, 2021** as **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Cal Verde Naturals, LLC, to operate an Adult Use Marijuana Retail Establishment, 239 Boston Post Road West, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Yea: 11 – Nay: 0

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

Ninety days after public hearing is 06/20/21 which falls on a Sunday, therefore 06/21/21 would be considered the 90th day.

ADOPTED

ORDER NO. 21-1008214



IN CITY COUNCIL

Marlborough, Mass., _____ FEBRUARY 22, 2021

ORDERED:

PAGE 1

That the Proposed Zoning Amendment to Chapter 650 to amend Section 33 the Results Way Mixed Use Overlay District (RMUOD), be and is herewith refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, MARCH 22, 2021.**

Yea: 11 – Nay: 0

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

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:

Chapter 650 §33 – Results Way Mixed Use Overlay District

A. Purpose and objectives.

- (1) The Results Way Mixed Use Overlay District (herein, also RWMUOD) allows the application of supplemental land use controls within the boundaries of a certain overlay district, subject to City Council approval (Hereinafter any reference to City approval shall be deemed to mean approval by the City Council.) as an alternative to land use controls that exist in the underlying district(s). The establishment goals of the Results Way Mixed Used Overlay District are to enhance land use development and encourage desired growth patterns for the benefit of the public health, safety and welfare by promoting integrated, pedestrian-friendly, mixed use development to allow for the development of housing, retail and workplaces within close proximity of each other consistent with the stated economic development objectives of the City (collectively, herein mixed use developments or MUD).
- (2) For the purposes of this section, the RWMUOD shall be superimposed on the other districts existing at the time that any land in any said underlying district is also included in the RWMUOD. The RWMUOD is adjacent to ~~Simarano Drive to the west, and~~ Forest Street to the north, ~~and Puritan Way and Results Way to the east~~ as indicated on the City Zoning Map and more particularly described in Exhibit A annexed hereto and incorporated by reference herein.¹



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

PAGE 2

ORDERED:

- (3) For the purposes of the Zoning Ordinance, a mixed use development or MUD shall include any eligible use set forth in Subsection E, below, which may be commingled into a single structure or structures with other eligible uses or may be located in separate structures on the site subject to any restrictions and/or limitations set forth in the development agreement described in Subsection C(2) below. Accordingly, mixed use developments shall benefit the public health, safety and welfare through the sharing of parking lots and driveway curb cuts to minimize the amount of impervious paved parking areas, to reduce traffic congestion, to reduce automobile trips, and accordingly to improve air quality.
- B. Authority of permit granting authority.
- (1) The City Council shall be the permit granting authority for special permit and site plan approval in the RWMUOD. In all instances, a development which proceeds under the RWMUOD overlay is subject to site plan approval in accordance with § 270-2 of the Marlborough City Code, with the exception that the City Council shall be the permit granting authority for special permit and site plan approval in the RWMUOD.
 - (2) The City Council may elect to vary the dimensional and parking requirements of this section by special permit if, in its opinion, such change shall result in a substantially improved project and will not nullify or substantially derogate from the intent or purpose of this section. This authority continues subsequent to occupancy.
- C. Master concept plan; development agreement. ~~The~~ A property owner/developer of within the RWMUOD shall, prior to or simultaneously with the first application for approval of a site plan and/or special permit for a MUD within the RWMUOD, file the following with the City Council for approval:
- (1) Master concept plan.
 - (a) A master concept plan (master plan) which shall in a general manner show:
 - [1] The location and areas of proposed development;
 - [2] Proposed open space (usable or natural);
 - [3] Proposed site access curb cuts off of Simarano Drive and Forest Street; and
 - [4] Proposed building envelope(s) where construction is anticipated to occur (excluding internal site driveways).



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

PAGE 3

ORDERED:

- (b) A table showing approximate acres and calculations of the following:
 - [1] Total land area of each development area (building envelope area);
 - [2] Total development limitations, if any, of uses in any developable area;
 - [3] Total maximum development (square footage/use limitations); and
 - [4] Approximate number of parking spaces ~~for the entire RWMUOD~~ District.
 - (c) The master plan shall be approved by a super majority (2/ 3) vote of the City Council at a public meeting and shall thereafter become the general development plan governing development at the ~~RWMUOD~~MUD. The master plan may be amended from time to time by a super majority vote (2/3) of the City Council by application from the property owner/developer to reflect changing development conditions.
- (2) A development agreement in recordable form binding upon the developer/property owner.
- (a) The development agreement shall be approved by a super majority (2/3) vote of the City Council prior to the issuances of the first permit/site plan approval for development within the ~~RWMUOD~~MUD, which shall contain, without limitation:
 - a. Required mitigation (including traffic demand management initiatives) to address the impacts arising out of the use and occupancy of the proposed project, or if at the time of execution such impacts are not known, the methodology for assessing and addressing such impacts as the development of the ~~RWMUOD~~MUD progresses.
 - b. Restrictions on development areas and such other development limitations as may be agreed upon.
 - c. Proposed phasing of the development of the ~~RWMUOD~~MUD.
 - d. Obligations with respect to pedestrian and vehicular interconnectivity within the ~~RWMUOD~~MUD to facilitate pedestrian access and parking efficiencies.
 - e. The authority of the City Council to retain the necessary professionals to assist in its review of development applications.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

PAGE 4

ORDERED:

- f. An agreement by the property owner/developer of the residential component of the property to make a onetime financial contribution to the City per residential unit developed at the RWMUODMUD for which a building permit is issued. This payment shall be due at the time of the issuance of the building permit for the unit(s). This amount is to be used by the City acting by and through the City Council to assist in the identification and implementation of zoning, economic and other strategies to foster professional, retail and commercial development initiatives as well as the development of affordable housing which may include, without limitation, the preparation of a housing production plan in accordance with the rules and regulations of the Massachusetts Department of Housing and Community Development (760 CMR 56.03(4)) and the funding of the implementation of the goals and objectives set forth in such plan.
- (b) The development agreement shall govern the implementation of the master plan and development at the MUD.
- (c) Notwithstanding anything contained in any current or future development agreement to the contrary, each development agreement shall only apply to the applicable MUD and shall not govern any development of other MUDs within the RWMUOD.
- D. Exclusivity/control. Except as specifically provided herein, uses and provisions of Article V of Chapter 650 (Zoning) relating to the underlying zoning district not otherwise impacted by this section (§ 650-33 et seq.) shall continue to remain in full force and effect; provided, however, that the City Council shall be the special permit granting and site plan approval authority, if applicable. This section (§ 650-33 et seq.) of the Zoning Ordinance exclusively controls the establishment, development, and design of any MUD undertaken in the RWMUOD and supersedes any other provision of the Zoning Ordinance (except the provisions of the Water Supply Protection District, provided that the maximum total impervious surface coverage for the RWMUD shall be 60% calculated on the entire land area of ~~the RWMUOD~~ each MUD and not on an individual lot basis). In the event of any conflict between the provisions of this section (§ 650-33 et seq.) and any other provision of the Zoning Ordinance, the provisions of this section shall govern and control.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

ORDERED:

PAGE 5

E. Eligible uses. Except as specifically set forth below, all uses permitted in the Industrial and Limited Industrial Districts either as of right or by special permit in accordance with § 650-17 of the Zoning Ordinance are permitted in the RWMUOD. If a use requires a special permit under § 650-17, Table of Use Regulations, such use shall continue to require a special permit under this section.

(1) The following additional uses are also permitted by right in the RWMUOD:

- (a) Research and experimental labs (33). (NOTE: Numbers in parentheses correspond to subsection numbers in § 650-18, Conditions for Uses, as noted in § 650-17, Table of Use Regulations.) Research and development includes, without limitation, laboratories engaged in research, experimental and testing activities, including, but not limited to, the fields of biology, chemistry, electronics, engineering, geology, pharmaceuticals, medicine and physics.
- (b) Medical office and diagnostic medical laboratories appurtenant to offices of physicians and dentists.
- (c) Associated/accessory research uses (35). (NOTE: Numbers in parentheses correspond to subsection numbers in § 650-18, Conditions for Uses, as noted in § 650-17, Table of Use Regulations.)
- (d) Advanced manufacturing, which shall include high technology manufacturing, such as, but not limited to, laser technology, robotics, nanotechnology and computer-associated design and software development.
- (e) Multifamily dwelling: ~~up to 350 dwelling units within the entire RWMUOD Zoning District~~ the maximum amounts set forth on Exhibit A including, without limitation, age-restricted dwelling units.
- (f) Retail sales and services: ~~up to 75,000 square feet of total gross floor area; up to 10,000 square feet of gross floor area per establishment~~ the maximum amounts set forth on Exhibit A.
- (g) Hotels and motels.
- (h) Hotels with conference facilities and commercial uses.
- (i) Car parking lots, garages: a structure or a group of structures that facilitate the parking of vehicles at ground level, above or below grade and shall include area for the parking of vehicles at, above and/or below grade under a building or otherwise integrated into another structure.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

PAGE 6

ORDERED:

- (j) Consumer service establishments complementary to the other principal uses at the property.
 - (k) Restaurant, cafe with or without table service (including outside seating and service).
 - (l) Health, sports and fitness clubs (indoor and/or outdoor) and related facilities.
 - (m) Self-service laundry.
 - (n) Dry cleaning (pickup and dropoff only).
- (2) The following additional uses are also permitted by special permit in the RWMUOD:
- (a) Multifamily dwelling — ~~more than 350 dwelling units within the entire RWMUOD Zoning District~~ the maximum amounts set forth on Exhibit A including, without limitation, age-restricted dwelling units.
 - (b) Drive-through facilities associated with retail (e.g. banks; pharmacies) and food services.
- (3) The foregoing subsections notwithstanding, the uses set forth as follows are expressly prohibited in the RWMUOD:
- (a) Adult entertainment, including an adult bookstore, video store, paraphernalia store, movie theater, or live entertainment establishment.
 - (b) Tattoo and body piercing parlors and shops.
 - (c) Dye works.
 - (d) Biosafety Level 4 laboratories, as defined by the United States Center for Disease Control and Prevention.
 - (e) Establishments for construction in such services as, but not limited to, building, building maintenance, plumbing, landscaping, electrical, masonry, carpentry, well drilling.
 - (f) Electroplating, metal finishing except by special permit as an accessory use to an otherwise permitted principal use.
 - (g) Hazardous and toxic chemical manufacturing, except in accordance with applicable state and federal regulations.
 - (h) Trucking terminal and distribution center.
 - (i) Automotive sales and/or service.
 - (j) Retail gasoline, oil and lubrication stations.
 - (k) Commercial bakeries.
 - (l) On-site sales and rental of heavy machinery and vehicles.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

PAGE 7

ORDERED:

- (m) Laundry and dry cleaning establishment, except dropoff and pickup operations and facilities designed to service residents of multifamily dwelling.
 - Any activity or use directly or indirectly involving, without limitation, the dispensing, use, sale, growing, storage or transportation of medical marijuana, including any medical marijuana treatment center.
 - Any on-site facility or clinic devoted to the treatment of substance addiction, including any narcotic detoxification and/or maintenance facility.

- F. Dimensional requirements. The RWMUOD shall be subject to the dimensional standards in accordance with Article VII of the Marlborough Zoning Ordinance with the following exceptions:
 - (1) The RWMUOD shall consist of one or more lots. There is no minimum acreage requirement for a lot to be a part of the Results Way Mixed Use Overlay District.
 - (2) Minimum lot frontage measurement shall be no less than 50 feet for any lot wholly located within the boundaries of the RWMUOD.
 - (3) Minimum front yard measurement shall be no less than 30 feet for any lot wholly located within boundaries of a RWMUOD.
 - (4) No less than 15 feet shall separate the structural side wall of any two or more MUD structures. No less than 15 feet shall separate any area behind and/or between structures, and fire suppression vehicles shall have clear and adequate access to all structures.
 - (5) Maximum building height in RWMUOD shall not exceed 80 feet, provided that:
 - (a) Residential structures shall not exceed 70 feet; and
 - (b) No structure located within 120 feet from the center line of Forest Street shall exceed 50 feet.
 - (6) Maximum lot coverage shall be calculated on the entire land area of the ~~RWMUOD-MUD~~ and not on an individual lot basis, and shall not exceed 60% of the total area of the ~~RWMUOD-MUD~~.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

PAGE 8

ORDERED:

G. Parking and curb cut requirements. Except as otherwise provided in this section, parking and circulation requirements shall conform to the provisions of §§ 650-48 and 650-49 of the Zoning Ordinance.

- (1) General. In the RWMUOD adequate off-street parking shall be provided. The City Council and the applicant shall have as a goal for the purposes of defining adequate off-street parking, making the most efficient use of the parking facilities to be provided and minimizing the area of land to be paved for this purpose. In implementing this goal the City Council shall consider complementary or shared use of parking areas by activities having different peak demand times, and the applicant shall locate adjacent uses in such a manner as will facilitate the complementary use of such parking areas. Implementation of such complementary use of parking areas may result in permitted reductions in the parking requirements.
- (2) Parking locations. Parking may be provided at ground level, underground or in a parking garage. Parking garages can be freestanding or as part of buildings dedicated to other permitted uses.
- (3) Parking spaces for each dwelling unit. There shall be a minimum of 1.5 parking spaces for each dwelling unit.
- (4) Granting of relief from parking regulations. The City Council may waive any of the foregoing requirements or the requirements of § 650-48 if it makes a finding that to do so will enhance the overall design of the RWMUOD.

H. Signage.

- (1) Except as otherwise provided in this mixed use section, signage shall conform to the provisions of Chapter 526 of the Marlborough City Code, the Sign Ordinance.
- (2) Granting of relief from signage regulations. The City Council may waive any of the requirements of the Sign Ordinance if it makes a finding that to do so will enhance the overall design of the RWMUOD.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

PAGE 9

ORDERED:

I. Application.

- (1) An application for a special permit for a use in the mixed use development in the RWMUOD shall comply with the requirements of § 650-59 et seq. of the Zoning Ordinance. In the matter of a site plan approval, the application shall comply with the requirements of the City Code, Chapter 270, Article II, Permits and Approvals, § 270-2 et seq.
- (2) The City Council in connection with a special permit and/or site plan application shall review such applications with respect to the following design criteria:
 - Compliance of sidewalks with Americans with Disabilities Act (ADA) design standards;
 - Street facade and exterior walls visible from public ways;
 - Public space;
 - Scale of buildings; and
 - External lighting.
- (3) Concurrent with any public hearing/meeting associated with a special permit and/or site plan filing, the applicant shall make a presentation to the City Council to present the proposed architectural design and shall consider the comments and input from the City Council. A final building elevation shall be submitted prior to the close of the public hearing/meeting.

J. Standards for roadways and drainage.

- (1) Roadways. Internal RWMUOD roadways shall be private ways and shall be maintained by the owners/developers of the RWMUOD and portions thereof. Private ways within the RWMUOD, to the extent feasible, shall be constructed using the methods and materials prescribed in the Rules and Regulations for the Subdivision of Land in the City, but shall not be required to conform to the dimensional requirements thereof, provided that those private roadways shall be adequate for the intended vehicular and pedestrian traffic and shall be maintained by the owner/developer or an association of owners.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

PAGE 10

ORDERED:

- (2) Stormwater management system. ~~The~~ Each MUD within the RWMUOD shall have a stormwater management system designed in accordance with the applicable Rules and Regulations for the Subdivision of Land in the City and the Department of Environmental Protection's Storm Water Management Guidelines, as amended.
- K. Amendments. After approval, ~~the~~ an owner/developer may seek amendments to the approved permits. Minor amendments to a special permit and major or minor amendments to a site plan approval may be made by a super majority (2/3) vote of the City Council. It shall be a finding of the City Council, not subject to dispute by the applicant, whether a requested amendment is deemed to be a major amendment or a minor one. In general, a minor modification shall not produce more than a material increase in the scale of a project nor produce more than a material increase in impact on City services, the environment or the neighborhood. If it is determined that revisions to a special permit are not minor, per § 650-59 of the Zoning Ordinance, an application for a revised special permit shall be filed, and a public hearing shall be held in the same manner as required for a new application, subject to the fee schedule under Subsection C(3)(f) of § 650-59.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 22, 2021

PAGE 11

ORDERED:

EXHIBIT A – CHAPTER 650 §33

The RWMUOD shall comprise two separate subdistricts, as described below. Within each subdistrict, one MUD shall be permitted, which shall be subject to a separate development agreement and master plan, and which may contain up to the maximum number of units of multifamily dwellings and gross floor area of retail sales and services uses set forth below.

	<u>Included Parcels [NOTE: To be confirmed by Assessor].</u>	<u>Total number of dwelling units permitted as-of- right (subject to site plan approval as set forth herein)</u>	<u>Total gross floor area of retail sales and services uses allowed</u>
<u>RWMUOD Subdistrict 1</u>	<ul style="list-style-type: none"> • <u>PID# 100-1</u> • <u>PID# 100-1B</u> • <u>PID #100-2</u> • <u>PID #100-3</u> • <u>PID #100-1A</u> • <u>PID #101-2B</u> 	• <u>350 dwelling units as-of-right</u>	• <u>75,000 square feet of total gross floor area (up to 10,000 square feet of gross floor area per establishment)</u>
<u>RWMUOD Subdistrict 2</u>	<ul style="list-style-type: none"> • <u>PID #100-19</u> • <u>PID #111-1</u> • <u>PID #111-2</u> 	• <u>100 dwelling units as-of-right</u>	• <u>75,000 square feet of total gross floor area (up to 10,000 square feet of gross floor area per establishment)</u>

ADOPTED

ORDER NO. 21-1008216



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 MAR 18 A 7:25

Marlborough City Council
Laura J. Wagner
Ward One Councilor
140 Main Street
Marlborough, Massachusetts 01752
(508) 460-3711 TDD (508) 460-3610

March 15, 2021

President and Members
Marlborough City Council
City Hall
Marlborough, MA 01752

Dear fellow councilors,

The following is my written summary regarding the comments I made at the March 8, 2021 meeting in response to Item #12 on the agenda.

In it, the following statement was made: *"Walcott Heritage Farms would provide new housing opportunities in Marlborough at a time when they're desperately needed."*

It's important to point out that Walcott Heritage Farm Project will add 140 luxury units to Marlborough housing options and there is no data indicating that the city has a "desperate need" for more luxury housing.

In addition, I believe it's a safe assumption that the employees of the businesses that signed onto the letter couldn't afford to rent an apartment at Walcott Heritage Farms (based on market pay rates for these types of jobs).

My calculations are as follows (based on full time pay and the standard guideline that rent should not be more than 1/3 of gross pay).

2 bedroom unit, \$2,400: to afford this unit, a person would need an annual income of **\$86,400** and make approx. **\$42 per hour**.

The "affordable" rate of \$1,600 per month, would require an annual income of \$57,600 or approx. \$28 per hour

1 Bedroom unit, \$1,900: to afford this unit, a person would need an annual income of **\$68,400** and make approx. **\$33 per hour**.

The "affordable" rate of \$1,400 per month, would require an annual income of \$50,400 or approx. \$24 per hour.

Note: of the 140 proposed units, only 21 units would be classified as "affordable."

For the workers who make \$15-\$18 an hour, housing options are scarce to non-existent in Marlborough.

In this area, a person who is paid this hourly rate would need to go to Clinton to find housing. This means many of our restaurant workers, childcare workers, hairdressers, grocery clerks, shop clerks - all the workers who are paid an average wage and are keeping our businesses running, can't afford to live in Marlborough. In addition, long commute times impact worker reliability and increases traffic, which results in an increase in greenhouse gas emissions.

Again, there is no data that indicates Marlborough has a luxury housing crisis. I continue to be concerned, however, about the lack of truly affordable housing options for the workers who keep this city running.

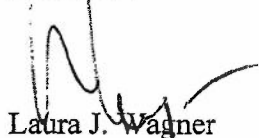
Reference Info:

2021 Minimum Wage, Massachusetts: \$13.50

Average Rent in Marlborough: <https://www.zumper.com/rent-research/marlborough-ma>
as of March 9, 2021

The average rent for a 1-bedroom apartment in Marlborough, MA is currently \$1,613. This is a 5% decrease compared to the previous year.

Sincerely,



Laura J. Wagner
Ward One City Councilor

LW/kb



City of Marlborough
Office of the Mayor

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

2021 MAR 18 A 11:50
Patricia M. Bernard
EXECUTIVE AIDE

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

Michele A. O'Brien
EXECUTIVE SECRETARY

March 18, 2021

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

RE: Grant request for security cameras for the Marlborough Fire Dept.

Honorable President Ossing and Councilors:

Please find enclosed a grant request per the legislative mandate as specified in line item 8324-0000 of the FY2021 General Appropriations Act, (Ch. 227 of the acts of 2020) for not less than \$25,000.00 to support the installation of security cameras in the public portions of two fire stations as outlined in the attached correspondence.

I would like to take this opportunity to thank Representative Danielle Gregoire for her continued support and securing this funding for the Marlborough Fire Department.

Please don't hesitate to contact me if any questions arise.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

Department of Fire Services and City of Marlborough Grant Agreement Scope of Work and Budget

Authorization: The authorization for this grant to the **City of Marlborough** is to support the installation of security cameras per the legislative mandate as specified in line item 8324-0000 of the FY2021 General Appropriations Act (chapter 227 of the Acts of 2020), which reads *“provided further, that not less than \$25,000 shall be expended for the installation of security cameras in the public portions of 2 fire department substations in the city of Marlborough;”*.

Grant Project Description: [Grantee must insert clear and concise details regarding your organization’s grant project. Describe the goals and objectives that will be achieved and specifically explain how the planned expenditures relate to the legislative authorization for this grant.]

Grant Manager: The MA Department of Fire Services and the **City of Marlborough** will each assign a grant manager with respect to this Scope of Work. It is anticipated that the grant manager will not change during the period the Scope of Work is in force. In the event that a change is necessary, the party requesting the change will provide prompt written notice to the other. In the event a change occurs because of a non-emergency, two-week written notice is required. For a change resulting from an emergency, prompt notice is required.

The MA Department of Fire Services grant manager will work closely with the **City of Marlborough** to ensure successful completion of the grant, will consult with the **City of Marlborough** to develop the Scope of Work, will coordinate input as needed, and will review and approve deliverables, progress reports and authorize acceptance and compensation of deliverables.

The **City of Marlborough** grant manager will serve as the interface between the MA Department of Fire Services and all **City of Marlborough** personnel participating in this engagement, will develop and maintain the Scope of Work and Budget in consultation with the MA of Fire Services grant manager, will facilitate regular communication with the MA Department of Fire Services grant manager including status reports/updates and review of performance against the Scope of Work, and will work closely with the MA Department of Fire Services to ensure successful completion of the grant.

The **City of Marlborough** grant manager is [NAME and TITLE] who can be reached at [ADDRESS, PHONE AND EMAIL]The MA Department of Fire Services grant manager is David Clemons, Director of Operations, 1 State Road, Stow, MA 01775, tel 978-567-3179, email: David.Clemons@mass.gov.

Budget: The funds may not be used to serve as a match for a federal grant without prior written authorization from the MA Department of Fire Service Chief Financial Officer. The funds may

not be used for construction and all applicable local and state procurement requirements must be adhered to in the use of the grant funds.

Budget Category	Budget Amount	Describe how the planned expenditures relate to the legislative authorization
Salaries and wages of employees performing grant related work		
Equipment related to the purpose of the grant		
Ordinary maintenance or other expenditures related to the purpose of the grant		

Reimbursement Request Process: The MA Department of Fire Services agrees to disburse funds on a cost reimbursement basis. All costs requested for reimbursement must be listed on the DFS Grant/Earmark reimbursement form. Appropriate supporting documentation for all non-salary costs must also be attached, including:

1. copy of invoice
2. proof of payment – cancelled check or similar other proof of payment documentation such as a copy of the City/Town warrant or invoice that is marked paid and signed as paid by the City/Town fiscal officer.

Appropriate supporting documentation for salary costs must also be attached, including:

1. Payroll documentation including
 - a. Individual employee’s name;
 - b. description of the services/work performed by the employee;
 - c. the relationship of the employee’s work performed to the grant;
 - d. the wages paid; and
 - e. dates of performance
2. Signature by the city/town fiscal officer certifying that the payroll costs were directly related to the purposes of the grant and eligible for grant reimbursement.

Such documentation is usually on timesheets, rosters, time and effort reports, payroll warrants, or other official records from the community/entity.

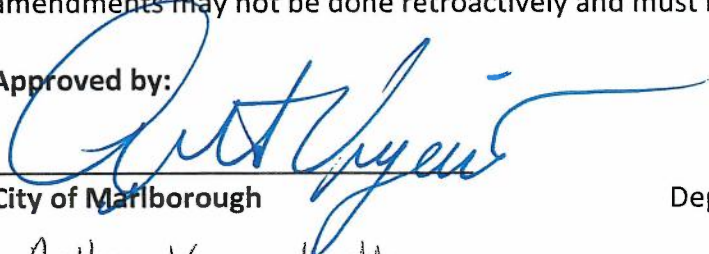
Frequency of Reimbursements: Reimbursement requests may be submitted on a quarterly or annual basis. The final reimbursement request must be submitted no later than July 23, 2021.

DFS will only reimburse for costs incurred through the grant performance period, June 30, 2021.

Grant Monitoring: The Department of Fire Services may conduct grant monitoring through either a desk-based review or on-site monitoring visits, or both, in order to obtain additional information or verify information related to grant spending, grant-funded activity, or grant award outcomes. Advance notice will be given prior to a site visit. Findings of non-compliance with any portion of the DFS Grant Agreement Scope of Work and Budget may result in a demand for funds to be returned to DFS. Site visits or desk-based reviews will be conducted within one (1) calendar year of the end of the contracted performance period.

Changes in Scope of Work or Budget: The grant project description and budget are fixed and any change would be a "material" change in the contract. "Material" changes to the project description (adding, deleting or altering items) or budget lines (deletions, additions or changes to items) will require both parties to execute a *Standard Contract Amendment Form*. Contract amendments may not be done retroactively and must be done prior to the grant end date.

Approved by:



City of Marlborough

Arthur Viseant Mayor

Print Name and Title

3/17/21

Date

Approved by:

Department of Fire Services

Print Name and Title

Date

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM

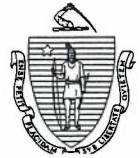


This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy.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

CONTRACTOR LEGAL NAME: City of Marlborough (and d/b/a):		COMMONWEALTH DEPARTMENT NAME: Department of Fire Services MMARS Department Code: DFS	
Legal Address: (W-9, W-4): 140 Main Street, Marlborough, MA 01752-3812		Business Mailing Address: P.O. Box 1025, Stow MA 01775	
Contract Manager: Chief Kevin Breen	Phone: 508-485-2323	Billing Address (if different):	
E-Mail: kbreen@marlborough-ma.gov	Fax: 508-460-3795	Contract Manager: David Clemons	Phone: 978-567-3179
Contractor Vendor Code: VC6000192111		E-Mail: David.Clemons@mass.gov	Fax: 978-567-3121
Vendor Code Address ID (e.g. "AD001"): AD001 (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): CT-DFS-1000	
FRF/Procurement or Other ID Number: Legislative Exemption			
<input checked="" type="checkbox"/> NEW CONTRACT		<input type="checkbox"/> CONTRACT AMENDMENT	
PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input type="checkbox"/> Department Procurement (includes all Grants - 815 CMR 2.00) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input checked="" type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		Enter Current Contract End Date Prior to Amendment: _____, 20 ____. Enter Amendment Amount: \$ _____. (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or new total if Contract is being amended). \$25,000.00.			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___ % PPD; Payment issued within 15 days ___ % PPD; Payment issued within 20 days ___ % PPD; Payment issued within 30 days ___ % PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle <input type="checkbox"/> statutory/legal or Ready Payments (M.G.L. c. 29, § 23A); <input type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE OR REASON FOR AMENDMENT: (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 grant is for the City of Marlborough for the purpose of installing security cameras in the public portions of 2 fire department substations in the city of Marlborough as specified in the FY2021 General Appropriations Act (Chapter 227 of the Acts of 2020). Funds are to be used in accordance with the Earmark Statement of Work only.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date. <input type="checkbox"/> 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. <input type="checkbox"/> 3. were incurred as of _____, 20____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of June 30, 2021 , 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:		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:	
X: _____, Date: _____ (Signature and Date Must Be Handwritten At Time of Signature)		X: _____, Date: _____ (Signature and Date Must Be Handwritten At Time of Signature)	
Print Name: _____		Print Name: _____	
Print Title: _____		Print Title: _____	

COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May
2004



CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

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

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

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

AUTHORIZED SIGNATORY NAME	TITLE
Arthur Vigeant	Mayor

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

Signature

Date: March 16, 2021

Title: Mayor

Telephone: (508) 460-3770

Fax:

Email:avigeant@marlborough-ma.gov

[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May
2004



CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

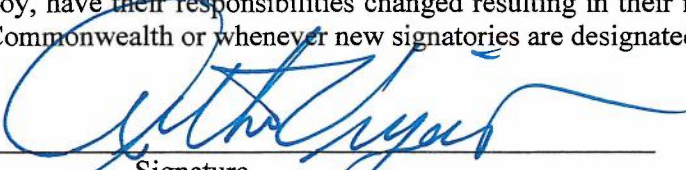
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NOTICE: *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

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

AUTHORIZED SIGNATORY NAME	TITLE
KEVIN J. BREEN	FIRE CHIEF

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



Signature

Date: March 16, 2021

Title: Mayor

Telephone: (508) 460-3770

Fax:

Email:avigeant@marlborough-ma.gov

[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

COMMONWEALTH OF MASSACHUSETTS CONTRACTOR AUTHORIZED SIGNATORY LISTING



CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

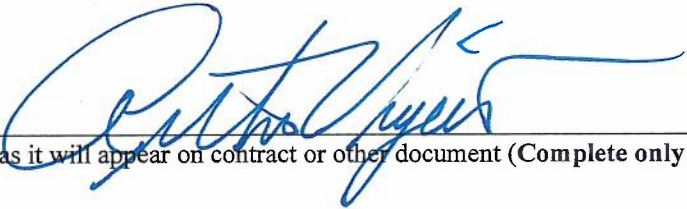
PROOF OF AUTHENTICATION OF SIGNATURE

This page is optional and is available for a department to authenticate contract signatures.
It is recommended that Departments obtain authentication of signature for the signatory
who submits the Contractor Authorized Listing.

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type):

Title:

X 

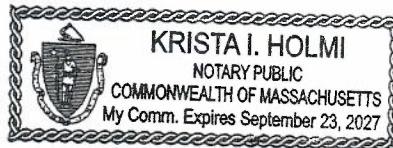
Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

I, Krista I. Holmi (NOTARY) as a notary public certify that I witnessed
the signature of the aforementioned signatory above and I verified the individual's identity on this date:

March 17, 20 21.

My commission expires on:



AFFIX NOTARY SEAL

I, _____ (CORPORATE CLERK) certify that I witnessed the
signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's
authority as an authorized signatory for the Contractor on this date:

_____, 20 ____.

AFFIX CORPORATE SEAL

COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May
2004



CONTRACTOR LEGAL NAME :
CONTRACTOR VENDOR/CUSTOMER CODE:

PROOF OF AUTHENTICATION OF SIGNATURE

This page is optional and is available for a department to authenticate contract signatures.
It is recommended that Departments obtain authentication of signature for the signatory
who submits the Contractor Authorized Listing.

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type): KEVIN J. BREEN

Title: FIRE CHIEF

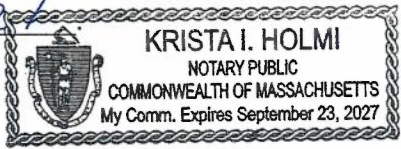
X Kevin Breen
Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

I, Krista I. Holmi (NOTARY) as a notary public certify that I witnessed
the signature of the aforementioned signatory above and I verified the individual's identity on this date:

March 17, 2021

My commission expires on:



AFFIX NOTARY SEAL

I, _____ (CORPORATE CLERK) certify that I witnessed the
signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's
authority as an authorized signatory for the Contractor on this date:

_____, 20 ____.

AFFIX CORPORATE SEAL

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: Fire Dept DATE: 3/17/21

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Chief Kevin Breen

NAME OF GRANT: MA General Appropriations Act

GRANTOR: Dept of Fire Services

GRANT AMOUNT: _____

GRANT PERIOD: through June 30, 2021

SCOPE OF GRANT/
ITEMS FUNDED installation of security cameras in the public portions
of 2 Fire Dept substations in Marlborough

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:

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: Requesting to be expedited so
work can be scheduled as soon as possible. Thank you.

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



City of Marlborough
Office of the Mayor

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

2021 MAR 18 A H: 50
Patricia M. Bernard
EXECUTIVE AIDE

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

Michele A. O'Brien
EXECUTIVE SECRETARY

March 11, 2021

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

RE: Acceptance of Land Title from Marlborough Economic Development Corp.

Honorable President Ossing and Councilors:

I am pleased to confirm the sale of the home at 481 Elm Street that took place on February 19, 2021. Enclosed for your acceptance, pursuant to MGL c. 40, s. 14 is the title for the attached deed from the Marlborough Economic Development Corp (MEDC). Upon the transfer of the title, the MEDC will reimburse the City's general fund from the proceeds of the sale.

The previous search committee had suggested this area as one of the recommended sites for a new Fire Station.

I will be setting up a virtual public meeting sometime in April and look forward to working collaboratively with City Council President Michael Ossing and the City Council on reviewing this proposed site for the new Fire Station.

Thank you for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

ORDERED:

That the City, acting by and through the City Council of the City of Marlborough, does hereby accept title, pursuant to MGL c. 40, s. 14 and any other applicable law, from Marlborough Economic Development Corporation, a Massachusetts nonprofit corporation, by the attached deed, in that certain land in Marlborough, County of Middlesex, Commonwealth of Massachusetts, being more particularly described as "PARCEL A" on a plan of land entitled "Plan of Land in Marlborough, MA, Prepared by: City of Marlborough Department of Public Works Engineering Division, Owned by: Marlborough Economic Development Corporation, 91 Main Street, Suite 204, Marlborough, MA 01752", said Plan dated November 10, 2020, and being recorded as Plan #867 of 2020 in the Middlesex South Registry of Deeds.

Said Parcel A containing 34,782.5 square feet, more or less, according to said Plan.

ADOPTED
In City Council
Order No. 21-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

Property Address: Elm Street, Marlborough, Massachusetts 01752

MASSACHUSETTS QUITCLAIM DEED

Marlborough Economic Development Corporation, a Massachusetts Nonprofit Corporation, with a principal place of business at 91 Main Street, Suite 204, Marlborough, Middlesex County, Massachusetts (hereinafter referred to as “Grantor”), for consideration paid of ONE DOLLAR (\$1.00) receipt of which is hereby acknowledged, hereby grants to the **CITY OF MARLBOROUGH**, a municipal corporation with a principal place of business at 140 Main Street, Marlborough, Massachusetts 01752, (hereinafter referred to as “Grantee”)

with quitclaim covenants the following described property:

The land in Marlborough, County of Middlesex, Commonwealth of Massachusetts, being more particularly described as “PARCEL A” on a Plan of land entitled “Plan of Land in Marlborough, MA, Prepared by: City of Marlborough Department of Public Works Engineering Division, Owned by: Marlborough Economic Development Corporation, 91 Main Street, Suite 204, Marlborough, MA 01752”, said Plan dated November 10, 2020, and being recorded as Plan #867 of 2020 in the Middlesex South Registry of Deeds.

Said Parcel A containing 34,782.5 square feet, more or less, according to said Plan.

Meaning and intending to convey and hereby conveying the remainder of the same premises conveyed to Grantor by deed dated October 6, 2020 recorded with the Middlesex South District Registry of Deeds in Book 75849, Page 245.

This grant is in the ordinary course of business and does not constitute all or substantially all of the Grantor’s assets. This is not a homestead property and Grantor hereby releases all other interests herein. Grantor states under the pains and penalties of perjury that no other persons are entitled homestead protection under Massachusetts General Laws Chapter 188. The Grantor further states under the pains and penalties of perjury that the Grantor is not a public corporation and that the provisions of MGL 180,§8A(c) are not applicable, and Notice to the Attorney General of this transfer, is not required.

No title examination requested or performed at request of Grantor and Grantee.

Witness our hands and seals this ____ day of March, 2021.

Andrea Pion, President

Michael Murphy, Treasurer

COMMONWEALTH OF MASSACHUSETTS

County of: Middlesex

On this _____ day of March, 2021, before me, the undersigned notary public, personally appeared **Andrea Pion and Michael Murphy**, proved to me through satisfactory evidence of identification, which were MA DL's to be the persons whose names are signed on the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief and that they signed it voluntarily for its stated purpose as their free act and deed and the free act and deed of the Grantor.

Notary Public:
My Commission Expires:

Middlesex Registry of Deeds,
Southern District
Cambridge Massachusetts
Plan No. 867 of 2020
Rec'd 11/23/20
at 02 H 59 M A

Attest
Thomas D. Perrin
Registrar

FOR REGISTRY USE

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY
WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE
COMMONWEALTH OF MASSACHUSETTS.

Thomas D. Perrin 11/10/20
PROFESSIONAL LAND SURVEYOR DATE



APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

CITY OF MARLBOROUGH PLANNING BOARD

[Signature]

DATE: 11/6/20

NO DETERMINATION AS TO
COMPLIANCE WITH ZONING
REQUIREMENTS HAS BEEN
MADE OR INTENDED

MARLBOROUGH ASSESSORS REFERENCE: MAP 67 PCL 4

DEED REFERENCE: MCRD BOOK 75848, PAGE 245

PLAN REFERENCES: MCRD PLAN NO. 137 OF 1972
MCRD PLAN NO. 152 OF 1980
MCRD PLAN NO. 399 OF 1997

MARLBOROUGH ZONING DISTRICT: RESIDENCE A-2
REQUIREMENTS:
AREA=18,000 S.F.
FRONTAGE=120 FT.

NOTE:

PARCEL A IS FOR DESCRIPTIVE PURPOSES ONLY AND IS
NOT TO BE CONSIDERED A SEPARATE BUILDING LOT.

CITY OF
MARLBOROUGH



DEPARTMENT OF
PUBLIC
WORKS

Engineering Division
135 Neil Street
Marlborough, MA 01752
p. (508) 624-6910

www.marlborough-ma.gov

REVISIONS

No.	Date	Description
1.		

Drawn By:	Checked By:	Approved By:
JM	JM	TP

PLAN OF LAND
IN
MARLBOROUGH, MA

PREPARED BY: CITY OF MARLBOROUGH
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

OWNED BY: MARLBOROUGH
ECONOMIC DEVELOPMENT
CORPORATION
61 MAIN STREET, STE 204
MARLBOROUGH, MA 01752

Date:	Sheet No.:
11-10-2020	1 of 1
Scale:	1" = 40'



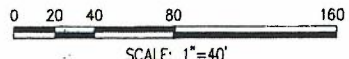
BIGELOW STREET
(PUBLIC VARIABLE WIDTH)

N/F
ERULA, LLC
100 LOCKE DRIVE
(ASSESSOR MAP 54, LOT 14)

"PARCEL A"
34,782.5 s.f.
N/F
SAFFLOWER, LLC
40 LOCKE DRIVE
(ASSESSOR MAP 67, LOT 95)

"LOT 1"
18,555.9 s.f.
N/F
DAVID C. BROWER &
JEANNE M. DOUGLASS
475 ELM STREET
(ASSESSOR MAP 67, LOT 3)

ELM STREET (PUBLIC VARIABLE WIDTH)



867 of 2020

AH E-273



City of Marlborough
Office of the Mayor

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

2021 MAR 18 11:50
Patricia M. Bernard
EXECUTIVE AIDE

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

Michele A. O'Brien
EXECUTIVE SECRETARY

March 18, 2021

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

RE: Budget Transfer Request - DPW

Honorable President Ossing and Councilors:

Please find enclosed for your review and approval a transfer in the amount of \$158,128.90 to fund a recent retirement and other expenses outlined in Commission Divoll's enclosed memo.

Please don't hesitate to contact me or Commissioner Sean Divoll with any questions.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Department of Public Works

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

SEAN M. DIVOLL, P.E.
COMMISSIONER

Date: March 17, 2021

To: Mayor Vigeant

From: Sean M. Divoll, Commissioner of Public Works

Re: Budget Transfer Requests

Attached herewith are budget transfer requests in the amount of \$158,128.90 from available funds to cover costs relative to:

1. Superannuation retirement and vacation payout for East Plant employee
2. Cover costs for upcoming legal expenses
3. For the purchase of chemicals and maintenance at pump stations
4. Cover costs for park maintenance projects
5. Cover the costs of scheduled weekend overtime at the West Plant

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2021

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$45,768</u>	<u>\$21,963.00</u>	<u>11990006</u>	<u>57820</u>	<u>Reserve for Salaries</u>	<u>\$34,106.04</u>	<u>60081003</u>	<u>51920</u>	<u>Sick Leave Buy Back</u>	<u>\$0.00</u>
	Reason:	<u>Salary reserve</u>				<u>Superannuation retirement</u>			
<u>\$178,528</u>	<u>\$12,143.04</u>	<u>14001101</u>	<u>50710</u>	<u>Junior Civil Engineer</u>					
	Reason:	<u>Excess due to vacancy</u>							
<u>\$178,528</u>	<u>\$52,022.86</u>	<u>14001101</u>	<u>50710</u>	<u>Junior Civil Engineer</u>	<u>\$20,022.86</u>	<u>60081001</u>	<u>50910</u>	<u>Head Treatment Plant Op</u>	<u>\$21,100.54</u>
	Reason:	<u>Excess due to vacancy</u>				<u>Due to retirement</u>			
					<u>\$25,000.00</u>	<u>14001506</u>	<u>54640</u>	<u>Park Maintenance</u>	<u>\$47,587.00</u>
						<u>Park maintenance projects</u>			
					<u>\$7,000.00</u>	<u>60085003</u>	<u>51310</u>	<u>Overtime</u>	<u>\$154.00</u>
						<u>To cover scheduled weekend maintenance overtime</u>			
	<u>\$86,128.90</u>	Total			<u>\$86,128.90</u>	Total			

Department Head signature:

Auditor signature:

Comptroller signature:

[Signature] 3/18/2021
[Signature]
[Signature]

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2021

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$178,528</u>	<u>\$36,306.00</u>	<u>14001101</u>	<u>50710</u>	<u>Junior Civil Engineer</u>	<u>\$50,000.00</u>	<u>60080004</u>	<u>53110</u>	<u>Legal Services</u>	<u>\$5,022.00</u>
	Reason:	<u>Excess due to vacancy</u>				<u>Due to upcoming legal expenses</u>			
<u>\$349,200</u>	<u>\$13,694.00</u>	<u>14001303</u>	<u>50740</u>	<u>Equipment Operators</u>					
	Reason:	<u>Excess due to vacancy</u>							
<u>\$36,751</u>	<u>\$22,000.00</u>	<u>60080001</u>	<u>50580</u>	<u>Assistant Chemist</u>	<u>\$22,000.00</u>	<u>60080006</u>	<u>55660</u>	<u>Pumping Station Maint</u>	<u>\$4,691.00</u>
	Reason:	<u>Excess to prior vacancy</u>				<u>For chemicals and maintenance project</u>			
	<u>\$72,000.00</u>	Total			<u>\$72,000.00</u>	Total			

Department Head signature:

Auditor signature:

Comptroller signature:

[Signature] 3/18/2021
[Signature]
[Signature]



City of Marlborough
Office of the Mayor

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

2021 MAR 18 A 11: 50

Patricia M. Bernard
EXECUTIVE AIDE

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

Michele A. O'Brien
EXECUTIVE SECRETARY

March 18, 2021

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

RE: Increase spending limit for revolving account – Council on Aging

Honorable President Ossing and Councilors:

Please find enclosed a request from Council on Aging Executive Director Patricia Pope to increase the spending limit for the revolving account. The fund is normally used for programming but has been used for the curbside lunch program that started back in March of 2020.

The Council on Aging would like to continue the curbside lunch program and is requesting to increase their spending limit from \$70,000.00 to \$85,000.00. The current balance on the account is \$101,004.77 as indicated in the attached correspondence.

Please don't hesitate to contact me or Patricia Pope if any questions arise.

Thank you in advance for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Council on Aging and Senior Center

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

Patricia A. Pope
EXECUTIVE DIRECTOR

March 10, 2021

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

Re: Increase spending limit – revolving account

Dear Mayor Vigeant,

Since the authorization of the Revolving Account in October 2015 these funds have been solely used for the purpose of programing at the Senior Center. We have been fortunate in the past to offer numerous types of programing. However, this has been a truly unique year and we used the revolving account solely for the purpose of offsetting the cost of our very successful curbside lunch program. This program has been the one constant offering during the pandemic. The funds are used to cover the cost overrun of the lunch program, along with completely paying for those seniors that have requested scholarships in order to participate in the program.

The spending limit is set at \$70,000.00. To date, we have spent \$49,481.00 from the Revolving Account. Currently we are working on a reopening plan for the Senior Center which we hope will include bringing back some fitness programs along with the curbside lunch program. (Please note that fitness programs will come with a much larger price tag due to limited allowable capacity). It is with this in mind, that I respectfully request an increase in the spending limit for FY'21. I believe an increase of \$15,000 would give us an allowable margin to reinstate programs and meet the needs of our older adults without going over our spending limit.

As always, we remain tremendously grateful for the support we receive from the City. Please do not hesitate to contact me with any questions.

Thank you for your consideration of this request.

Respectfully,

Patricia A. Pope
Executive Director



CITY OF MARLBOROUGH
Council on Aging/ Senior Center
40 New Street
Marlborough, MA 01752
508.485.6492

MEMORANDUM

TO: Mayor Arthur G. Vigeant
FROM: Patricia Pope
DATE: March 10, 2021
RE: Council on Aging Revolving Account

Pursuant to the provisions of the City Council Order #15-1006306, the revolving account established by this order had income and expenses as shown below:

Balance as of 7/1/20	\$	99,390.77
Total revenue generated (7/1/20 – 3/10/21)	\$	51,095.00
Funds expended (7/1/20 – 3/1/21)	\$	49,481.00

Current Balance: \$ 101,004.77

EXPENDITURE SUMMARY

The revenue generated represents the fees associated with the curbside lunch program run through the Council on Aging. The expenditures represent payment for very successful curbside lunch program that has been consistently run throughout the pandemic on Mondays, Wednesdays, and Fridays.



City of Marlborough
Office of the Mayor

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

2021 MAR 18 A 11:50
Patricia M. Bernard
EXECUTIVE AIDE

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

Michele A. O'Brien
EXECUTIVE SECRETARY

March 18, 2021

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

RE: Request to amend qualifications of Principal Assessor and approve Updated Job Description

Honorable President Ossing and Councilors:

Please find enclosed a request to amend qualifications of the Principal Assessor position to align with the Massachusetts Association of Assessing Officers certification timeline as Human Resource Director Christine Purple's correspondence outlines.

Secondly, I have enclosed an updated job description for the Principal Assessor for your approval. We have been using Regional Resources Group (RRG) since 2012 and would like to look at reducing RRG's services and potentially bringing some of the responsibilities in-house specifically concentrating on valuations.

Finance Director Patrick Jones and HR Director Christine Purple have surveyed other comparable communities and found our salary scale is in line.

The position was advertised with the attached job description and we respectfully ask the Council to expedite the process, so we can move forward and act upon the initial interest we received for the position.

Please don't hesitate to contact me or Christine Purple if any questions arise.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Human Resources Department

140 MAIN STREET
MARLBOROUGH, MA 01752
TELEPHONE (508) 460-3705, FACSIMILE (508) 481-6354
EMAIL: humanresources@marlborough-ma.gov

CHRISTINE PURPLE
HR DIRECTOR

MARY WARD
HR ASSISTANT

DIANE REGO
HR ADMIN. CLERK

March 16, 2021

Dear Mayor Vigeant,

I am respectfully requesting your assistance with the following amendment to the City of Marlborough Ordinance Chapter 67, Section 67-28 (E) for approval by the City Council.

The current ordinance needs to be updated; due to the restrictions it places on the requirements for the qualifications of the Principal Assessor position. The current ordinance states, "The Principal Assessor shall be qualified in accordance with the regulations of the Department of Revenue, and shall at the time of appointment be designated a Massachusetts Accredited Assessor (MAA), or shall obtain said designation within one year of appointment. The Principal Assessor shall also be designated a Certified General Real Estate Appraiser by the Commonwealth of Massachusetts at the time of appointment, or shall obtain said designation within one year of appointment." This ordinance needs to be updated to assist with the hiring of a Principal Assessor for the City of Marlborough.

For your information, the Massachusetts Association of Assessing Officers (MAAO) has made changes to their timeline for obtaining a designation, which is reflected in the updated request to the ordinance. As well, the requirement for the Principal Assessor to hold a Certified General Real Estate Appraiser designation will restrict our candidate pool and is unrealistic for a person to obtain such designation in the required timeframe.

By changing the current wording as proposed, the City will entice candidates that are qualified for this position and also that the Principal Assessor maintain said designation throughout their tenure with the City, to ensure that they are keeping up with what the current trends are in assessment.

Thank you in advance for your thoughts on and attention to this matter. Please let me know if you should have any questions regarding this requested update to the Ordinance.

Sincerely,

Christine L. Purple
Human Resources Director

ORDERED:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

I. By amending Chapter 67 (“Finance”), Section 67-28 (“Principal Assessor; powers and duties,”) by **amending** Section 67-28(E) to read as follows:

E. The Principal Assessor shall be qualified in accordance with the regulations of the Massachusetts Department of Revenue. The Principal Assessor shall possess a designation from the Massachusetts Association of Assessing Officers (MAAO) or shall obtain such designation within two years of confirmation. A Principal Assessor possessing a reciprocal designation shall obtain a MAAO designation within two years of confirmation. The Principal Assessor shall be responsible for maintaining any designation.

ADOPTED
In City Council
Order No. 21-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

**CITY OF MARLBOROUGH
PRINCIPAL ASSESSOR**

Position Purpose:

Responsible and highly complex administrative, supervisory, and professional work in appraising and assessing real and personal property; in planning; managing and directing the activities of the Assessing Department; and in assisting the Board of Assessors with municipal tax assessment activities. The Assessor is responsible the municipal tax assessment of all real, personal property, and motor vehicle excise taxes for the City. The Principal Assessor ensures compliance with the applicable Massachusetts General Laws as interpreted and directed by the Department of Revenue.

Essential Job Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)

- Appraises real property, recommending to the Board of Assessors revisions to valuations periodically. Responsible for appraising and/or supervising the appraisal of residential, commercial, industrial, and personal property for the municipality. Conduct inspections of property, as necessary and appropriate, in order to maintain a uniform, full market value on all property. Assumes principal responsibility for revaluing property every year, if required.
- Establishes taxable values and advises the Board of Assessors as to proper assessments of new, remodeled, or enlarged residential, commercial, and industrial buildings according to market data, replacement cost, and/or capitalization of income approach (whichever is applicable).
- Examines deeds, maps, building plans and permits, personal records and market data to obtain additional valuation data and to locate all taxable property.
- Inspects the location of new businesses to determine the values of taxable personal property, such as boats, farm machinery, and office machinery and equipment.
- Analyzes real estate market conditions and events to determine trends and changes in the market. Collects data from the Planning Board, Building Inspector, and other boards/officials whose actions may reflect a change in value.
- Service as administrative staff to Board of Assessors, providing the necessary preparation and technical assistance at meetings, and assuring proper follow-up to their decisions.
- Investigates requests for abatements and exemptions of property tax. Prepares comparative cost and sales studies. Advises the Board of Assessors on abatement applications. Defends assessments before the State Appellate tax Board or other governing bodies.
- Supervises and participates in the preparation of tax rate documentation for state certification.
- Responsible for the design, implementation, and maintenance of varied software program system for the department, including CAMA systems.
- Provides information in person, on the telephone and in writing to property owners and others regarding the municipality's assessment policies and procedures, and the determination of specific valuations, tax abatements, and exemptions.

- Supervises the commitment of any and all taxes as governed by MGL, and special assessment tax bill to the Tax Collector.
- Supervises the general management and administration of the Assessing Department. Directs and coordinates efforts of staff. Develops and implements training programs for employees. Prepares and administers department budget. Purchase equipment and supplies. Supervises the maintenance of department records.
- Attends professional meetings, training programs, and seminars in order to stay abreast of changes or trends in the field and to remain familiar with Massachusetts laws and regulations concerning tax assessments.
- Designs, implements and maintains electronic data processing programs in conjunction with other departments, including documentation and securing acceptance of programs by the Department of Revenue.
- Maintain a variety of office records, charts, maps and assessment laws and regulatory bulletins; prepares reports and statistical information as required.
- Performs similar or related work as required, directed or as situation dictates.

Supervision:

Performs complex and highly responsible duties requiring a very high level of initiative and independent judgment in the planning, administration and execution of the department's programs and services, and in the direction of personnel; incumbent is required to work independently in formulating decisions regarding policies, procedures, operations and plans.

Supervision Received: Works under the policy direction of the Comptroller/Treasurer and Board of Assessors and in accordance with applicable Massachusetts General Laws, City policies, City Codes and relevant state, federal and local regulations and standards. Employee exercises considerable latitude for independent judgment and action. Assumes responsibility for developing and achieving the department goals and objectives. The position is subject to review and evaluation according to the City's personnel plan.

Supervision Given: Employee is accountable for the direction and success of all department programs accomplished through others. The Assessor is responsible for analyzing program objectives, determining the various work operations needed to achieve them, estimating the financial and staff resources required, allocating the available funds and staff, reporting periodically on the achievement and status of the program objective; and recommending new goals. The employee typically formulates or recommends program goals and develops plans for achieving short and long-range objectives; determines organizational structure operating guidelines and work operations; formulates, prepares and defends budget and manpower requests and accounts for effective use of funds and staff provided; coordinates program efforts within the unit and with other departments; delegates authority to subordinate supervisors and holds them responsible for the performance of their unit's work; reviews work in terms of accomplishment of program objectives and progress reports, approves standards establishing quality and quantity of work; and assists or oversees the personnel function, including or effectively recommending hiring, training, and disciplining of employees.

Judgment:

Guidelines only provide limited guidance for performing the work. They may be in the form of administrative or organizational policies, general principals, legislation or directives that pertain to a specific department or functional area. Extensive judgment and ingenuity are required to

develop new or adapt existing methods and approaches for accomplishing objectives or to deal with new or unusual requirements within the limits of the guidelines or policies. The employee is recognized as the department or functional area's authority in interpreting the guidelines, in determining how they should be applied, and in developing operating policies and practices.

Complexity:

Work consists of employing many different concepts, theories, principles, techniques and practices relating to an administrative field. Assignments involve studying trends in the field for application to the work, assessing services and recommending improvements.

Nature and Purpose of Public Contact:

Relationships are constantly with co-workers, the public and with groups and/or individuals who have conflicting opinions or objectives, diverse points of view or differences where skillful negotiating and achieving compromise is required to secure support, concurrence and acceptance or compliance; or one-on-one relationships with a person who may be under severe stress, where gaining a high degree of persuasion may be required to obtain the desired effect. The employee may represent to the public a functional area of the municipality on matters of procedures or policy where perceptiveness is required to analyze circumstances in order to act appropriately.

Confidentiality:

Has regular access at the departmental level to a wide variety of confidential information, such as abatements, exemptions, and including official personnel files, lawsuits, criminal records/investigations, client records, department records, and client conversations in accordance with the state public records law.

Recommended Minimum Qualifications:

Education, Training and Experience: Bachelor's degree in finance, business administration or related field, plus ten years of related experience; or any equivalent combination of education and experience.

Special Requirements: Possession of a valid driver's license. The Principal Assessor shall be qualified in accordance with the regulations of the Massachusetts Department of Revenue. The Principal Assessor shall possess a designation from the Massachusetts Association of Assessing Officers (MAAO) or shall obtain such designation within two years of confirmation. A Principal Assessor possessing a reciprocal designation shall obtain a MAAO designation within two years of confirmation. The Principal Assessor shall be responsible for maintaining any designation. Experience with CAMA systems. Requires travel to residences within the City, as well as facilities and agencies out of the City. Some evening or weekend work may be required to attend Board of Assessors and other related meetings.

Knowledge, Ability and Skill:

Knowledge: Thorough knowledge of office procedures and machines. Knowledge of Massachusetts General Laws, Chapter 59 including all subsections; knowledge of Massachusetts Assessment practices; detailed understanding of Massachusetts property, personal and real estate abatement process and personal tax exemptions. Knowledge of CAMA systems. Extensive knowledge of accounting and auditing practices relative to property appraisal principles and practices; Familiarity with all methodologies and formulas used to determine the assessment value of the various classes of property.

Abilities: Ability to meet and deal with the public in a tactful and effective manner. Ability to handle problems and emergencies effectively. Ability to operate a computer. Ability to maintain, manage, and organize records in a detailed and accurate manner. Ability to deal appropriately with city employees, city officials and disgruntled members of the public. Ability to communicate in oral and written forms in a clear and concise manner. Ability to lead, motivate, and supervise subordinates and to delegate authority. Ability to develop and oversee department budget. Ability to develop and implement positive and effective taxation policies such as the Residential Exemption Program, supplemental/additional financial assistance connected to statutory exemptions as well as shifting a portion of the tax levy from residential to commercial property classifications.

Skill: Excellent organizational and personnel management skills. Excellent data processing skill in the use of personal computers and office software including word processing, data base and spreadsheet applications. Skill in retaining and overseeing assessing/appraisal consulting services. Excellent statistical and analysis skills.

Work Environment

The work environment involves everyday discomforts typical of offices, with occasional exposure to outside elements. Noise or physical surroundings may be distracting, but conditions are generally not unpleasant. Employee may be required to work beyond normal business hours to attend evening meetings. When in the field must be able to traverse various properties and terrains.

Physical and Mental Requirements

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.

Physical Skills: Work effort principally involves sitting to perform work tasks, with intermittent periods of stooping, walking, and standing. Occasional lifting of objects such as books, office equipment and computer paper (up to 30 lbs.). Work may require some agility such as moving in or about construction sites or over rough terrain.

Motor Skills: Duties are largely mental rather than physical, but the job may occasionally require minimal motor skills for activities such as moving objects, operating a telephone system, computer and/or most other office equipment, typing and/or word processing, filing, and sorting. Ability to operate a motor vehicle.

Visual Skills: Visual demands include constantly reading documents for general understanding and for analytical purposes, making detailed visual observations, and routinely reviewing maps and blueprints with a need for color vision.



City of Marlborough
Office of the Mayor

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

2021 MAR 18 A-H: 50
Patricia M. Bernard
EXECUTIVE AIDE

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

Michele A. O'Brien
EXECUTIVE SECRETARY

March 18, 2021

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

RE: Amending Youth Commission Ordinance

Honorable President Ossing and Councilors:

Enclosed for your consideration is an amended Youth Commission Article VI initially adopted on 7-13-1992 by ord. no. 92-4622. We ask that the ordinance be reviewed and updated to alleviate redundancies and reflect current practical objectives.

President Ossing and Councilor Perlman have discussed reactivating and streamlining the purpose of the Youth Commission and we are happy to support this endeavor.

The Youth Commission hasn't been active in the last five years and this initiative can assess the needs of our current youth and potentially create some beneficial programming and collaboration with other organizations in the City.

Please do not hesitate to contact me if you have any questions.

Thank you for your consideration.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

k

City of Marlborough, MA / The Code / Part I, Administrative
Legislation / Boards and Commissions

Article VI **Youth Commission**

arrow_forward

[Adopted 7-13-1992 by Ord. No. 92-4622]

§ 19-47 Rules and regulations.

§ 19-43 Commission established; powers and duties.

§ 19-44 Appointments; terms of office.

§ 19-45 Purpose; report.

§ 19-46 Duties, responsibilities and objectives.

§ 19-47 Rules and regulations.

§ 19-48 Service from other City departments.

§ 19-49 Annual appropriation; expenditures.

§ 19-50 Annual report.

§ 19-51 Clerk; meetings.

§ 19-43 Commission established; powers and duties.

A.

In accordance with the General Laws of the Commonwealth and the Charter of the City, a Youth Commission is hereby established.

B.

The Youth Commission shall have all the powers and duties now or from time to time vested by the General Laws or Special Acts of the Legislature of the Commonwealth and the ordinances of the City.

§ 19-44Appointments; terms of office.

A.

The Youth Commission shall consist of ~~seven~~ up to five members; said members shall be appointed by the Mayor, subject to confirmation by the City Council. Said subsequent appointments shall be for a term of three years from the time of their appointment or until their successors are qualified. The Mayor shall initially appoint in staggered terms ~~two members for one year, two members for two years, three members for three years, and~~ annually thereafter the Mayor shall appoint said members for three-year terms.

B.

The Mayor shall designate the Chairman of said Commission to serve as Chairman for a two-year period. ~~Said appointment shall be made the first Monday in April.~~

§ 19-45Purpose; report.

A.

The purpose of the Marlborough Youth Commission is to enhance the quality of life for City youth through:

(1)

An ongoing assessment of needs;

(2)

Evaluation of programs provided by the City, private sector and nonprofit organizations;

(3)

Recommendations to service providers regarding changes in programming designed to better meet the needs of the community; and

(4)

A periodic compilation of available services designed to increase utilization of such services.

B.

The Commission shall issue a report to the Mayor by March 1 of each year, detailing its findings and recommendations.

§ 19-46Duties, responsibilities and objectives.

A.

Duties and responsibilities include new programs, coordination of existing efforts and increasing community awareness through youth organizations, the business community, schools, religious groups, City government, existing human services agencies and others representing all sectors of our culturally diverse community, whether City, state, federal or private, profit or nonprofit groups.

B.

Program objectives are to:

(1)

~~Establish and implement programs and/or services which shall address the opportunities, challenges and problems of our youth.~~

(2)

Provide an ongoing assessment of our youth's needs within the community, provided a particular need has not already been addressed and/or implemented by an existing private or municipal agency or organization.

(3)

Index programs available to our youth and encourage maximum utilization of programs and services through publicity and other means of dissemination of information.

(4)

Identify gaps in programming, and research funding under federal, state and private grants and foundations.

(5)

~~Develop a Youth Advisory Council that will be represented on the Youth Commission.~~

(6)

~~In conjunction with the School Department, implement the Community Service Youth Corps Program.~~

§ 19-47Rules and regulations.

The Commission shall have power to organize and conduct its business under such rules and regulations as it may deem proper, provided that the same are not inconsistent with the laws of the commonwealth or the Charter and

ordinances of the City. ~~It may adopt all reasonable regulations regarding the use of the land and buildings under its permanent or temporary control.~~

A.

Removal of members: Any member of the Commission may be removed by the Mayor and City Council ~~for cause~~, stated in writing, after a hearing and vote of the City Council.

B.

~~Vacancies: All vacancies in the Youth Commission caused by death, resignation or otherwise shall be filled by the Mayor in the manner provided for an original appointment, and the person appointed shall hold office for the residue of the unexpired term.~~

C.

Compensation: Such Commissioners shall serve without compensation.

§ 19-48 Service from other City departments.

~~The various departments of the City shall render such service to the Commission as they may be required to perform by the City Council from time to time.~~

§ 19-49 Annual appropriation; expenditures.

~~A separate appropriation shall be made annually by the Mayor and City Council for the Youth Commission, which appropriation may be expended in the conduct of the aforesaid purposes.~~

§ 19-50 Annual report.

The Youth Commission shall, at least once a year, render a report of its administration to the City Council and Mayor shall render such further reports as may be required of it by the City Council from time to time. ~~It shall annually prepare a statement of suggestions to the Mayor and transmit to him an estimate of the amount of money needed to conduct said Commission's duties for the ensuing year.~~

§ 19-51 Clerk; meetings.

Such Commission shall meet immediately after its appointment and confirmation and elect one of their members, who shall act as Clerk and who shall keep a record of its proceedings; in each year thereafter such Commission shall meet annually in the month of February for the election of the Clerk. ~~Such Commission shall vote to~~ Chair shall determine the time and place of other meetings.



City of Marlborough
Office of the Mayor

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

2021 MAR 18 4:50
Patricia M. Bernard
EXECUTIVE AIDE

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

Michele A. O'Brien
EXECUTIVE SECRETARY

March 18, 2021

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

RE: OPEB Trust Update

Honorable President Ossing and Councilors:

Please find enclosed for your information a letter from Auditor Diane Smith containing an update from the most recent OPEB Board of Trustees meeting March 9, 2021. As indicated, the OPEB Trust continues to have a positive net rate of return of 4.81%.

I'd like to thank the OPEB Trust for their hard work in continuing our collaborative efforts enabling us to grow our stabilization fund, continue paying down our pension liability, and take steps to lower our OPEB liability.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



CITY OF MARLBOROUGH

Office of the City Auditor

140 Main St.

Marlborough, MA 01752

508.460.3774

March 12, 2021

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

RE: OPEB Trust Update

Dear Mayor Vigeant,

This memo is to update both yourself and the City Council as to the valuation of the OPEB Trust. The OPEB Board of Trustees met on March 9, 2021 to discuss the positive year end results of the trust as of Fiscal Year ending December 31, 2020 along with the current value on February 28, 2021. I have enclosed two documents showing the balance in the trust for those dates. The balance in the fund as of December 31, 2020 was \$14,028,245.20. The balance in the fund as of February 28, 2021 was \$14,092,298.89 with total contributions as of that date \$11,187,250.63. The trust since inception has had a net rate of return of 4.81% as of February 28, 2021. Please note that market changes can cause the value in the fund to change. The Trustees still maintain a conservative steady approach in the investment portfolio.

Please contact me if you have any questions or require additional information.

Sincerely,

Diane Smith
City Auditor

Attachment 1: OPEB Trust balance on December 31, 2020

Attachment 2: OPEB Trust balance on February 28, 2021



ACCOUNT NUMBER	FUND NAME	BEGINNING MARKET VALUE	BEGINNING PRINCIPAL	BEGINNING EARNINGS	NET INCOME	REALIZED GAIN/LOSS	NET EARNINGS	TRANSFERS OF PRINCIPAL	TRANSFERS OF EARNINGS	ENDING PRINCIPAL	ENDING EARNINGS	ENDING CASH VALUE	CHANGE IN UNREALIZED GAIN/LOSS	UNREALIZED GAIN/LOSS	ENDING MARKET VALUE
<i>OPEB FUNDS</i>															
	OPEB TRUST	\$13,771,818.85	\$11,169,847.00	\$1,318,380.53	\$183,199.81	\$44,353.82	\$227,553.63	\$0.00	\$0.00	\$11,169,847.00	\$1,545,934.16	\$12,715,581.16	\$15,050.97	\$1,288,642.29	\$14,014,223.45
	OPEB HOUSING DIVISION	\$13,779.02	\$11,603.63	\$891.11	\$183.29	\$44.38	\$227.67	\$0.00	\$0.00	\$11,603.63	\$1,118.78	\$12,722.41	\$15.06	\$1,299.34	\$14,021.75
	SUBTOTALS	\$13,785,397.87	\$11,181,250.63	\$1,319,271.64	\$183,383.10	\$44,398.20	\$227,781.30	\$0.00	\$0.00	\$11,181,250.63	\$1,547,052.94	\$12,728,303.57	\$15,066.03	\$1,299,941.63	\$14,028,245.20
	GRAND TOTALS	\$13,785,397.87	\$11,181,250.63	\$1,319,271.64	\$183,383.10	\$44,398.20	\$227,781.30	\$0.00	\$0.00	\$11,181,250.63	\$1,547,052.94	\$12,728,303.57	\$15,066.03	\$1,299,941.63	\$14,028,245.20

ACCOUNTING METHOD : BOOK VALUE

CURRENT ACCRUAL:	\$2,980.24
TRANSFER IN TRANSIT:	\$0.00
UNREALIZED GAIN/LOSS:	\$1,299,941.63
MONTH ENDING STATEMENT VALUE:	\$14,028,245.20

The information contained herein has been created by your financial advisor, is provided for informational purposes only as a courtesy to you, should not be relied upon for tax purposes, is based upon sources believed to be reliable, and is not intended to replace your custodial statements. No guarantee is made to the completeness or accuracy of the information. Commonwealth urges you to compare your account custodian statements with the statements you receive from us or your advisor. If you believe there are material discrepancies between statements, please contact Commonwealth directly at 800.251.0080. Securities and advisory services offered through Commonwealth Financial Network, Member FINRA/SIPC, a Registered Investment Adviser. Past performance is not indicative of future results. 13384323

Historical Market Value and Performance Summary

As of 2/28/2021

Since Inception &
Fiscal Year-to-Date

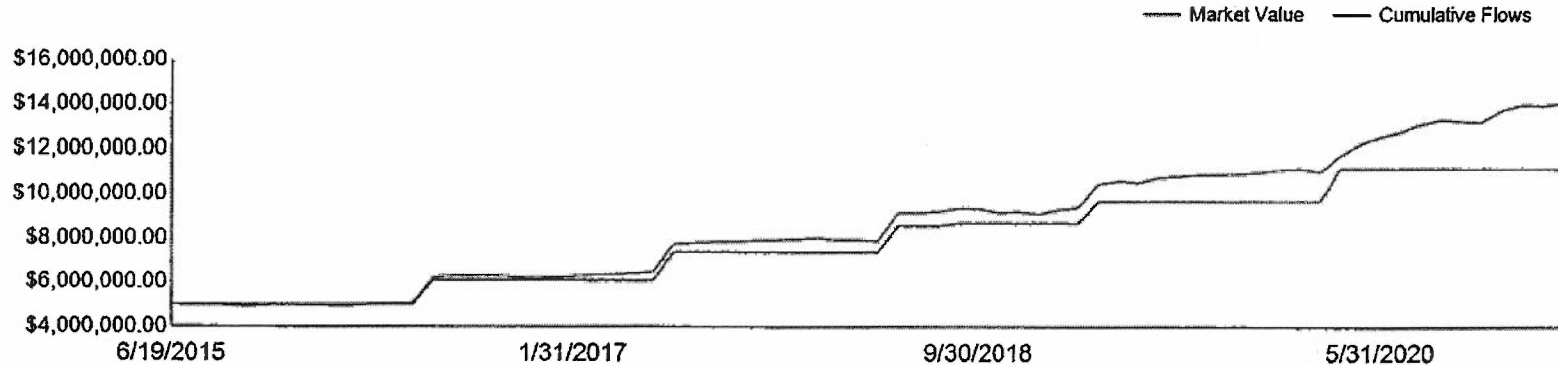
City of Marlborough OPEB Trust UA (xxxx2701) - PPS Custom NFS

Inception To Prior Month End Activity Summary

Beginning Balance (06/19/2015)	\$0.00
Contributions	\$11,187,250.63
Withdrawals	\$161,784.35
Realized Gain / Loss	\$95,228.21
Unrealized Gain / Loss	\$1,241,754.56
Interest	\$132,826.12
Dividend / Cap Gains	\$1,592,395.10
Change in Accrued Interest	\$4,628.62
Ending Balance (02/28/2021)	\$14,092,298.89
Total Gain / Loss After Fees	\$2,911,048.26
TWR for 06/19/2015 to 02/28/2021	30.70
TWR (Annualized)	4.81

07/01/2020 To 02/28/2021 Activity Summary

Beginning Balance (07/01/2020)	\$12,798,461.91
Contributions	\$0.00
Withdrawals	\$26,683.68
Realized Gain / Loss	\$77,325.87
Unrealized Gain / Loss	\$876,094.65
Interest	\$17,933.80
Dividend / Cap Gains	\$349,655.52
Change in Accrued Interest	(\$489.18)
Ending Balance (02/28/2021)	\$14,092,298.89
Total Gain / Loss After Fees	\$1,293,836.98
TWR for 07/01/2020 to 02/28/2021	10.11



This report is incomplete without the accompanying disclosure page.



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
JASON D. GROSSFIELD
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
CITY SOLICITOR
JASON M. PIQUES
2021 MAR 18 A 7 40
ASSISTANT CITY SOLICITOR
HEATHER H. GUTIERREZ
PARALEGAL

March 18, 2021

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

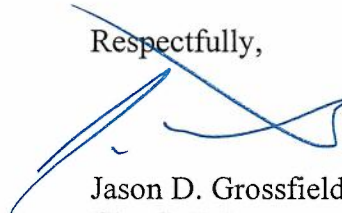
Re: Council Order No. 21-1008212
Salary Ordinance Amendment – Resident Drop-Off Station Attendant

Dear Honorable President Ossing and Councilors:

In connection with the above-referenced item, enclosed please find the proposed ordinance amendment, as recommended by the Finance Committee. The Step 2 and Step 3 annual salary are slightly adjusted for numerical rounding purposes. I have reviewed the proposed ordinance and placed it in proper legal form.

Please contact me if you have any questions.

Respectfully,



Jason D. Grossfield
City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor
Sean M. Divoll, Commissioner of Public Works

ORDERED:

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

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

Position: Resident Drop-Off Station Attendant (40 hours per week)

STEP/LEVEL	HOURLY RATE	DAILY RATE	PERIOD SALARY	ANNUAL SALARY
00	\$18.0000	\$144.0000	\$720.00	\$37,440.00
01	\$18.7500	\$150.0000	\$750.00	\$39,000.00
02	\$19.5313	\$156.2504	\$781.25	\$40,625.10
03	\$20.3451	\$162.7608	\$813.80	\$42,317.81

II. This ordinance shall supersede and replace any existing rate for said position (if applicable) in the current salary schedule.

ADOPTED

In City Council

Order No. 21-XXX

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

City of Marlborough
Commonwealth of Massachusetts

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH



2021 MAR 15 A 8:00

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
pwilderma@marlborough-ma.gov

City Council Sign Approval Form

3/12/2021

To City Council President and all Councilors,
Included in this form is an applicant seeking approval from City Council as it relates to the signage project at the below address. Attached to this form is a copy of the sign that has already been installed.

Address of Location seeking approval 21 Apex Drive.
BP-2021-000327

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

HRMUOD Hospitality and Recreation
YES
NO

Code Enforcement Officer Ethan Lippitt

CC File
City Council
Commissioner Cooke
Acting Commissioner Htway



CITY OF MARLBOROUGH

Building Department
(508) 460-3776

BUILDING PERMIT

JOB WEATHER CARD

PERMIT NO BP-2021-000327

ISSUE DATE 03/12/2021

APPLICANT BARLO SIGNS

PERMIT TO Free Standing Sign

AT (LOCATION) 21 APEX DR, MARLBOROUGH, MA 01752 ZONING DISTRICT LI Bldg. Type: Commercial

SUBDIVISION MAP BLOCK LOT 78-12-21- BUILDING IS TO BE: CONST TYPE USE GROUP B

WORK DESCRIPTION
Installation of a Free Standing Sign for Apex Mini Golf Length 6'5", Width 2'1". Area 13.

CONTRACTOR
LICENSE 0000
Construction Supervisor
BARLO SIGNS
158 GREELEY STREET
HUDSON, NH 03051

AREA (SQ FT) EST COST(\$ 2000.00 PERMIT FEE (\$) 100.00
OWNER WALKER REALTY LLC
ADDRESS C/O RYAN DEVELOPMENT LLC
WESTFORD MA 01886

BUILDING DEPT BY

PHONE 603-882-2638

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. 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.



City of Marlborough
BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752



Date: 03/11/2021

Permit No. BP-2021-000327

Address/Location of Sign 11-169 APEX DRIVE

Name of Business APEX MINI GOLF

Name of Owner of Business SAME Telephone

Type of Sign: (check off which applies)

Flat Wall COPY CHANGE TO FREESTANDING SIGN
Free Standing Awning Banner Projecting

Does this site have a Special Permit X YES NO

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

Dimensions Sign: See enclosed plans

Length 6'5" Width 2'1" Height (Free Standing) Area 13

Location of Sign on Bld. North South East West

Dimensions Façade:

Length Width Area

Signature of Responsible Party JENN ROBICHAUD 603 882 2638 X 333 Telephone

Installer Company BARLO SIGNS Telephone 603 882 2638 X 333

Email jenn@barlosigns.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.

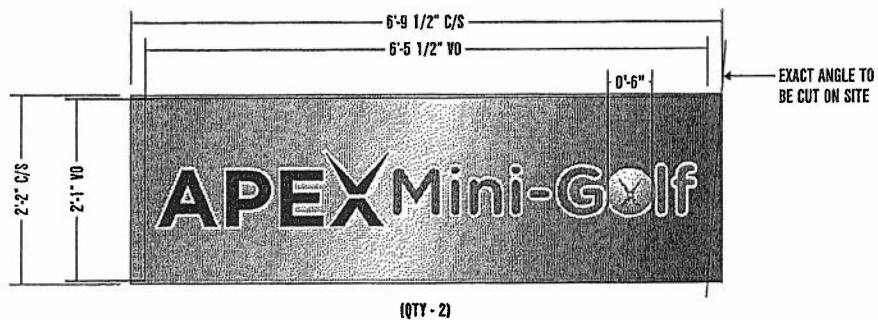
Signature

Date 03/11/2021

Cost of Sign(s) 2000

Permit Fee \$ 100

Barlo Signs
158 Greeley St
Hudson, NH 03051



SIGN C - SIDE A - Viewed Driving West



SIGN C - SIDE B - Viewed Driving East



BM 8/12/20 RELEASED TO PRODUCTION



INTERNATIONAL

ALL RIGHTS RESERVED. THIS DESIGN CONCEPT IS THE PROPERTY OF BARLO SIGNS INTERNATIONAL, LLC.

PROJECT APPROVAL

Client: _____ Date: _____
 Design: LP _____ Date: 7/23/20
 Sales: _____ Date: _____
 Updating: _____ Date: _____
 Production: _____ Date: _____

DESIGNER: LP
 SALES REP: BARN
 P/M: BC

APEX MINI GOLF

APEX DR
 MARLBOROUGH, MA 01752
 07/14/20

SCOPE OF WORK - COASTAL SPEEDPRO / BARLO

REMOVE & DISPOSE OF (2) EXISTING MINDTREK TENANT PANELS ON PYLON C.
 MANUFACTURE & INSTALL (2) 3/16" THICK LEXAN FACE REPLACEMENTS WITH VINYL GRAPHICS APPLIED. LOGO TO HAVE WHITE CONTOUR OUTLINE (REVERSE CUT FROM BACKGROUND VINYL.)

COLOR SCHEDULE

- 180C-120 SILVER VINYL (BLOCKED OUT)
- DIGITALLY PRINTED GRAPHIC
- 3630-127 INTENSE BLUE VINYL
- 3630-84 TANGERINE VINYL

ITEM **E**

SHEET 6.0

City of Marlborough
Commonwealth of Massachusetts

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 MAR 15 A 8:00



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
pwilderma@marlborough-ma.gov

City Council Sign Approval Form

3/12/2021

To City Council President and all Councilors,
Included in this form is an applicant seeking approval from City Council as it relates to the signage project at the below address. Attached to this form is a copy of the sign that has already been installed.

Address of Location seeking approval 11 Apex Drive.
BP-2021-000328

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

HRMUOD Hospitality and Recreation
YES
NO

Code Enforcement Officer Ethan Lippitt

CC File
City Council
Commissioner Cooke
Acting Commissioner Htway



CITY OF MARLBOROUGH

Building Department
(508) 460-3776

BUILDING PERMIT

JOB WEATHER CARD

PERMIT NO BP-2021-000328
ISSUE DATE 03/12/2021
APPLICANT BARLO SIGNS

PERMIT TO Free Standing Sign

AT (LOCATION) 11 APEX DR, MARLBOROUGH, MA 01752 ZONING DISTRICT 1 Bldg. Type: Commercial

SUBDIVISION MAP BLOCK LOT 78-38-- BUILDING IS TO BE: CONST TYPE USE GROUP B

WORK DESCRIPTION
Installation of 2 Free Standing Sign foe "Apex Kids" Length 6'5", Width 2'1", Area 13.

CONTRACTOR
LICENSE 0000
Construction Supervisor
BARLO SIGNS
158 GREELEY STREET
HUDSON, NH 03051

AREA (SQ FT) EST COST(\$) 1000.00 PERMIT FEE (\$) 200.00

OWNER 11 APEX LLC
ADDRESS C/O RYAN DEVELOPMENT LLC
WESTFORD MA 01886

BUILDING DEPT BY [Signature]
PHONE 603-882-2138

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

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

POST THIS CARD SO IT IS VISIBLE FROM STREET

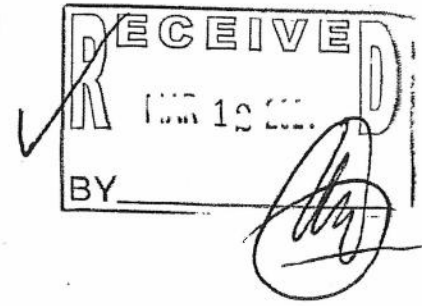
BUILDING INSPECTIONS APPROVALS		
	REQUIRED INSPECTIONS LISTED ON REVERSE	
	OTHER:	

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

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

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

78-38. (I)



City of Marlborough
BUILDING DEPARTMENT

140 Main Street
Marlborough, Massachusetts 01752

Date: 03/11/2021

Permit No. BP-2021-000318

Address/Location of Sign 11-169 Apex Drive

Name of Business APEX KIDS

Name of Owner of Business SAME Telephone

Type of Sign: (check off which applies)

Flat Wall COPY CHANGE EXISTING FREESTANDING SIGNS
 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 6'5" Width 2'1" Height (Free Standing) Area 13

Location of Sign on Bld. North South East West

Dimensions Façade:

Length Width Area

Signature of Responsible Party *Jenn Robichaud* Telephone JENN ROBICHAUD 603 882 2638 X 333

Installer Company BARLO SIGNS Telephone 603 882 2638 X 333

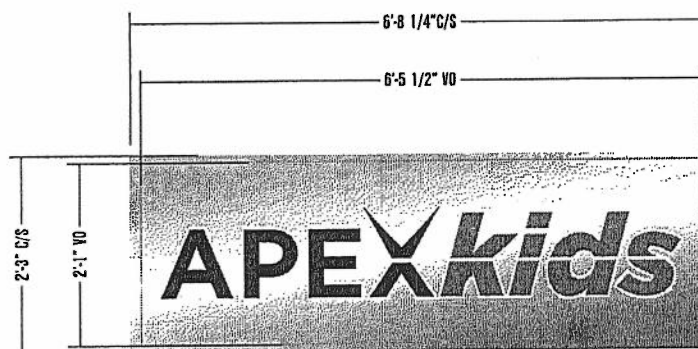
Email jenn@barlosigns.com

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 *Jenn Robichaud* Date 03/11/2021

Cost of Sign(s) Permit Fee \$ Ok Signs \$200

SIGN B - SIDE B - Viewed Driving East



(QTY - 3)

SIGN C - SIDE A - Viewed Driving West



SIGN C - SIDE B - Viewed Driving East



SCOPE OF WORK

REMOVE & DISPOSE OF (3) EXISTING TENANT PANELS.

MANUFACTURE & INSTALL (3) 3/16" THICK LEXAN FACE REPLACEMENTS WITH VINYL GRAPHICS APPLIED. LOGO TO HAVE WHITE CONTOUR OUTLINE (REVERSE CUT FROM BACKGROUND VINYL.)

COLOR SCHEDULE - CLIENT TO VERIFY

180C-120 SILVER VINYL (BLOCKED OUT)

3630-127 INTENSE BLUE VINYL

3630-84 TANGERINE VINYL

ITEM **C**

SHEET **3.0**

BM 8/14/20 RELEASED TO PRODUCTION



Marlborough Public Schools

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2021 MAR 10 A. 10:25

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

Call to Order

February 23, 2021

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

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

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

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

3. **Presentation:** None.

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

5. **Communications:** None.

6. **Superintendent's Report:**

Superintendent Bergeron updated the committee on the Winter 2021 COVID-19 Data district wide. He presented the adjusted numbers that differ from the figures in his attached report. Figures have continued to decrease.

www.mps-edu.org

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The Superintendent recognized Aiden Grocki for having his artwork, *Self Identities*, accepted into the 2021 Massachusetts Amazing Emerging Artists High School Recognitions Exhibit. Aiden's artwork is attached to the Superintendent's report. Mr. Bergeron also thanked the Art department faculty for the opportunities they continue to provide students with.

The Commissioner's office updated all Superintendents with guidance on busing on February 11th. As of February 11th, all restrictions on elementary school busing have been lifted when other interventions, such as masks and open windows, are in place. At the middle school and high school levels, students can sit two to a bus seat as well.

Superintendent Bergeron provided the committee with CDC updates for school operations. The CDC's guidance and metrics are detailed in the Superintendent's report through multiple tables. While there is a push to fully re-open schools, the CDC recommends a 6-ft metric for distancing, while Massachusetts recommends 3-6ft distancing. MPS is currently meeting the CDC guidance as stated and could soon be in the "blue" low transmission status. Superintendent Bergeron will meet with his team to discuss relaxing the quarantine protocol restrictions. They will also work on creating a plan to present to the School Committee for a full return to school for elementary students.

Superintendent Bergeron thanked those who have helped establish testing protocols in preparation to test staff and students. Pictured in his report are MHS nursing staff and Mr. Riley and Mr. Dias after they were tested by those nurses on February 12th. The Superintendent also was tested. It only took 90 seconds for all three individuals to be tested.

Superintendent Bergeron reported that the hybrid re-opening has gone well so far.

According to the Superintendent, the Mid-Watch group approved the return of middle school sports in the spring. However, MPS is discussing holding middle school intramurals sooner than that.

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A. Director of Finance & Operations Report

Mr. Dias, the Director of Finance and Operations, reported on custodial services and provided an HVAC update. The district is using a vendor to provide staff to wipe down high-touch areas throughout the school day. The personnel provided have worked well with MPS custodial staff thus far. There are still employment opportunities in the custodial team. Anyone interested can visit the district website and apply online.

Mr. Dias reported that the HVAC consultant visited every school over the past two weeks to ensure that the winter weather did not impact incorporated changes made in the fall. The updated reports for each building are on the District's website. The consultant will visit again in the spring once the weather changes again. The Facilities Department and Custodians constantly monitor HVAC systems during the period between these visits. The District is considering updating HVAC systems in two elementary schools through ESSER II funds. The details of this project are being worked on.

Mr. Dias stated that food services have continued to be successful and encouraged families to utilize these services.

B. Assistant Superintendent of Students Services & Equity

Mrs. O'Brien, the Assistant Superintendent of Student Services and Equity, updated the committee on a Wrap-Around Services Coordinator position that was able to be developed through grant funding. Over the years, MPS has contracted out with Assabet Valley Collaborative through their Family Success Partnerships (FSP) to provide wrap-around services to families and students critically in need. Mrs. O'Brien outlined these needs. She explained that funds have been re-allocated to move the position in-district to use the district's own personnel. A job description for the Wrap-Around Service Coordinator position is attached to Mrs. O'Brien's report. There will be interviews and a hire in the upcoming weeks.

Mrs. O'Brien stated that nurses at the Whitcomb School today were able to do a trial run of PCR testing on asymptomatic staff after school. 24 staff members set up appointments through the app. Two staff were tested every five minutes.

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In response to Mrs. Bodin-Hettinger's question, Mrs. O'Brien explained that families using Wrap-Around Services in district will still be able to connect with community-based individual and family therapy services, as well as other services FSP connected them with in the past. The Wrap-Around Services Coordinator would make it easier for School Adjustment Counselors to collaborate with them to provide the appropriate services for families in need. Mrs. O'Brien expanded on the benefits of having this in district position.

Mrs. Hennessy asked how this position would be covered after the health grant ends. Mrs. O'Brien re-emphasized that the grant is in year two of five, and once it ends there is an availability to extend it for another five years.

Mrs. O'Brien stated that the Wrap-Around Services Coordinator would report to her and the Supervisor of Health Services, who she also supervises as well.

7. Acceptance of Minutes:

A. Minutes of the February 9, 2021 School Committee Meeting

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

Motion passed 7-0-0. Yes: Bodin-Hettinger, Caruso, Geary, Hennessy, Ryan, Matthews, and Vigeant.

8. Public Participation: None.

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

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9. Action Items/Reports

A. FY21 Operating Budget Transfers

Mr. Dias outlined transfers for the FY21 operating budget in an attached document.

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

Motion passed 7-0-0. Yes: Bodin-Hettinger, Caruso, Geary, Hennessy, Ryan, Matthews, and Vigeant.

B. Ratification of contract between the Marlborough School Committee & the Cafeteria Workers, SEIU Local 888

Mrs. Matthews brought forward the ratification of an extension of a contract for two years with the cafeteria workers. This was approved in an executive session, but she wanted to bring it to the public forum. Mrs. Matthews thanked the cafeteria workers for a quick ratification, turn around, and their hard work.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve the contract from July 1st, 2020 through June 30th, 2022 with the SEIU.

Motion passed 7-0-0. Yes: Bodin-Hettinger, Caruso, Geary, Hennessy, Ryan, Matthews, and Vigeant.

C. Contract extension between the Marlborough School Committee & the Director of Finance & Operations

Mrs. Matthews brought forward the contract extension between the School Committee and the Director of Finance and Operations: Mr. Dias. A five-year extension was ratified in an executive session, but she wanted to bring this to the public forum.

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Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve the extension.

Motion passed 7-0-0. Yes: Bodin-Hettinger, Caruso, Geary, Hennessy, Ryan, Matthews, and Vigeant.

D. Policies for Removal – First Read

Mrs. Hennessy presented the policies below for first read.

- 1. Policy 7.400 Community & Business Volunteers**
- 2. Policy 8.140 After School/Discipline**

E. Policies for First Read

Mrs. Hennessy presented the policies below for first read.

Mrs. Matthews, Superintendent Bergeron, and Mrs. Hennessy discussed whether there is a need for a certain section of Policy 8.090 regarding the maximum number of times a family would be affected by redistricting over five years.

- 1. Policy 6.900 Holidays**
- 2. Policy 7.450 Home/School Relationship**
- 3. Policy 8.060 Entrance Age & Placement**
- 4. Policy 8.090 Redistricting**
- 5. Policy 8.110 Student Advisory**
- 6. Policy 8.400 Military Connected**

F. Acceptance of Donations and Gifts

New York Life. New York Life donated \$500.00 to Whitcomb School.

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

Motion passed 7-0-0. Yes: Bodin-Hettinger, Caruso, Geary, Hennessy, Ryan, Matthews, and Vigeant.

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Ohiopyle Prints Inc. Marlborough High School received \$27.84 from Ohioyle Prints Inc.

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

Motion passed 7-0-0. Yes: Bodin-Hettinger, Caruso, Geary, Hennessy, Ryan, Matthews, and Vigeant.

10. Reports of School Committee Sub-Committees:

Mrs. Hennessy stated that the Policy Sub-Committee has another meeting set for March 4th to continue updating policies.

11. Members' Forum:

Mrs. Matthews has reviewed the warrant and signed it.

12. Adjournment:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 8:09 p.m.

Motion passed 7-0-0. Yes: Bodin-Hettinger, Caruso, Geary, Hennessy, Ryan, Matthews, and Vigeant.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Heidi Matthews', with a long horizontal flourish extending to the right.

Heidi Matthews
Secretary, Marlborough School Committee

HM/jm

Approved March 9, 2021

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CITY OF MARLBOROUGH MEETING

Conservation Commission

Minutes

RECEIVED
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CITY OF MARLBOROUGH

2021 MAR 15 A 11:17

February 18, 2021 (Thursday) - 7:00 PM Virtual meeting

Chairman Edward Clancy opened the meeting and read the announcement that the meeting was being held virtually due to the COVID-19 pandemic as required by the Governor, and that the meeting was being held on the Microsoft Teams platform and was being recorded as outlined on the agenda.

Present: On a roll call of 6 members were present with the following yeas: Edward Clancy, John Skarin, Karin Paquin, and William Dunbar participated remotely. Allan White, and David Williams, were in Memorial Hall. Also present was Priscilla Ryder-Conservation Officer

Absent: Dennis Demers

Approval of Minutes: The minutes of January 21, 2021 were reviewed and unanimously approved 6-0 on a roll call vote: Yeas: Edward Clancy, John Skarin, Karin Paquin, William Dunbar, Allan White and David Williams.

Public hearings:

Notice of Intent

Bolton St. (Map 16, Parcel 4) - The Grove – The City of Marlborough – Engineering Dept.

Thomas DiPersio, City Engineer, was present and explained that he has come up with a design to improve the existing eroded bank and canoe access area at the Grove conservation land next to Ft. Meadow Reservoir. The improvements shown on the plan include new paved accessible parking space, paved and stoned walkways, driveway and a concrete abutment for a future accessible floating canoe launch area. The design shows drainage improvement and infiltration of the stormwater to accommodate the pavement, although the overall pavement will be less than existing. No trees will be disturbed, the dead ones have already been removed as they were a hazard. The Commission asked questions about the dock connection with the abutment and the feasibility of removing some of the larger rocks in the lake. Mr. DiPersio indicated that the rocks can be assessed and removed, the Commission gave permission to have them removed now while the lake was down, and several members will meet with Ms. Ryder and the DPW to identify the rocks that need to be removed. There was discussion about the existing entranceway, Mr. DiPersio indicated that would be addressed at a separate time. This pathway and abutment need to be done now while the lake is down, the driveway can be addressed at any time. The dock type was discussed, further investigation on what will be used will be done before the next meeting to resolve that. The Commission continued the meeting to the March 4th meeting to get this information and asked Ms. Ryder to draft a set of conditions for review at that time as well.

Notice of Intent (Continued from Jan. 21, 2021)

146 Phelps St. – Delray Realty Trust

Proposes to construct a barn, driveway and utilities within 100 ft. of the buffer zone to a Wetland and Riverfront of Mowery Brook.

At the applicants request the Commission continued this hearing to the March 4th meeting to allow for the applicant to provide a revised plan.

Notice of Intent

107 Phelps St. – 0 Phelps - House proposal on adjacent vacant property - David Franca

George Connors of Connorstone Engineering Inc, explained that they are proposing to construct a new house on a vacant lot within the Riverfront Area of Mowery Brook on the property next to 107 Phelps St. It is a difficult lot with steep grades. They had a plan in 2008 which they have modified to have a smaller footprint. As indicated on the permit, this house on this lot will disturb 5,000 sq. ft. of Riverfront area. The foundation is very tall to accommodate the grade changes. From Phelps St. to the house is a 20' elevation difference. Thus, they have filed a second Notice of Intent application for the driveway on the adjacent lot. The Commission agreed to discuss these two projects together and the second hearing was opened as noted below and the discussion continued.

Notice of Intent

107 Phelps St. – Driveway proposal - David Franca

George Connors of Connorstone Engineering Inc. continued the discussion to explain that in order for a driveway to access the above noted house and meet the grades, it is proposed to cross in front of 107 Phelps St. using the same driveway entrance and the existing driveway easement. The driveway was shifted closer to Phelps St. to avoid the overhead line. The riverfront impact on this lot is 2,800 sq. ft. Mr. Connors noted that he was aware of the riverfront impacts. Ms. Ryder noted that she had reviewed the regulations and wasn't sure that a project of this type could split the riverfront impacts. The cumulative total riverfront impacts on both lots is 7,800 sq. ft. which is more than the permissible 5,000 sq. ft. and more than the other measure which is 10% of the riverfront area which is 6,146 sq. ft. She also noted that the regulations require that an alternative analysis be done for any lot created after 1997. This lot was created in 2006 and recorded in 2008, so therefore does need to have an alternatives analysis done, and the burden is on the applicant to prove the Riverfront area will not be impacted by this work based on the regulation criteria. Mr. Clancy and Ms. Paquin also noted that the GIS information on the city web site was not corresponding to what was on the plans and that was confusing. Mr. Connors noted that these lots have a complicated past and he can provide the updated documentation. Ms. Ryder noted that she also had spoken to the GIS coordinator and he confirmed that the online map was not correct. Mr. Dunbar asked why the driveway couldn't be perpendicular to Phelps St. Mr. Connors explained that the 20' elevation difference is too steep a grade to provide that type of access. The Chairman asked for comments from the audience. Mr. & Mrs. Flynn for 108 Phelps St. abut this property and asked for clarification on the exact location and property ownership and

distance from the road which is 45' from road to proposed house. As new information is still needed as noted above, both hearings were continued to the March 4th agenda.

Discussion/Correspondence/Other Business

- **Beavers – Annual maintenance report and renewal.** - The Commission reviewed the annual report and noted that renewal of the maintenance agreement was worthwhile and cost effective. Both Ms. Paquin and Mr. Dunbar noted that they had been on site with the beaver guy and can attest to the wet and hard work that is done, and that this is not a volunteer job. On a motion from Mr. Dunbar second by Mr. White the Commission voted unanimously 6-0 on a roll call vote to pay up for another year of maintenance.
- **Trail Committee web page-** Mr. Clancy noted that he had attended the trails committee meeting last week and was impressed with the size of the group and the work that has been done over the past year. He thanked Ms. Paquin and Mr. Dunbar for all their work. Ms. Ryder noted that since the huge success of the trails committee, it's time to create a Trails Committee web page to help get volunteers and explain about projects. She showed the Southborough Trails Committee web page and has recruited Ms. Paquin and Mr. Dunbar to help create the page but wanted to extend this invitation to the rest of the Committee. Mr. Clancy noted that some of the volunteers may be talented in this arena too. Ms. Paquin will inquire but wanted to make sure everyone was on board before proceeding. She also asked about the feasibility of having a Facebook page associated with the Trails committee, like what Southborough has. Ms. Ryder will inquire as to the process for establishing one. She knows that Recreation Dept. and DPW have them and will report back.
- **Snow Dump** –after the first hearing while Mr. DiPersio was still available, Mr. DiPersio was asked about the snow dump on Hudson St. and the height of the pile that is forming there. He noted that it is high, but it still drains into the basin as designed. He noted that they are monitoring the site now closely, because the permit they have with DEP is for one year. They have taken some salinity samples of the snow and will be monitoring the water discharge too. The recent brine meter they used on the snow isn't showing much salt. In his discussions with DEP, it seems that the trash and debris issues with snow dumps are bigger than the salt issue. The Commission thanked him for this input and ongoing monitoring efforts.
- **Donald Wright:** Mr. Clancy conveyed the sad news that Donald Wright, who used to hay the Felton Conservation Fields passed away last week. It is a big loss as he did a great job and will be missed. He noted that the Commission will need to inquire around to see if the Wright family still wants to do this work, or if we need to find another farmer to hay the fields. If anyone has an idea to please contact Ms. Ryder.

Next Conservation Commission meetings – March 4th and March 18th, 2021

Adjournment: There being no further business, on a motion by Mr. Skarin, second by the Chairman Clancy, the Commission voted unanimously on a roll call vote 6-0 to adjourn at 8:30 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer

2021 MAR 15 P 2:45

CITY OF MARLBOROUGH

OTHER POST-EMPLOYMENT BENEFITS ("OPEB") TRUST BOARD MEETING

March 9, 2021

Regular Meeting Minutes

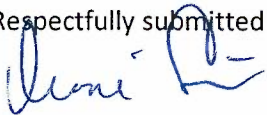
Call to order: 1:00 pm

Members Present: Doug Dias, Diane Smith, Patrick Jones, Michael Ossing and Al Weaver

Members Absent: None

- Motion made and seconded to accept the minutes of the July 28, 2020 meeting. Approved 5-0.
- Patrick Jones was recognized and welcomed as the new Finance Director/Treasurer for the City.
- It was noted that Councilor Mike Ossing's two -year appointment is due to expire on March 11, 2021. The City Council will be notified of the new two-year appointment for Councilor Ossing through March 11, 2023.
- Representatives Charles Patterson, Alex Bartholomew and Michelle Newcomb from Bartholomew & Company appeared before the board. The representatives reviewed the City's portfolio performance from inception to February 28, 2021. The fund totaled \$14,092,298.89 with an annualized return of 4.81% since inception.
- Bartholomew and Company reported that the portfolio's performance through December 31, 2020 was positive. The balance in the fund was \$14,028,245.20 with a portfolio return of 10.07% for the calendar year.
- Diane Smith will be sending the portfolio's performance as of December 31, 2020 and February 28, 2021 to the Mayor and City Council for the March 22, 2021 agenda.
- Mike Ossing informed the board that the City Council recently approved a transfer request of \$1,504,785.40 to be transferred to the OPEB Trust based on the City's financial policies. These monies along with the FY21 appropriation of \$350,000.00 will be wired to Bartholomew & Company by the end of March to be invested in the OPEB Trust portfolio.
- A motion was made and seconded to transfer \$1,854,785.40 to Bartholomew & Company and be invested equally at the end of March, April, May and June. Approved 5-0.
- The board reviewed the Trust account audit that was performed by the City's outside auditing firm Roselli, Clark & Associates for fiscal year 2020. It was noted in the financials that the net OPEB liability is reasonable in relation to the financials taken as a whole.
- An Actuarial Study for 2021 will be performed later this year and will be funded in the City's FY22 budget.
- Motion made and seconded to adjourn at 1:52 pm. Approved 5-0.

Respectfully submitted



Diane Smith