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CITY OF MARLBOROUGH

2022 APR 21 P 2:20

CITY OF MARLBOROUGH
City Council Agenda

Monday, April 25, 2022
8:00 PM

This meeting of the City Council will be held in City Council Chambers, City Hall, 140 Main Street. **PUBLIC ATTENDANCE IS PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34), or you can view the meeting using the link under the Meeting Videos tab on the city website (www.marlborough-ma.gov).

1. Minutes, City Council Meeting, April 11, 2022.
2. CONTINUED PUBLIC HEARING on the Petition of New Cingular Wireless, PCS, LLC (d/b/a AT&T) for a grant of location for one (1) small cell wireless facility to be located on an existing pole within the public right of way in the vicinity of 241 Forest Street, Order No. 22-1008558A.
3. Communication from the Mayor, re: Acceptance of Gikas Lane as a Public Way, Order No. 22-1008553.
4. Communication from the Mayor, re: Grant Acceptance in the amount of \$3,000.00 from the Sudbury, Assabet and Concord Rivers Cooperative (SuAsCo) awarded to the Conservation Commission to be used to control the invasive oriental bittersweet at Ghiloni Park.
5. Communication from the Mayor, re: Grant Acceptance in the amount of \$51,885.00 from the Massachusetts Department of Public Health awarded to the Health Department to be used for clinic staffing, supplies, case investigation and COVID-19 preventative messaging.
6. Communication from the Mayor, re: Transfer Request in the amount of \$698,083.18 for the Department of Public Works, which moves funds from various accounts to Electricity (\$652,083.18) to cover the cost of higher usage during COVID-19 and Overtime (\$46,000.00) to cover costs in overtime due to hydrant flushing and water main breaks.
7. Communication from the Mayor, re: Transfer Request in the amount of \$44,000.00 for the City Clerk's Office, which moves funds from various accounts to Capital Outlay-Voting Equipment for the purchase of Poll Pads to be used during elections.
8. Communication from the Mayor, re: Transfer Request in the amount of \$75,000.00 which moves funds from Economic Development to MEDC to replenish the Economic Development Toolbox.
9. Communication from the Mayor, re: Reappointment of Joseph Bisol to the Council on Aging Board for a 4-year term to expire on May 4, 2026, and the Appointment of Zella Haesche to the Council on Aging Board for a 4-year term to expire on May 4, 2026.

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.

10. Communication from the Mayor, re: Proposed Amendment to the City Code, Chapter 125 §6 “Salary Schedule” to amend the salary for the Sealer of Weights and Measures.
11. Communication from the Mayor, re: FY 2023 Budget Recommendation in the amount of \$181,260,899.00 which represents a 4.18% increase over the FY 2022 appropriation.
(The Proposed FY 2023 Budget is available for viewing in the City Clerk’s Office and on the city website).
12. Communication from the Mayor, re: Veto of City Council Orders 21/22-1008402B-3 & 21/22-1008402A-2, relative to proposed Order to authorize the purchase of 100 Locke Drive and the Transfer Request in the amount of \$5,092,666.66.
13. Communication from Solicitor Jason Grossfield, re: Request for Executive Session to discuss litigation strategy relative to WP Marlborough MA Owner, LLC v. Marlborough City Council.
14. Petition from Massachusetts Electric and Verizon New England, to install a new pole and remove the old pole and install underground cable for city work around pump station on Cullinane Drive.
15. Application for Taxi/Livery License from Nathan Sebuliba d/b/a Indelible Homecare, Inc., to operate a Livery Service with one vehicle, 97 Neil Street.
16. Communication from Attorney Brian Falk on behalf of Post Road Realty, LLC, re: Request to modify the bedroom mix at the Green District, Simarano Drive (X 19-1007762C & 19-1007763B).
17. Minutes of Boards, Commissions and Committees:
 - a) School Committee, March 8, 2022 & March 22, 2022.
 - b) Conservation Commission, March 17, 2022.
 - c) Planning Board, March 14, 2022.
18. CLAIMS:
 - a) John Costanza, 99A Parmenter Road, Framingham, pothole or other road defect.
 - b) Dakota Grieco, 77 Tremont Street, #2, pothole or other road defect.

REPORTS OF COMMITTEES:

19. **ORDERED:** That the City Council vote to rescind Order No. 21-1008473 Acceptance of the Coronavirus Local Fiscal Recovery Fund (CLFRF) package in the amount of \$11,835,814.00.....Submitted by Councilors Perlman & Robey.

Background: The Mayor submitted a letter dated December 16, 2021, requesting the City Council approve the American Rescue Plan Act of 2021 (ARPA) CLFRF package for \$11,835,814.00. The Mayor's letter stated these funds can only be used for four broad purposes:

1. Addressing the public health emergency and/or negative economic impacts,
2. Investment in water, sewer, or broadband infrastructure,
3. Revenue loss due to the pandemic, and
4. Premium pay for essential workers

The Mayor's letter further states "It is our intent to use the large majority of these funds for investment in water and sewer projects."

The City Council approved the grant request at the December 20, 2021, City Council meeting with the understanding that the funds would be used for water/sewer infrastructure projects as stated in the Mayor's letter.

The Department of the Treasury issued the final rule on how the CLFRF funds can be used in 2022 with an effective date of April 1, 2022.

One of the new provisions of the final rule is the ability to use the first \$10 million of CLFRF funds for "general government services." The final rule lists some common examples of "general government services" to include construction of schools and hospitals, road building and maintenance and other infrastructure, health services, general government administration, staff and administrative facilities, environmental remediation, and provision of police, fire, and other public safety services (including the purchase of fire and police vehicles).

Based on the new provision on how to spend CLFRF funds, the City Council should vote to rescind Order No. 21-1008473. The Mayor can then resubmit the \$11,835,814.00 CLFRF grant, and the Mayor and City Council can have a collaborative discussion on how the funds can be used in accordance with the new guidance.

UNFINISHED BUSINESS:

From Personnel Committee

20. **Order No. 22-1008510A: Reappointment of John Usinas to the Disabilities Commission for a term of three years effective from the date of Council confirmation.**

Recommendation of the Personnel Committee is to APPROVE.

On a motion by Councilor Doucette, seconded by Chair Dumais, the committee voted to recommend approval of the reappointment of John Usinas to the Disabilities Commission for a term of three years as submitted. Vote 3-0.

21. **Order No. 22-1008510B: Reappointment of Wayne Stanley to the Disabilities Commission for a term of three years effective from the date of Council confirmation.**

Recommendation of the Personnel Committee is to APPROVE.

On a motion by Councilor Navin, seconded by Chair Dumais, the committee voted to recommend approval of the reappointment of Wayne Stanley to the Disabilities Commission for a term of three years as submitted. Vote 3-0.

From Public Services Committee

22. **Order No. 22-1008514: Application for Renewal of Taxi/Livery License from Katsunori Tanaka d/b/a Global Limousine & Tour Services, to operate a Livery Service (One Vehicle) at 17 Eager Court.**

Recommendation of the Public Services Committee is to APPROVE.

Chief Giorgi submitted no objection after review of the CORI. On a motion by Councilor Irish, seconded by the Chair, the committee recommended approval of the renewal of the Livery License for Katsunori Tanaka, d/b/a Global Limousine & Tour Services. Vote 3-0.

23. **Order No. 22-1008515: Application for Taxi/Livery License from Josiah Ihechukwu d/b/a ROA Health System, to operate a Livery Service (Two Vehicles) at 43 Bowstring Way.**

Recommendation of the Public Services Committee is to APPROVE.

Chief Giorgi submitted no objection after review of the CORI. On a motion by Councilor Irish, seconded by the Chair, the committee recommended approval of the new Livery License for Josiah Ihechukwu, d/b/a ROA Health System. Vote 3-0.

24. **Order No. 22-1008537A: Communication from Mayor Vigeant with Proposed amendment to the Code of the City of Marlborough, Chapter 510 "Sewers" §2 (D) "Use of Public Sewers".**

Recommendation of the Public Services Committee is to APPROVE.

Members of the City Council discussed the proposed changes requested by the Mayor to assist homeowners navigate the requirements of the public sewer ordinance. On a motion by Councilor Irish, seconded by the Chair, the committee recommends approval of the Mayor's proposed amendment as submitted. The betterment order remains in committee for further information. Vote 3-0.

From City Council

25. **Order No. 22-1008538A: Appointment of Catherine Usinas to the Disabilities Commission for a term of three years effective from the date of Council confirmation.**

On a motion by Chair Dumais and seconded, the appointment of Catherine Usinas to the Disabilities Commission for a term of three years effective from the date of Council confirmation, was removed from the Personnel Committee for action by the City Council on April 25, 2022, together with the reappointments of John Usinas and Wayne Stanley.

Councilors-at-Large

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



Ward Councilors

1-1

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

Council President

Michael H. Ossing

Council Vice-President

Kathleen D. Robey

**CITY OF MARLBOROUGH
CITY COUNCIL
MEETING MINUTES
MONDAY, APRIL 11, 2022**

The regular meeting of the City Council was held on Monday, April 11, 2022, at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Perlman & Robey. Meeting adjourned at 9:57 PM.

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

ORDERED: That the Minutes of the City Council meeting, March 28, 2022, **FILE**; adopted.

That the **PUBLIC HEARING** on the Petition from Massachusetts Electric to relocate and install a new pole to remove a tree guy on Amory Road, Order No. 22-1008554, all were heard who wish to be heard, hearing closed at 8:04 PM, adopted.

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

That the **PUBLIC HEARING** on the Petition of New Cingular Wireless, PCS, LLC (d/b/a AT&T) for a grant of location for one (1) small cell wireless facility to be located on an existing pole within the public right of way in the vicinity of 241 Forest Street, Order No. 22-1008558 be **CONTINUED UNTIL APRIL 25, 2022, AT 8:00 PM**, adopted.

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

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

Suspension of the Rules requested – granted.

ORDERED: That the amended Tolling Agreement between New Cingular Wireless PCS LLC (d/b/a AT&T) and the City of Marlborough to extend time limitations to June 28, 2022, for approval of a small cell wireless facility, 241 Forest Street, **APPROVED**; adopted.

That the **PUBLIC HEARING** on the Application for Modification of Special Permit from 587 Bolton Street, Inc., to allow for outdoor seating, a gazebo and bar area at 587 Bolton Street, Order No. 22-1008542, all were heard who wish to be heard, hearing closed at 8:16 PM, adopted.

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

That the PUBLIC HEARING on the Proposed Zoning Map Amendment for parcels of land located on Jefferson and a small portion of Lincoln Streets, identified as Map 56, Parcels 147, 148, 150, 151, 152, & 153 in addition to Map 56, Parcels 154, 155, 156, 157 & 158, Order No. 21/22-1008475B, all were heard who wish to be heard, hearing closed at 8:28 PM, adopted.

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

Councilor Dumais Recused.

That the Presentation by Solicitor Jason Grossfield and MAPC, re: Draft Department of Housing & Community Development (DHCD) Guidelines for MBTA Communities relative to Chapter 358 of the Acts of 2020, Multi-Family Zoning Requirements along with the information and comments from the Metropolitan Area Planning Council (MAPC) and the MetroWest Regional Collaborative (MWRC) relative to the draft guidelines and changes to MGL Chapter 40A.

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

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

ORDERED: That the Communication from Councilor Ossing & Councilor Wagner, re: Municipal Aggregation – March 2022 Update, **FILE**; adopted.

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

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Gift Acceptance in the amount of \$350.00 from St. Mary's Credit Union awarded to the Council on Aging for the sponsorship of the McMurphy Band for the St. Patrick's Day event; adopted.

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

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$500.00 from the Massachusetts Council on Aging awarded to the Council on Aging to be used for the Walk MA Challenge; adopted.

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

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$7,500.00 from the Massachusetts Cultural Council awarded to the Marlborough Downtown Village Cultural District to be used to offset costs for the annual Food Truck & Arts Festival run by the Marlborough Economic Development Corporation (MEDC); adopted.

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

ORDERED: That the Transfer Request in the amount of \$589,691.00 which moves funds from Economic Development to MEDC to fund the FY23 operations of the Marlborough Economic Development Corporation (MEDC), referred to the **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Mayor				FISCAL YEAR:		2022		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:			
\$984,934.02	\$589,691.00	27000099	42440 Economic Development	\$589,691.00	11740006	53950	MEDC Funding		\$0.00	
Reason:		To allow the MEDC to continue it's work in promoting the economic development of the City for FY23								
\$589,691.00	Total				\$589,691.00	Total				

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

ORDERED: That the Communication from Department of Public Utilities, re: Investigation by the department regarding its potential policies that will enable the Commonwealth to reach its goal of net-zero greenhouse gas emissions by 2050, **FILE**; adopted.

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

ORDERED: That the Communication from Department of Public Utilities, re: Petition of MA Electric and Nantucket Electric d/b/a National Grid for a waiver of the basic service procurement requirements for residential and small commercial customers for the Winter of 2022/2023 basic service period, **FILE**; adopted.

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

ORDERED: That there being no objection thereto set **MONDAY MAY 9, 2022**, as the **DATE FOR PUBLIC HEARING**, on the Application for a Special Permit and Site Plan Approval from Cellco Partnership d/b/a Verizon Wireless to install a new stealth Wireless Communication Facility, including an 80-foot stealth pole with accessory ground equipment at 739-769 Donald J. Lynch Boulevard, referred to the **PUBLIC SERVICES COMMITTEE AND ADVERTISE**; adopted.

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

ORDERED: That the Communication from Attorney Brian Falk on behalf of Alta Marlborough, LLC (Wood Partners), re: Proposed Zoning Amendment to Chapter 650 §39 “Neighborhood Business District”, referred to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, MAY 9, 2022**; adopted.

Councilor Dumais Recused.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS MOST RECENTLY AMENDED, BE FURTHER AMENDED BY AMENDING CERTAIN PROVISIONS OF ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, MASSACHUSETTS, CHAPTER 650 §39 “NEIGHBORHOOD BUSINESS DISTRICT”, BY ADDING A NEW PARAGRAPH F AS FOLLOWS:

- F. The City Council may, by special permit, elect to vary the dimensional, parking, design, and landscaping requirements applicable to a mixed-use development in the Neighborhood Business District upon finding that such change shall result in an improved design and will not nullify or substantially derogate from the intent or purpose of this section (650-39, et seq.). This authority continues subsequent to occupancy.

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

ORDERED: That there being no objection thereto set **MONDAY MAY 9, 2022**, as the **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Attorney Brian Falk, on behalf of Alta Marlborough, LLC (Wood Partners), to build a mixed-use project in the Neighborhood Business District consisting of 10,074 square feet of ground floor retail and commercial space, 276 dwelling units in addition to an on-site parking garage with 448 spaces to be located at the corner of Lincoln and Mechanic Streets, referred to **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

Councilor Dumais Recused.

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) City Council Climate Resiliency Committee, March 21, 2022.
- b) Board of Assessors, February 4, 2022.
- c) Commission on Disabilities, May 4, 2021 & July 6, 2021.
- d) Library Trustees, March 1, 2022.
- e) Planning Board, February 28, 2022.
- f) Traffic Commission, January 26, 2022

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

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

- a) William Alonzo, 292 Thacher Street, Attleboro, pothole or other road defect.
- b) Joshua Oram, 276 Main Street, #2B, other property damage and/or personal injury.
- c) Vera Wooten, 7 Broad Street, other property damage and/or personal injury.

Reports of Committees:

Councilor Dumais reported the following out of the Personnel Committee:

City Council Personnel Committee
April 5, 2022
Minutes and Report

This meeting convened at 5:00 PM in the City Council Chamber and was open to the public. The meeting was televised on WMCT-TV (Comcast Channel 8) or Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's website, home page (www.marlborough-ma.gov).

Voting members present: Chair Dumais, Councilors Navin and Doucette

Non-voting members present: President Ossing.

Re-appointees to the Disabilities Commission were present to review their appointments.

Order No. 22-1008510A: Reappointment of John Usinas to the Disabilities Commission for term of three years effective from the date of Council confirmation.

On a motion by Councilor Doucette, seconded by Chair Dumais, the committee voted to recommend approval of the reappointment of John Usinas to the Disabilities Commission for a term of three years as submitted. Vote 3-0.

Order No. 22-1008510B: Reappointment of Wayne Stanley to the Disabilities Commission for a term of three years effective from the date of confirmation.

On a motion by Councilor Navin, seconded by Chair Dumais, the committee voted to recommend approval of the reappointment of Wayne Stanley to the Disabilities Commission for a term of three years as submitted. Vote 3-0.

On a motion to adjourn by Councilor Doucette, seconded by Chair, all in favor, the meeting adjourned at 5:06 PM.

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

City Council Public Services Committee
March 30, 2022
Minutes and Report

This meeting convened at 6:33 PM in the City Council Chamber and was open to the public. The meeting was televised on WMCT-TV (Comcast Channel 8) or Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's website, home page (www.marlborough-ma.gov).

Voting members present: Chair Landers; Councilors Irish and Brown.

Nonvoting members present: Councilors Ossing, Navin, Wagner, and Doucette. Councilor Oram arrived at 6:46 PM.

Commissioner Divoll, City Engineer DiPersio and BOH Director Garside addressed the sewer ordinance.

Reports of Committee Continued:

Order No. 22-1008541: Petition from Mass Electric to replace, direct buried cable for Woodland Estates with 5457' of 1-2" cable in conduit, install 85' of 2-3" conduit from riser poles to pullboxes, 10 pullboxes, 1 heavy duty handhole, 1 junction box, replace 3 submersible transformers with pad mounted transformers and replace 4 risers to install 1-2" cable in conduit via directional drilling on Vega Road.

On a motion by Councilor Irish, seconded by the Chair, the committee voted to recommend approval of the petition as requested subject to conditions submitted by the City Engineer in email dated March 25, 2022, at 3:48 PM in which he also attached the standard conditions for utility petitions. Vote 3-0.

Suspension of the Rules requested by the committee.

Order No. 22-1008514: Application for Renewal of Taxi/Livery License (One Vehicle) from Katsunori Tanaka d/b/a Global Limousine & Tour Services, 17 Eager Court.

Chief Giorgi submitted no objection after review of the CORI. On a motion by Councilor Irish, seconded by the Chair, the committee recommended approval of the renewal of the Livery License for Katsunori Tanaka, d/b/a Global Limousine & Tour Services. Vote 3-0.

Order No. 22-1008515: Application for Taxi/Livery License from Josiah Ihechukwu d/b/a ROA Health System, to operate a Livery Service (Two Vehicles) at 43 Bowstring Way.

Chief Giorgi submitted no objection after review of the CORI. On a motion by Councilor Irish, seconded by the Chair, the committee recommended approval of the new Livery License for Josiah Ihechukwu, d/b/a ROA Health System. Vote 3-0.

Order No. 22-1008537A: Communication from Mayor Vigeant with Proposed amendment to the Code of the City of Marlborough, Chapter 510 "Sewers" s.2 (D) "Use of Public Sewers".

Members of the City Council discussed the proposed changes requested by the Mayor to assist homeowners navigate the requirements of the public sewer ordinance. On a motion by Councilor Irish, seconded by the Chair, the committee recommends approval of the Mayor's proposed amendment as submitted. The betterment order remains in committee for further information. Vote 3-0.

President Ossing stated for the record that the ordinance is not new but is a second amendment to an existing ordinance. He encouraged the city to send yearly reminders to the residents impacted by the ordinance.

On a motion by Councilor Irish, seconded by the Chair, all in favor, the meeting adjourned at 7:59 PM.

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

Suspension of the Rules requested – granted.

ORDERED: That the Appointment of Catherine Usinas to the Commission on Disabilities for 3-year term from date of Council confirmation, **REMOVED FROM THE PERSONNEL COMMITTEE AND PLACED ON THE APRIL 25, 2022, AGENDA;** adopted.

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

Suspension of the Rules requested – granted.

ORDERED: That the Petition from Massachusetts Electric, to replace direct buried cable for Woodland Estates with 5457' of 1-2" cable in conduit install 85' of 2-3" conduit from riser poles to pullboxes, 10 pullboxes, 1 heavy duty handhole, 1 junction box, replace 3 submersible transformers with pad mounted transformers and replace 4 risers to install 1-2" cable in conduit via directional drilling on Vega Road, **APPROVED WITH THE FOLLOWING CONDITIONS**; adopted.

- 1) National Grid shall be responsible for notifying residents of any work on private properties, for obtaining permission for staging areas on private property if necessary, and for restoring any damage to private property.
- 2) National Grid and their contractor shall walk the job area with a representative of DPW/Engineering prior to start of work to review and approve of final locations of equipment.
- 3) Any necessary easements are to be obtained from affected property owners.
- 4) A street opening permit must be applied for by the proposed contractor performing the work.
- 5) The contractor performing the work must obtain a street opening bond with the City of Marlborough.
- 6) The contractor shall provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
- 7) A proper staging area is to be located/acquired before work commences – material and equipment is not to be parked/stockpiled within the city right of way and or private property unless permission is granted in writing by the property owner.
- 8) The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).
- 9) Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
- 10) Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
- 11) Trenches are to be paved or completely backfilled and compacted at the end of each workday. Trenches are never to be left unattended.
- 12) Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.

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

ORDERED That the Succession Planning Project Information submitted to the City Council by Mayor Vigeant, referred back to the **MAYOR**; adopted.

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

ORDERED That the Reappointment of George LaVenture to the Planning Board for a 5-year term to expire on February 1, 2027, **APPROVED**; adopted.

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

ORDERED: That a West Side Fire Station Stabilization Fund is hereby established, by a two-thirds vote pursuant to MGL Chapter 40 §5B, for the purposes of funding all costs associated with site acquisition and construction of a new fire station in the west side of Marlborough, **APPROVED**; adopted.

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

ORDERED: In furtherance of the City Council of the City of Marlborough's prior vote (Order No. 21-1008290 adopted by the Council on May 10, 2021) supporting the proposed site selection for a new fire station in the west side of Marlborough (Elm Street at Bigelow Street), the City Council hereby:

- (1) Authorizes the City to acquire the real property located at 100 Locke Drive, Marlborough, MA (identified on the City's Assessors Map as Map 54 Parcel 14 containing +/-11.64 acres and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 69243, Page 571) for municipal purposes, by purchase or eminent domain, for a total amount not to exceed \$5,092,666.66, subject to any applicable laws and further required action of this Council if necessary for the City to acquire said real property by eminent domain;
- (2) Authorizes an appropriation from Undesignated in the amount of \$5,092,666.66 in order to provide funding for said acquisition pursuant to MGL Chapter 43, §30; and
- (3) Authorizes the Mayor to accept a deed pursuant to MGL chapter 40, §3 for said property located at 100 Locke Drive.

Motion by Councilor Ossing, seconded by the Chair to amend the Order of Acquisition to add the following language:

To further subject the entirety of the Order of Authorization to purchase 100 Locke Drive for the purpose of building a new Fire Station to the adoption by the City Council and approval by the Mayor of a transfer in the amount of \$1,422,500.00 (mitigation funds) into the West Side Fire Station Stabilization account.

The amendment was discussed, and questions were asked. The Council President requested all members voting in the affirmative to stand. The Council President declared the amendment passed by a vote of 8-3.

The Council President then called for a vote on the amended Order of Acquisition. The Council President again asked members to stand, and the Council President declared the amended Order of Acquisition adopted by a vote of 9-2.

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

ORDERED: That the Amended Transfer Request in the amount of \$5,092,666.66 from Undesignated Fund (Account 10000 35900) to Land Acquisition (Account 19300006 58120) to fund the proposed purchase of land at 100 Locke Drive for a new Fire Station.

Motion by Councilor Ossing, seconded by the Chair to amend the Transfer Request to add the following language:

To subject the transfer to purchase 100 Locke Drive to the adoption by the City Council and approval by the Mayor of a transfer in the amount of \$1,422,500.00 (mitigation funds) into the West Side Fire Station Stabilization account.

The Council President requested all members voting in the affirmative to stand. The Council President declared the amendment passed by a vote of 8-3.

The Council President then called for a vote on the amended Transfer Request. The Council President again asked members to stand, and the Council President declared the amended Transfer Request adopted by a vote of 9-2.

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

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 9:57 PM; adopted.



IN CITY COUNCIL

Marlborough, Mass., APRIL 11, 2022

ORDERED:

That the PUBLIC HEARING on the Petition of New Cingular Wireless, PCS, LLC (d/b/a AT&T) for a grant of location for one (1) small cell wireless facility to be located on an existing pole within the public right of way in the vicinity of 241 Forest Street, Order No. 22-1008558 be and is herewith **CONTINUED UNTIL APRIL 25, 2022, AT 8:00 PM.**

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

The hearing was opened with no testimony from the public being heard.

ADOPTED

ORDER NO. 22-1008558A



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

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

Ryan P. Egan
EXECUTIVE SECRETARY

April 11, 2022

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

RE: Acceptance of Gikas Lane as Public Way

Honorable President Ossing and Councilors,

I am writing to you in regard to the proposed road acceptance of Gikas Lane, which came before you on your March 28 City Council agenda. I highly recommend that you each take time to visit the road to review and inspect it before formal acceptance is considered. The road currently has multiple cracks that need to be sealed prior to its approval.

The Planning Board has been cc'd on this letter in order to share this concern with them. It is my hope that before streets or roads are accepted, that they are visited by both the Planning Board and City Council.

Please feel free to reach out to my office with any questions.

Sincerely,

Arthur G. Vigeant
Mayor

cc: Marlborough Planning Board



City of Marlborough
Office of the Mayor

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Arthur G. Vigeant
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2022 APR 21 AM 11:54
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Ryan P. Egan
EXECUTIVE SECRETARY

April 21, 2022

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

RE: Grant acceptance for Conservation Commission

Honorable President Ossing and Councilors,

Enclosed for your review and acceptance is a grant in the amount of \$3,000.00 from the Sudbury, Assabet and Concord Rivers Cooperative (SuAsCo) to control the invasive oriental bittersweet at Ghiloni Park.

We are grateful to SuAsCo for their Invasive Species Management Area grant to assist in educating the public on the harmful effects of the Oriental Bittersweet among our tree population throughout the City. This grant will give us the opportunity to take measurable steps to combat the bittersweet at Ghiloni Park.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

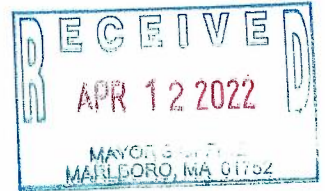
Enclosures



City of Marlborough Conservation Commission

4-2

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3768 Facsimile (508) 460-3747



April 8, 2022

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

RE: Acceptance of Grant of \$3,000
SuAsCo CISMA Small Grant Award
Control of and Education about Invasive Vine – Oriental Bittersweet

Dear Mayor, Vigeant,

The City of Marlborough, through the Conservation Commission has been awarded a SuAsCo CISMA small grant for control of the invasive Oriental Bittersweet vines. This is a reimbursement grant, and the project shall start on or before June 11, 2022. Please submit to City Council for their acceptance.

This funding will enable the Conservation Commission to develop a program to control Oriental Bittersweet vines at Ghiloni Park and educate the public about this "death by strangle vine" which is choking out many trees in Marlborough. The grant will fund a volunteer program to cut and treat the vines around the Ghiloni Park track, and to raise public awareness about this vine and how best to effectively remove and control it. Most of the work will be done by volunteers and the funds will be used for herbicide control and educational materials.

Please let me know if you have any questions.

Sincerely,

Priscilla Ryder
Conservation Officer

Cc: Con. Com.
Diane Smith

CITY OF MARLBOROUGH NOTICE OF GRANT AWARD

DEPARTMENT: Conservation DATE: 4-8-22

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Priscilla Ryder

NAME OF GRANT: SuAsCo Cisma small grant 2022

GRANTOR: SuAsCo Cisma

GRANT AMOUNT: \$3,000

GRANT PERIOD: 3-1-22 to 7-10-22

SCOPE OF GRANT/
ITEMS FUNDED Oriental Bittersweet vine control demonstration and educational project
Educational signage and
herbicide application

IS A POSITION BEING
CREATED: no
IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? N/A

ARE MATCHING CITY
FUNDS REQUIRED? No

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS
TO BE USED:

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL As soon as possible

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



anticipated need to allow time for the SuAsCo Cisma Steering Committee to discuss and vote on any proposed changes. If deemed necessary, a request for an extension to the project timeline should be sent to the Steering Committee Chair no later than July 10, 2022 explaining why additional time is needed to allow time for the Steering Committee to vote on any proposed changes.

The Steering Committee requires that partners present on their work at Cisma Fall Meeting on November 8, 2022 or provide an on-site tour for the Steering Committee and other Cisma partners.

Reporting:

Funds need to be requested by July 10, 2022 with a status report for the project to Sudbury Valley Trustees (kobrien@svtweb.org unless notified otherwise). A final report should be submitted no later than October 31, 2022 (if an extension was granted a report to date will be accepted). This report can be short but should include:

- A description of project implementation and any changes from the original workplan.
- A budget narrative, explaining an overall accounting of spending, and a final reimbursement request (see below).
- Next steps (monitoring, planting etc.)

Payment:

Funding is through reimbursement if costs are incurred prior to July 10, 2022. If work is not completed by then the funds will be issued in advance or work by July 15, 2022. Requests for funds should detail expenditures against the approved budget and explaining any significant variances from the original project budget (variance greater than 10%). The SuAsCo Cisma reserves the right to request receipts for expenditures at its discretion.

These documents should be sent to the Cisma Coordinator at kobrien@svtweb.org for review and authorization for payment.

As a recipient of this funding and authorized representative of my organization, I agree to the terms listed in this application and the applicable requirements related to the cooperative agreement.

Grantee
Signature: Priscilla Ryder
Title: Conservation/Sustainability Office
Print Name: Priscilla Ryder
Date: 3-30-22



Sudbury, Assabet and Concord Rivers Cooperative Invasive Species Management Area
Partner Grant Memorandum of Understanding (MOU)
2022 Funding

Congratulations! The SuAsCo Steering Committee has accepted your request for the Cisma Small Grants for 2022! This agreement is designed to describe the conditions of funding and the agreed upon scope of work to be completed with the funding granted.

Organization Name: City of Marlborough

Total Funding: \$3,000

Contact person: Priscilla Ryder

Title: Conservation/Sustainability Officer

Address: 140 Main St. City Hall

Town: Marlborough

Email address: pryder@Marlborough-ma.gov

Telephone: 508-460-3768

Funding effective date: March 1, 2022

Project Overview: (From Proposal):

Goal 1: Reduction of Oriental Bittersweet (OBS) abundance around the track and around two small ponds at Ghiloni Park. In the more heavily infested and steeper areas (Areas 1 and 2), we anticipate using a cut surface treatment method applied by licensed applicators. In the less infested areas (Areas 3 and 4) and where access by volunteers is more practical and the terrain is flatter, community volunteers will be trained as part of a Weed Warrior program.

Goal 2: Develop and use existing educational materials and signage to raise public awareness about bittersweet, why it's so detrimental in the environment and best practices for safe and effective removal. Recruit members of various community groups such as trail committee members, garden club members, Girl and Boy Scouts and others in this effort and join a local Weed Warrior program.

Funding Terms:

The proposal hasn't been fully funded. These awarded funds are contingent on the applicant working with a member of the Steering Committee to finetune your plan with the bulk of the money going towards the licensed applicator. Projects funded by the SuAsCo Cisma must request funds by July 10, 2022, even if work is still underway. At time of request the applicant must submit a report stating their current project status.

Communication:

Recipients of funding must request and receive approval from the SuAsCo Cisma Steering Committee for significant change(s) in projected timeline provided in their approved application (a change of more than 3 months from scheduled start and/or completion), change(s) in a task or activities, or a significant shift (greater than 10% of total budget) of funding between tasks. Written requests for a change(s) must be received one month prior to



*City of Marlborough
Office of the Mayor*

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Ryan P. Egan
EXECUTIVE SECRETARY

April 21, 2022

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

RE: Grant acceptance for the Board of Health

Honorable President Ossing and Councilors,

Enclosed for your review and acceptance is a grant in the amount of \$51,885.00 from the Massachusetts Department of Public Health for COVID-19 Response.

Public Health Director Garside will use this grant for clinic staffing, supplies, case investigation and COVID-19 preventative messaging.

Due to the lateness in receiving this grant, we ask that the approval be expedited, if possible, as it needs to be expended by June 30, 2022.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



CITY OF MARLBOROUGH

BOARD OF HEALTH
140 Main Street, Lower Level
Marlborough, Massachusetts 01752
Facsimile (508) 460-3625 TDD (508) 460-3610

Jim Griffin, Chairman
Joseph Tennyson, MD, Vice Chair
Tel (508) 460-3751

April 20, 2022

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

RE: Request for City Council to Approve the Expenditure by Board of Health of \$51,885 for COVID-19 Response Grant Activities

Dear Mayor Vigeant,

On behalf of the Board of Health, please at your convenience submit to the City Council for approval the expenditure of \$51,885 for COVID-19 Response grant activities. This grant is from the Massachusetts Department of Public Health (MDPH) and the Massachusetts Health Officers Association (MHOA) has been awarded the contract to disperse the grant funds.

This grant is for allowable expenses during FY22 only. The Board of Health anticipates allowable uses such as vaccine clinic staffing and supplies, case investigation and monitoring, as well as education and outreach messaging regarding COVID-19 prevention.

Thank you for your consideration.

Sincerely,

John R. Garside MS, RS, CHO
Director of Public Health

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: Health DATE: 4/19/2022

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: John R. Garside, Health Director

NAME OF GRANT: 2022 Local Public Health Support Responding to COVID-19

GRANTOR: Mass. Department of Public Health

GRANT AMOUNT: \$51,885

GRANT PERIOD: FY22 (thru 6/30/2022)

SCOPE OF GRANT/
ITEMS FUNDED COVID-19 Response Activities including, but not limited to, case investigation and contact tracing, public outreach/messaging regarding isolation, quarantine, testing and prevention techniques, vaccination and clinic activities.

IS A POSITION BEING
CREATED: No.

It is anticipated that our current temporary part-time nursing and COVID-19 ambassador staff will now be funded through this grant.

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

ARE MATCHING CITY
FUNDS REQUIRED? No

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS TO BE USED:

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: _____
As soon as possible given that the grant was awarded very late in the fiscal year

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

2022 Local Public Health Support**AGREEMENT BETWEEN THE
MASSACHUSETTS HEALTH OFFICERS ASSOCIATION, INCORPORATED****AND
THE CITY/TOWN LISTED BELOW
FOR THE DISBURSEMENT AND USE OF**

The Massachusetts Health Officers Association, Incorporated ("MHOA"), a Massachusetts nonprofit corporation and 501(c)(3) public charity located at 3 King Philip Path, Hingham, Massachusetts 02043, has been selected by the Commonwealth of Massachusetts, Department of Public Health (DPH) to disperse state funds in order to assist Cities and Towns ("City/Town") in their efforts to enhance COVID-19 public health response.

Under its terms, MHOA will disburse a payment of \$51,885.00 to the City of Marlborough for its use in responding to COVID-19. This will be done via check as soon as possible after the execution of this Agreement and pending the receipt of funds to MHOA from DPH. If further funds are distributed by the Commonwealth through MHOA to Cities/Towns in the future to the City of Marlborough, if any, shall be governed by this agreement.

The City/Town shall use this funding to enhance its COVID-19 public health response.

Allowable uses of this funding are for FY22 only and include:

- Case investigation and contact tracing
- Vaccination efforts
- Testing efforts

Funds must be expended by June 30, 2022 and shall not supplant existing municipal appropriations.

The City/Town is wholly responsible for applying funds received and documenting the use of said funds for purposes as determined by DPH and stated above. City/Town will keep accurate and detailed records as to how the funding is deployed and will submit documentation of expenditures to MHOA using a template MHOA will provide.

The City/Town is solely responsible for reporting the use of said funds to any authorized party seeking such information. The City/Town indemnifies and holds MHOA harmless from any obligations the City/Town undertakes in connection with funding hereunder, and any breach of said obligations. MHOA can at any time seek information regarding the use of said funding from the City/Town, which will be provided as soon as reasonably practicable. MHOA is not responsible for the accuracy or completeness of any records produced by City/Town that it obtains. If the City/Town engages in conduct jeopardizing MHOA's legal or tax-exempt status, MHOA retains the right to withhold, withdraw, or demand immediate return or repayment of the funds as DPH or the Commonwealth may direct.

This letter constitutes the entire agreement between MHOA and the City of Marlborough and may be executed in multiple counterparts. Any and all amendments to these terms shall only be effective upon the written agreement of MHOA and the City/Town.

This Agreement is hereby signed by a duly authorized officer of MHOA and a binding authority of the City/Town and effective as of the date last written below.

Binding Authority
City of Marlborough

Date: _____

Name:
Title:
duly authorized

MHOA

Date: _____



City of Marlborough
Office of the Mayor

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MARLBOROUGH
2022 APR 21 A 11:54

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

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

April 21, 2022

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

RE: Transfer request – Department of Public Works and Facilities

Honorable President Ossing and Councilors,

Enclosed for your review and approval is a transfer request totaling \$698,083.18 to cover the costs outlined below:

- 1) \$652,083.18 from various accounts to the Electricity line item to cover the cost of higher usage during COVID-19 in the schools and an outstanding billing error. These costs were not anticipated. We have taken measures to reduce our electricity use and will be contracting with a consultant to further examine these costs.
- 2) \$46,000.00 from Excess due to vacancy to the Overtime line item to cover costs in overtime due to hydrant flushing and water main breaks.

Commissioner Divoll will be available at a future meeting to discuss.

Thank you in advance for your cooperation.

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

April 20, 2022

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

RE: Budget Transfers

Dear Mayor Vigeant:

This letter accompanies a budget transfer request from available funds to cover 1)unanticipated electricity costs in the amount of \$652,083.18 and 2)water personnel overtime for water main breaks and hydrant flushing in the amount of \$46,000.00.

With regard to the unanticipated electricity costs, I submit the following explanation. The costs are largely attributed to increased electricity demand for atypical HVAC system usage to combat COVID-19 and a National Grid system error where certain bills were not issued in a timely manner. The uptick in HVAC usage coincides with the period beginning August 2021 with the opening of schools and ending February 2022 where measures were taken to lower the demand. The National Grid billing error was discovered in August 2021 and was quantified in February 2022. The origin of the billing error dates back to FY2021.

I am available to answer any questions you or the City Council may have.

Very truly yours,

Sean M. Divoll, P.E.
 Commissioner

CITY OF MARLBOROUGH
BUDGET TRANSFERS --


DEPT: Department of Public Works/Public Facilities


FISCAL YEAR: 2022

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$38,000</u>	<u>\$38,000.00</u>	<u>14003006</u>	<u>52920</u>	<u>Rubbish Collection</u>	<u>\$203,172.10</u>	<u>13032006</u>	<u>52120</u>	<u>Electricity</u>	<u>\$5,418</u>
	Reason:	<u>Available funds from Credit</u>				<u>Due to increased energy usage as a result of Covid-19</u>			
<u>\$82,633</u>	<u>\$82,000.00</u>	<u>14003006</u>	<u>52925</u>	<u>Curbside Recycling</u>					
	Reason:	<u>Available funds from Credit and Grant</u>							
<u>\$48,122</u>	<u>\$13,700.00</u>	<u>14001101</u>	<u>50660</u>	<u>Assistant City Engineer</u>					
	Reason:	<u>Excess due to prior vacancy</u>							
<u>\$36,922</u>	<u>\$36,922.10</u>	<u>14001101</u>	<u>50700</u>	<u>Senior Engineering Aide</u>					
	Reason:	<u>Excess due to vacancy</u>							
<u>\$68,002</u>	<u>\$24,550.00</u>	<u>14001101</u>	<u>50710</u>	<u>Junior Civil Engineer</u>					
	Reason:	<u>Excess due to vacancy</u>							
<u>\$8,000</u>	<u>\$8,000.00</u>	<u>14001103</u>	<u>51240</u>	<u>Temporary Part-Time</u>					
	Reason:	<u>Excess due to vacancy</u>							
	<u>\$203,172.10</u>	Total			<u>\$203,172.10</u>	Total			

Department Head signature: 

Auditor signature: 

Comptroller signature: _____

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2022

FROM ACCOUNT:

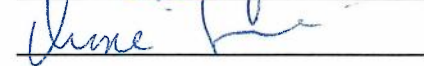
TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$6,000</u>	<u>\$6,000.00</u>	<u>14001303</u>	<u>51240</u>	<u>Temporary Part-Time</u>	<u>\$82,350.00</u>	<u>13032006</u>	<u>52120</u>	<u>Electricity</u>	<u>\$5,418</u>
	Reason:	<u>Excess due to no part time help used</u>				<u>Due to increased energy usage as a result of Covid-19</u>			
<u>\$55,416</u>	<u>\$20,150.00</u>	<u>14001403</u>	<u>50745</u>	<u>Equipment Operator</u>					
	Reason:	<u>Excess due to prior vacancy</u>							
<u>\$212,314</u>	<u>\$44,200.00</u>	<u>14001503</u>	<u>50740</u>	<u>Equipment Operator</u>					
	Reason:	<u>Excess due to vacancy</u>							
<u>\$24,602</u>	<u>\$7,000.00</u>	<u>14001503</u>	<u>51240</u>	<u>Temporary Part-Time</u>					
	Reason:	<u>Excess due to less summer help in summer 2021</u>							
<u>\$5,000</u>	<u>\$5,000.00</u>	<u>14003003</u>	<u>51470</u>	<u>Interim Foreman</u>					
	Reason:	<u>Excess due to vacancy at East Plant SMEO</u>							
	\$82,350.00	Total			\$82,350.00	Total			

Department Head signature:



Auditor signature:



Comptroller signature:

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2022

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$16,289</u>	<u>\$16,289.40</u>	<u>60081001</u>	<u>50750</u>	<u>Equipment Operator</u>	<u>\$39,416.08</u>	<u>13032006</u>	<u>52120</u>	<u>Electricity</u>	<u>\$5,418</u>
	Reason:	<u>Excess due to vacancy</u>				<u>Due to increased energy usage as a result of Covid-19</u>			
<u>\$13,018</u>	<u>\$2,500.00</u>	<u>60085001</u>	<u>50750</u>	<u>Equipment Operator</u>					
	Reason:	<u>Excess due to vacancy</u>							
<u>\$71,872</u>	<u>\$14,000.00</u>	<u>60085001</u>	<u>50850</u>	<u>Treatment Plant Op</u>					
	Reason:	<u>Excess due to prior vacancy</u>							
<u>\$6,626</u>	<u>\$6,626.68</u>	<u>11920001</u>	<u>50291</u>	<u>Asst. Comm of Utilities</u>					
	Reason:	<u>Excess due to vacancy</u>							
	<u>\$39,416.08</u>	Total			<u>\$39,416.08</u>	Total			

Department Head signature:



Auditor signature:



Comptroller signature:

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2022

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$65,523</u>	<u>\$35,350.00</u>	<u>11920003</u>	<u>50560</u>	<u>Custodian</u>	<u>\$10,350.00</u>	<u>13032006</u>	<u>52120</u>	<u>Electricity</u>	<u>\$5,418</u>
	Reason:	<u>Excess due to vacancy</u>				<u>Due to increased energy usage as a result of Covid-19</u>			
					<u>\$25,000.00</u>	<u>61090003</u>	<u>51310</u>	<u>Overtime</u>	<u>\$16,871</u>
	Reason:					<u>Due to water main breaks and hydrant flushing</u>			
<u>\$37,795</u>	<u>\$37,795.00</u>	<u>13032001</u>	<u>50291</u>	<u>Asst. Comm of Utilities</u>	<u>\$21,000.00</u>	<u>61090003</u>	<u>51310</u>	<u>Overtime</u>	<u>\$16,871</u>
	Reason:	<u>Excess due to vacancy</u>				<u>Due to water main breaks and hydrant flushing</u>			
					<u>\$16,795.00</u>	<u>13032006</u>	<u>52120</u>	<u>Electricity</u>	<u>\$5,418</u>
	Reason:					<u>Due to increased energy usage as a result of Covid-19</u>			
	\$73,145.00	Total			\$73,145.00	Total			

Department Head signature:



Auditor signature:



Comptroller signature:

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Department of Public Works/Public Facilities

FISCAL YEAR: 2022

FROM ACCOUNT:

TO ACCOUNT:

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$76,426</u>	<u>\$50,000.00</u>	<u>11970006</u>	<u>51730</u>	<u>City Unemployment</u>	<u>\$300,000.00</u>	<u>13032006</u>	<u>52120</u>	<u>Electricity</u>	<u>\$5,418</u>
	Reason:	<u>Reduced claims</u>				Due to increased energy usage as a result of Covid-19			
<u>\$266,979</u>	<u>\$250,000.00</u>	<u>13100003</u>	<u>51730</u>	<u>School Unemployment</u>					
	Reason:	<u>Reduced claims</u>							

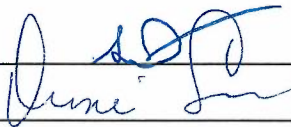
\$300,000.00 Total

\$300,000.00 Total

Department Head signature:

Auditor signature:

Comptroller signature:





City of Marlborough
Office of the Mayor

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Arthur G. Vigeant
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Patricia M. Bernard
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www.marlborough-ma.gov

Ryan P. Egan
EXECUTIVE SECRETARY

April 21, 2022

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

RE: Transfer request for the City Clerk's Office

Honorable President Ossing and Councilors,

Enclosed for your review and approval is a transfer request in the amount of \$44,000.00 from several accounts that reflect a surplus to Capital Outlay – Voting Equipment. These funds will be used to purchase pole pads for future elections.

City Clerk Kerrigan will be available to answer any questions.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Office of the City Clerk

140 Main Street
 Marlborough, Massachusetts 01752
 Telephone (508) 460-3775 Facsimile (508) 460-3723

Steven W. Kerrigan
 City Clerk

Wilson Chu
 Assistant City Clerk

April 13, 2022

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

Dear Mayor Vigeant:

Attached is a Transfer Request from several accounts within the City Clerk/Elections Department to the Capital Outlay – Voting Equipment line. We have received a quote to purchase Poll Pads to have a sufficient number to use at each of the Precincts during elections.

I am requesting that you submit this transfer to the City Council so we can move forward with the purchase. Should you have any questions, or need additional information please feel free to contact me directly.

Sincerely,

Steven W. Kerrigan
 City Clerk

Enclosure

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

4/13/2022

DEPT: City Clerk/Election

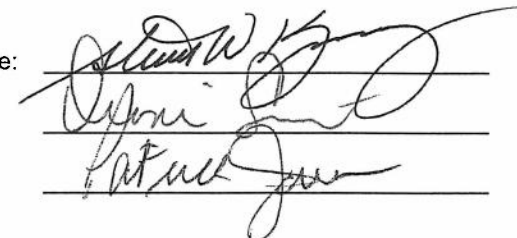
FISCAL YEAR: 2022

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
<u>\$4,038.19</u>	<u>\$3,500.00</u>	<u>11610004</u>	<u>53180</u>	<u>Prof & Tech Services</u>	<u>\$44,000.00</u>	<u>19300006</u>	<u>56300</u>	<u>Voting Equipment</u>	<u>\$0.00</u>
	Reason:	<u>Surplus</u>			Reason:				
<u>\$3,050.00</u>	<u>\$3,000.00</u>	<u>11620002</u>	<u>50141</u>	<u>Clerk</u>					
	Reason:	<u>Vacant position</u>			Reason:				
<u>\$25,687.25</u>	<u>\$17,000.00</u>	<u>11620002</u>	<u>50520</u>	<u>Principal Clerk</u>					
	Reason:	<u>Vacant position</u>			Reason:				
<u>\$4,006.25</u>	<u>\$4,000.00</u>	<u>11620003</u>	<u>51460</u>	<u>Constables</u>					
	Reason:	<u>Surplus</u>			Reason:				
<u>\$1,169.00</u>	<u>\$1,000.00</u>	<u>11620004</u>	<u>53930</u>	<u>Printing</u>					
	Reason:	<u>Surplus</u>			Reason:				
<u>\$10,111.65</u>	<u>\$8,500.00</u>	<u>11620004</u>	<u>53932</u>	<u>Election Programming</u>					
	Reason:	<u>Surplus</u>			Reason:				
<u>\$14,564.00</u>	<u>\$7,000.00</u>	<u>11620006</u>	<u>53871</u>	<u>Poll Workers</u>					
	Reason:	<u>Surplus</u>			Reason:				
	<u>\$44,000.00</u>	<u>Total</u>			<u>\$44,000.00</u>	<u>Total</u>			

Department Head signature:

Auditor signature:

Comptroller signature:





City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH

Arthur G. Vigeant
MAYOR

2022 APR 21 A 11:54

Patricia M. Bernard
EXECUTIVE AIDE

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

Ryan P. Egan
EXECUTIVE SECRETARY

April 21, 2022

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

RE: Transfer request for the Marlborough Economic Development Corp.

Honorable President Ossing and Councilors,

Enclosed for your review and approval is a transfer request in the amount of \$75,000.00 from Economic Development to MEDC funding to replenish the Economic Development Toolbox.

This request was noted in the 4/11/22 proposed MEDC budget but the actual transfer was mistakenly omitted. As previously mentioned, the toolbox is vital in helping secure new business and grow and retain companies. This assistance also made a big impact during COVID when businesses were struggling to stay afloat.

Linda Martins and I will be available to discuss at a future meeting if questions arise.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2022

FROM ACCOUNT:

TO ACCOUNT:

Available
Balance

Amount

Org Code Object

Account Description:

Amount

Org Code Object

Account Description:

Available
Balance

\$984,934.02

\$75,000.00

27000099 42440

Economic Development

\$75,000.00

11740006 53950

MEDC Funding

\$0.00

Reason: To allow the MEDC to continue it's support to small businesses with financial grant incentive programs for FY23

Reason:

Reason:

Reason:

Reason:

\$75,000.00

Total

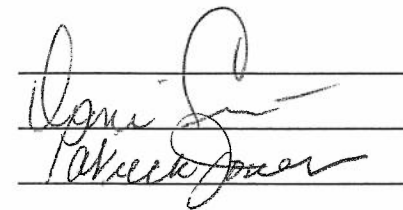
\$75,000.00

Total

Department Head signature:

Auditor signature:

Finance Director signature:





RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH
2022 APR 21 A 11:54
City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
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Ryan P. Egan
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140 Main Street
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508.460.3770 Fax 508.460.3698 TDD 508.460.3610
www.marlborough-ma.gov

April 21, 2022

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

RE: Council on Aging Appointments

Honorable President Ossing and Councilors,

Enclosed for your review is the reappointment of Joseph Bisol for a four-year term to expire on May 4, 2026.

I'd like to take this opportunity to thank Mr. Bisol for his dedicated service for the last four years and agreeing to continue to assist and promote services and programs for our senior population.

In addition, I am submitting the appointment of Zella Haesche to the Council on Aging Board for a four-year term to expire on May 4, 2026.

Ms. Haesche is an active participant and volunteer at the Senior Center and has expressed an interest to contribute and serve. Enclosed is her interest form for your review.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

CANDIDATE FOR COUNCIL ON AGING

Name: Ingella "Zella" Haesche Email: _____

Address: 31 Ridge Road

Home Phone _____ Cell Phone _____

How did/do you hear about the COA: Marlborough Sr on the Go & Joe Bisol

Have you given your time previously as a Volunteer? Yes No

If yes, in what capacity: Friends of Marlborough Seniors

Why do you want to become a board member? What would you like to get out of the experience?

As a citizen, I want to contribute to the enhance-
ment of the Marlboro seniors.

What interests, activities or hobbies do you enjoy? Gardening, natural
walks, reading and yoga

Education/training, hobbies or other skills: B.S. Organizational Mgmt³, Assoc in
Human Resource

What other organizations do you belong to? German Club

Are you willing to attend a training/information session for board members? Yes

Are you willing to undergo a CORI background check? Yes

What are your current interests in the COA? I wish to contribute and
improve the lives of the elderly of Marlboro

Any addition information or comments? _____

Sponsor: Joseph Bisol Date: March 16, 2022



RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH
2022 APR 21 A 11:54

City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

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

April 21, 2022

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

RE: Proposed Amended Salary Order, Chapter 125, Personnel

Honorable President Ossing and Councilors,

Enclosed for your review and approval is an amended salary order for the Sealer of Weights and Measures. This part-time position earns \$14.92 per hour just over the minimum wage. Some of the responsibilities include verifying mechanical and electronic weighing devices found in supermarkets, bakeries, and eating establishments, retail fuel pumps and taxi meters to name a few. In addition, this employee investigates complaints relative to questionable selling practices.

Recently, we conducted a salary survey and found that our salary is far below the current market rate, therefore we are proposing to increase the hourly rate to \$25.00 per hour.

Please note, this increase is reflected in the proposed FY23 budget.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosure

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:

<u>Position</u>	<u>Rate</u>
Sealer of Weights & Measures	Not to Exceed \$25 Per Hour.

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

ADOPTED
In City Council
Order No. 22-XXX
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



RECEIVED
CITY CLERK'S OFFICE
MARLBOROUGH
2022 APR 21 A 11:54

City of Marlborough
Office of the Mayor

Arthur J. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

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

April 21, 2022

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

RE: Proposed FY23 operating budget

Honorable President Ossing and Councilors,

Enclosed for your review and approval is the proposed FY23 operating budget in the amount of \$181,260,899.00 representing a 4.18% increase over this year due primarily to increased staffing needs and fuel and utility costs.

I'd like to recognize the dedication and diligent work of City Auditor Diane Smith and Finance Director Patrick Jones. Keeping in mind that FY22 had a zero percent increase, we've put together a conservative budget proposal. Below is a brief summary of the noteworthy changes for FY23:

Health Insurance

We are looking at a 0% increase for the EPO and PPO Active Employee Plans and a 5% increase for the Medicare Complement Plan for FY23. Our retirees who are subject to the premium medical complement plan, are simply not keeping pace with their claims and the gap continues to widen. The EPO and PPO recipients are heavily supplementing the Medicare Compliment Plan. For example, if the Medicare Compliment Plan pool were to cover 100% of their claims, they would see a 20% increase in their health plan premium.

Due to continuous high cost in health care, many communities have decreased their matching contribution for seniors to 51%. Marlborough retirees who do not qualify for Medicare continue to be supported 70% of the premium cost while the Medicare Complement Plan is 60% supported.

As a part of the renewal of contracts and bidding, we were able to retain Delta Dental and expect a 2% decrease in dental for FY23.

Local Aid & Revenue

Based on the FY23 budget figures released by the Department of Local Services, using the Governor's budget proposal, overall local aid to Marlborough is projected to increase by \$6,499,489.00. This increase is due to the Chapter 70 increases in new school funding.

We anticipate new growth for FY23 will add an additional \$2 million in tax revenue that will help stabilize our tax rate for residents.

Assessor's Office

With the departure of the Regional Resource Group and recently a Principal Clerk, we are seeking to restructure the office. Principal Assessor John Valade has included a Senior Assessor position as well as upgrading the Senior Clerk to a Principal Clerk. By elevating the Clerk position to include handling the technical responsibilities of the office and bringing in added staffing will enable us to provide better value for the City. These changes will also position the City to promote within and plan for succession. Contract services will be reduced as noted in the supplemental budget information.

Building/Inspectional Services

We had eliminated a part-time clerk during COVID and would like to hire a full time Principal Clerk to take on the Code Enforcement's administrative duties, as well as supporting the restructuring and modernization of the office. This is a very busy office, and this position will be able to fill in front desk duties with an added responsibility of reconciling fees received, monitoring budget expenses and financial records. While the office is getting ready to launch online permitting, there will still be a fair amount of foot traffic coming in with permits. Commissioner Htway has worked hard at reducing the turnaround time for all permits and has recently restructured the handling of code enforcement. We also increased the line item for Contract Services to assist in handling 110 inspections and the influx of permits and site plan review when the need arises. We continue to need an additional part-time, on-call plumbing inspector to handle the high level of plumbing and gas permits. Building permit revenues are up over 60% during the last nine months compared to FY20 the last full year prior to COVID-19. Marlborough continues to be a highly sought out location for developers.

Marlborough Public Schools & Assabet

If you recall, last year, MPS came in with a zero percent increase. This year the School Department's budget reflects a 4.24% increase as we continue to see a large increase of new students into the district.

We reached out numerous times to Assabet Valley Regional Vocational Technical High School to obtain a formal letter that includes our assessment, but we haven't received anything. Based on preliminary calculations from Assabet, we believe the amount is \$5,699,773.00 representing a .07% increase over FY22. This amount includes the \$438,084.00 surplus from FY21.

Department of Public Works

The DPW's budget reflects several increases including \$100,000.00 to cover the cost of higher fuel prices for its fleet and \$1M for electricity in all facilities (Schools \$540k/City \$460k). Although more efficiency mechanisms have been put in place, the schools have seen higher usage due to COVID. We have plans to contract with a consultant to further examine and address this issue going forward.

Recreation Department

We have eliminated the part-time event coordinator position reducing the budget by \$20,000.00. We are fortunate that Melanie Whapham has agreed to coordinate the Labor Day Parade again, and the Lost Shoe is bringing back the Farmer's Market this year.

Board of Health

Our Sealer of Weights & Measures hourly salary rate is \$14.92 per hour, just over the current minimum wage. A salary survey was conducted recently, and we believe an increase to \$25.00 per hour will be competitive. You'll find a separate communication for a proposed amended salary ordinance.

Council on Aging

We have made a temporary adjustment in the COA budget zeroing out numerous accounts to utilize the \$80,436.00 leftover funding from the Executive Office of Elder Affairs FY 2022 grant. Additionally, the \$80,436.00 FY23 grant allocation will fund all the payroll accounts during FY23. Incurred expenses in FY23 will be paid out of the revolving account. Again, this is temporary and will not affect the current and future headcount, nor operations or services offered to our seniors.

More information is contained in the supplemental budget information binders.

Information Technology

Over the last number of years, the Information Technology Department's priorities have shifted to having a larger emphasis on security. While we've added numerous cameras to city buildings, we also have implemented additional cyber security strategies to keep our networks safe including raising awareness and increased training for employees. This added responsibility has made it difficult to fulfill daily administrative tasks. We are fortunate to have a great, dedicated IT team and the Director has expressed a need for an additional administrative position. This proposed position will handle all the financial record keeping, grant applications, vendor contracts, and compliance protocols. In addition, this position will handle incoming calls and forwarding calls for the help desk.

Veterans Office

Veterans' benefits have been reduced by \$100,000.00 based on this current year's reduced members receiving Chapter 115 benefits and the 5.2% increase in social security. This will not affect our services to our current veterans. If we see an increase in veterans moving into Marlborough and more funding is required, we will request a transfer.

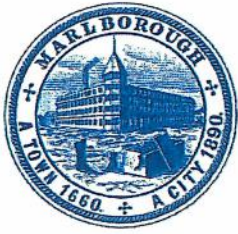
My staff and I will be available to discuss further at a future meeting.

Thank you in advance for your cooperation.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2022 APR 21 11:54
Arthur G. Vigeant
MAYOR
Patricia M. Bernard
EXECUTIVE AIDE

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

Ryan P. Egan
EXECUTIVE SECRETARY

April 21, 2022

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

RE: Veto of City Council Orders

Honorable President Ossing and Councilors,

Solicitor Grossfield has informed me of some ambiguities with the actions of the City Council, therefore, I am hereby notifying you of my veto of City Council Order Nos. 21/22-1008402B-3 and X 21/22-1008402A-2.

The first order was sent down on September 23, 2021 for the City Council meeting that took place on September 27th. The order was to authorize the purchase of 100 Locke Drive for the purpose of building a Fire Station with a transfer request in the amount of \$5,092,666.66 from the Stabilization Account.

On December 2, 2021, I sent down a proposed amended transfer clarifying the funding source based on conversations I had with Council President Ossing. The order did not appear as I sent it, and it is confusing to say the least.

I have been clear on the need to move forward without any additional constraints. Even if I were to support the Council's decision, I could not move forward based on the concerns voiced by our City Solicitor.

I feel the initial order that was sent should be sufficient. Based on the actions of the City Council will determine whether I resubmit the original order.

Please contact my office should you have any questions.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure



IN CITY COUNCIL

Marlborough, Mass., APRIL 11, 2022

ORDERED:

In furtherance of the City Council of the City of Marlborough's prior vote (Order No. 21-1008290 adopted by the Council on May 10, 2021) supporting the proposed site selection for a new fire station in the west side of Marlborough (Elm Street at Bigelow Street), the City Council hereby:

(1) Authorizes the City to acquire the real property located at 100 Locke Drive, Marlborough, MA (identified on the City's Assessors Map as Map 54 Parcel 14 containing +/- 11.64 acres and further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 69243, Page 571) for municipal purposes, by purchase or eminent domain, for a total amount not to exceed \$5,092,666.66, subject to any applicable laws and further required action of this Council if necessary for the City to acquire said real property by eminent domain;

(2) Authorizes an appropriation from Undesignated in the amount of \$5,092,666.66 in order to provide funding for said acquisition pursuant to MGL Chapter 43, §30; and

(3) Authorizes the Mayor to accept a deed pursuant to MGL chapter 40, §3 for said property located at 100 Locke Drive.

(4) Further subject the entirety of the Order of Authorization to purchase 100 Locke Drive for the purpose of building a new Fire Station to the adoption by the City Council and approval by the Mayor of a transfer in the amount of \$1,422,500.00 (mitigation funds) into the West Side Fire Station Stabilization account.

ADOPTED

In City Council

Order No. 21/22-1008402A-2

X 21/22-1008402B-3

Approved by Mayor

Arthur G. Vigeant

Date:

****VETOED BY MAYOR ARTHUR G. VIGEANT ****

**** APRIL 21, 2022 ****

A TRUE COPY

ATTEST:

City Clerk



IN CITY COUNCIL

Marlborough, Mass., _____ APRIL 11, 2022 _____

ORDERED:

That the Amended Transfer Request in the amount of \$5,092,666.66 from Undesignated Fund (Account 10000 35900) to Land Acquisition (Account 19300006 58120) to fund the proposed purchase of land at 100 Locke Drive for a new Fire Station, be and is herewith **APPROVED** subject to the adoption by the City Council and approval by the Mayor of a transfer in the amount of \$1,422,500.00 (mitigation funds) into the West Side Fire Station Stabilization account.

ADOPTED

In City Council

Order No. 21/22-1008402B-3

X 21/22-1008402A-2

Approved by Mayor
Arthur G. Vigeant
Date:

**** VETOED BY MAYOR ARTHUR G. VIGEANT ****
**** APRIL 21, 2022 ****

A TRUE COPY
ATTEST:


City Clerk



City of Marlborough

Legal Department

140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752

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

LEGAL@MARLBOROUGH-MA.GOV

JASON D. GROSSFIELD
CITY SOLICITOR

JEREMY P. MCMANUS
ASSISTANT CITY SOLICITOR

SUSAN A. CORREIA
PARALEGAL

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2022 APR 20 P 3:28

April 20, 2022

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

Re: WP Marlborough MA Owner, LLC v. Marlborough City Council (Land Court No. 21 MISC 000451) - Request to Enter Executive Session

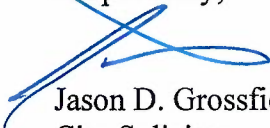
Dear Honorable President Ossing and Councilors:

I respectfully request that this Honorable City Council convene in Executive Session. The purpose of the session is to discuss strategy with respect to the above-referenced litigation as an open meeting may have a detrimental effect on the litigating position of the City Council.

Enclosed please find a proposed order, to be conducted by roll call vote, in order to enter into executive session. The open meeting law requires that the public body chair declare that an open meeting may have a detrimental effect on the litigating position of the public body. The order must specify whether the City Council will or will not re-convene in open session after the executive session.

Please contact me if you have any questions or concerns.

Respectfully,


Jason D. Grossfield
City Solicitor

Enclosure

cc: Arthur G. Vigeant, Mayor

ORDERED:

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

The City Council will [or will not] re-convene in open session after the executive session.

Be and is herewith APPROVED.

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
January 24, 2022
2022 APR 13 A 7:20

To the City Council
of the City of Marlborough, Massachusetts

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

request permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary to be owned and used in common by your petitioners, in the following public way or ways:

Cullinane Dr

National Grid request to install new pole and remove old pole and install underground cabel for Town work aorund pump station.

Wherefore they pray that after due notice and hearing as provided by law, it be granted joint or identical locations for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked: **MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.**

Plan No. 30413157 Dated: 1/17/2022

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

MASSACHUSETTS ELECTRIC COMPANY

By: *Robert Leonida*
DBA Robert Leonida
Manager of Distribution Design

VERIZON NEW ENGLAND, INC.

By: *Albert Bessette*
Manager, R.O.W.

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

January 24, 2022

By the City Council
of the City of Marlborough, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED: **that MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.** be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the **17th day of January**

All construction under this order shall be in accordance with the following conditions:-

Poles shall be of sound timber, and reasonably straight, and shall be set substantially at the points indicated upon the plan marked-- filed with this order
Plan No. **30413157** Dated: **1/17/2022**

There may attached to said **MASSACHUSETTS ELECTRIC COMPANY** not to exceed twenty wires and by said **VERIZON NEW ENGLAND, INC.** not to exceed forty wires and four aerial cables, and all of said wires and cables shall be placed at a height of not less than eighteen feet from the ground.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:--

Cullinane Dr

National Grid request to install new pole and remove old pole and install underground cabel for Town work aorund pump station.

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Marlborough, Massachusetts held on the _____ day of _____

Clerk of Council

Received and entered in the records of location orders of the City of Marlborough, Massachusetts

Book: _____ Page: _____

City Clerk

We hereby certify that on _____, at _____ o'clock, _____ M. at _____ a public hearing was held on the petition of the

MASSACHUSETTS ELECTRIC COMPANY and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Council of the City of

Marlborough, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the City Council of the City of Marlborough, Massachusetts, on the _____ day of

_____ recorded with the records of location orders of said City,

Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest: _____
City Clerk



185

187

189

CULLINANE DRIVE

180

12 RED SPRING ROAD

194

P18

P18-1

P50

LEGEND

- ⊕ EXISTING J/O POLE
- PROPOSED J/O POLE
- - - - OVERHEAD CONDUCTOR

POLE 18-1
PETITION

194 CULLINANE DRIVE

MARLBORO, MA.

Date: 1/17/2022

Designer: D.L.

WR: 30413157

nationalgrid



**City of Marlborough, Massachusetts
CITY CLERK DEPARTMENT**

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 APR 11 A 8:08

**Steven W. Kerrigan
City Clerk**

**CITY OF MARLBOROUGH
TAXI AND/OR LIVERY SERVICE LICENSE APPLICATION**

I. TYPE OF LICENSE: _____ TAXI LIVERY

2. APPLICANT'S (LICENSEE) INFORMATION:

- A. Name: NATHAN SERULIBA
- B. Address: 97 NEIL ST, MARLBOROUGH MA 01752
- C. Telephone Number: 781 475 0531
- D. Business Name: INDELIBLE HOMECARE INC
- E. Business Address: 97 NEIL ST MARLBOROUGH MA 01752
- F. Business Number: _____

3. NUMBER OF VEHICLES: _____

APPLICANT'S SIGNATURE

**CITY OF MARLBOROUGH
TAXI/LIVERY LICENSE**

is hereby granted a Taxi/Livery License as approved by the City Council of the City of Marlborough. In accordance with the Code of the City of Marlborough, Chapter 568, this License shall expire two (2) years from the date of issue. Application for renewal of said License shall be made to the City Council through the Office of the City Clerk.

EXPIRATION DATE: _____

A TRUE COPY

ATTEST:

City Clerk

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 APR 20 P 1:45

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

April 20, 2022

VIA EMAIL

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

Re: Green District: Change in Bedroom Mix

Dear Councilor Ossing:

I represent Post Road Realty, LLC, the developer of the Green District Project. Post Road has been in discussions with Building Commissioner Tin Htway regarding plans to modify the bedroom mix at the Green District in response to market demand for home offices. We are seeking the City Council's consent that the Building Commissioner may treat this change as a "minor modification" approved administratively in accordance with the provisions of the Executive Residential Overlay District Zoning Ordinance.

The total number of dwelling units at the Green District will stay the same: 475 units. The proposed change involves the mix of bedrooms within those 475 units, increasing the number of 2-bedroom units in place of studios and 1-bedrooms, which would increase the total bedroom count from 629 to 691 – up 9.86%.

As the Green District was approved pre-COVID, this shift reflects a market demand for home offices as a larger number of residents work from home on a partial or full-time basis. Based upon Post Road's experience with other multifamily communities, this shift will have a negligible impact on the overall population of the site, as 2-bedroom units are increasingly used by individuals and couples, with the extra bedroom serving as a dedicated home office.

The change in bedrooms, but not units, requires an increase in overall parking spaces from 677 to 716 – up 5.76%. Because of a modification in the building design, these changes will *decrease* the overall impervious surface at the project by .02%.

Neither the special permit nor the site plan approval for the Green District contains conditions specifying the bedroom mix of the project. However, both decisions reference a site

MIRICK O'CONNELL

Marlborough City Council
April 20, 2022
Page 2

plan that notes the bedroom mix in each phase for purposes of demonstrating parking compliance.

Under Section 650-36.H of the Zoning Ordinance, the Building Commissioner may approve "minor modifications" to special permits and site plan approvals in the Executive Residential Overlay District. The Ordinance provides that "[w]here the effect of a modification to a [special permit or site plan approval] is quantifiable (by way of example only, modifications to building size or location, parking count or location, or other such quantifiable modification), it shall be presumed minor if the quantifiable effect does not result in a ten-percent or greater variation from the applicable approval."

Mr. Htway's predecessor as Building Commissioner used this authority to approve a change in the bedroom mix for Phase 1 of the project, from 310 to 342. This new change affects Phase 2, where total bedrooms would increase from 319 to 349. Since the shift in bedrooms and increase in parking spaces result in less than a 10% variation from the project as approved by the City Council, treating this change as a minor modification meets the standard set forth in Section 650-36.H. In discussing this matter with Mr. Htway, we felt that the City Council should have an opportunity to hear about this change and consent that it may be treated as a minor modification.

Enclosed is an overlay plan showing the project as modified in gray, with the former project layout in red.

Post Road appreciates the Council's time and attention to this matter as we work to obtain a building permit for Phase 2, complete construction, and open our doors.

Sincerely,



Brian R. Falk

BRF/

Encl.

cc: Tin Htway, Building Commissioner
Client

OVERLAY LEGEND
 LAYOUT SHOWN ON APPROVED SITE PLAN DATED 8/26/20
 CURRENT LAYOUT

MUTCD TRAFFIC SIGNAGE SUMMARY

- R1-1 WHITE ON RED 24" x 24"
- R7-8A WHITE ON BLUE 12" x 8"
- R-7506 WHITE ON BLUE 6" x 12"
- R7-8A WHITE ON BLUE 12" x 18" (CITY STR.)
- P1 RED ON WHITE 12" x 18"
- P2 RED ON WHITE 12" x 18"
- CC1 BLACK ON WHITE 12" x 18" (NOT MOUNTED)
- CC2 BLACK ON WHITE MOUNTED ON ROLL 12" x 18" UP DOORS



GREEN DISTRICT PHASE 2

3000 GREEN DISTRICT BOULEVARD

3000 Green District Boulevard
 Marlborough, Massachusetts 01752

MARLBOROUGH ASSERMENTS

MAP	LOT
116	5 & 11

POST ROAD REALTY LLC

11 Uquoque Road
 Fairfield, Connecticut 06824

HANCOCK ASSOCIATES

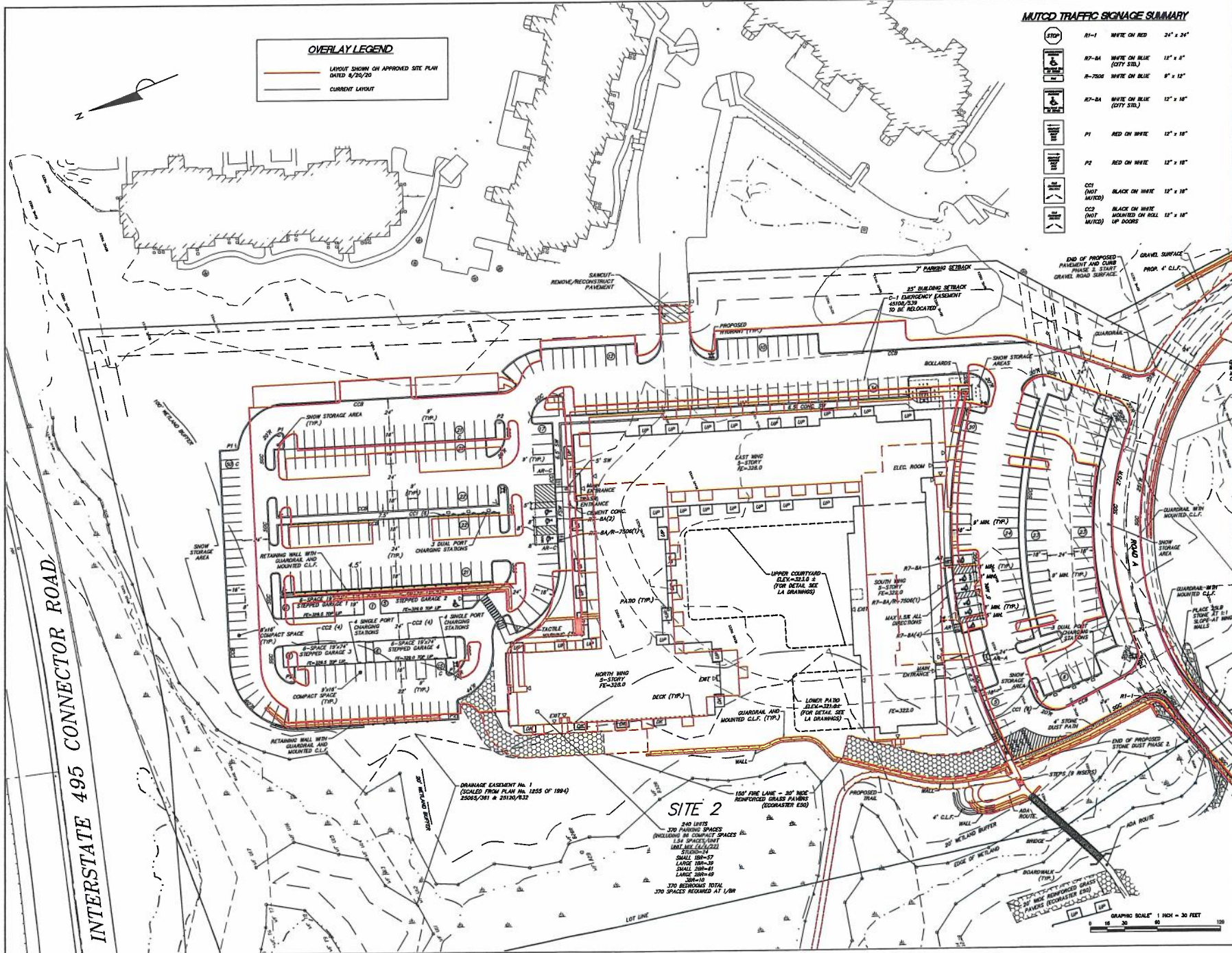
Civil Engineers
 Land Surveyors
 Wetland Scientists

30 031 ST. MARLBOROUGH, MASS 01752
 VOICE (508) 881-1111 FAX (508) 881-1118
 WWW.HANCOCKASSOCIATES.COM

NO.	DATE	DESCRIPTION
1	11/20/17	DESIGN BY: P. J. HANCOCK
2	12/15/17	DESIGN BY: P. J. HANCOCK
3	01/10/18	DESIGN BY: P. J. HANCOCK
4	02/01/18	DESIGN BY: P. J. HANCOCK
5	03/01/18	DESIGN BY: P. J. HANCOCK
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11	09/01/18	DESIGN BY: P. J. HANCOCK
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13	11/01/18	DESIGN BY: P. J. HANCOCK
14	12/01/18	DESIGN BY: P. J. HANCOCK
15	01/01/19	DESIGN BY: P. J. HANCOCK
16	02/01/19	DESIGN BY: P. J. HANCOCK
17	03/01/19	DESIGN BY: P. J. HANCOCK
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81	07/01/24	DESIGN BY: P. J. HANCOCK
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89	03/01/25	DESIGN BY: P. J. HANCOCK
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97	11/01/25	DESIGN BY: P. J. HANCOCK
98	12/01/25	DESIGN BY: P. J. HANCOCK
99	01/01/26	DESIGN BY: P. J. HANCOCK
100	02/01/26	DESIGN BY: P. J. HANCOCK

LAYOUT & MATERIALS PLAN

OVERLAY OF APPROVED PLAN
 DWG: 2280-16-01-163.dwg
 LAYOUT: LM-overlay
 SHEET: 1 OF 1
 PROJECT NO: 22800





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2022 APR 13 A 10:49

Marlborough Public Schools

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

Call to Order

March 8, 2022

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

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

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

3. **Presentation:** None.

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

5. **Communications:**

A. Communication to Commissioner of Education

Superintendent Bergeron discussed the letter that was sent to the Commissioner of Education, Mr. Jeffrey Riley, requesting a waiver of the attendance accountability standard for the 2021-2022 school year.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to place this letter on file.

Motion passed 7-0-0.

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6. Superintendent's Report:

Superintendent Bergeron updated the committee on the COVID-19 data for the City of Marlborough and MPS. The Superintendent verbally reported current data that differs from the report, which was sent out on March 2, 2022. Based on data trends, the CDC guideline shifts, and the state's decision to end the statewide mask mandate, Mr. Bergeron is requesting that the district's mask policy be updated to reflect a mask optional policy. Unless otherwise asked, he is planning to end COVID-19 case reporting as of the April 12th School Committee meeting.

Superintendent Bergeron shared that 12 MHS seniors will be part of the Future Educators at MPS program that matches students to teachers to promote the field of education. He thanked those who participated in this program, as well as Patty Brown.

The Superintendent mentioned that the FY23 Budget will be discussed later in the meeting, and he thanked those who helped get the district's strategic priorities into actionable budget requests.

Superintendent Bergeron noted that NEASC will be visiting MHS on the week of April 3rd through April 6th. The NEASC committee will want to meet with the School Committee on April 3rd.

The Superintendent stated that Quest Diagnostics has awarded the district a \$97,350.00 grant, which will be voted on during tonight's meeting. At the March 22nd meeting there will be a formal presentation where Quest Diagnostics will be recognized and thanked for their contribution. This grant removes barriers for students to access SAT and AP test prep. Mr. Bergeron thanked Quest, Trish Bernard, Meredith Harris, and Dr. Riley for helping the district receive this grant.

Superintendent Bergeron noted that the draft school calendar for next year is in the meeting packet to review. This will be discussed in detail at the next School Committee meeting. He pointed out that the MCAS testing calendar, which was just released, may cause some alterations to be made for the next meeting. The most notable changes thus far are that two additional early release days for professional development have been added, as well as an early release day for students and staff on December 23rd, 2022 before winter break.

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Superintendent Bergeron instructed members to view the press release from the Music Department. He read the press release, written by Mr. Rosenthal, aloud.

Mrs. Matthews congratulated Jackson Clemons in regard to the press release and his accomplishments.

A. Director of Finance & Operations Report

Mr. Dias, the Director of Finance and Operations, reported on the FY23 budget request; the public hearing posting for the budget request will be voted on later tonight by committee members. The budget hearing is expected to be held on March 22nd and then continue through the process of being approved.

Mr. Dias discussed the Community Eligibility Provision (CEP) that allows school districts to serve one free breakfast and one free lunch for all students, regardless of income status. The district's CEP application will be refreshed this spring to extend its CEP eligibility period to FY26.

Mr. Dias noted that there will be an agenda item on the March 22nd School Committee meeting agenda asking the committee to declare most of the district's existing PK-12 student chairs and desk obsolete. This furniture would be replaced in the summer. In his report, he outlined some of the removal options currently being explored.

Mrs. Matthews, Mr. Dias, Mrs. Hennessy, and Mrs. Bodin-Hettinger discussed the accountability portion of the CEP, which requires students to wait in line to punch in their account number. They spoke on reaching out to representatives about this.

B. Assistant Superintendent of Teaching & Learning Report

Mrs. Murphy, the Assistant Superintendent of Teaching and Learning, reported on the March 16th early release day for the district. This day will be for professional development focused on educational equity. Mrs. Murphy outlined some details about the PD day in her report.

Mrs. Murphy reminded parents of students in grades K-8 that MPS is hosting two Title I Family Nights focused on "Social-Emotional Learning (SEL) in the Home." These presentations will occur tomorrow night (March 9th) in English and then again on March 23rd in Spanish and Portuguese. Both presentations are held from 6:30-8:00pm in the Whitcomb Commons at the Whitcomb School. There will be free babysitting for both of those nights.

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Mrs. Murphy read a summary of updates from Julie Baker, the Visual Arts Department Supervisor, aloud. This update touched upon the Scholastic Art Awards, AP Conference art contest winner, and MPS students represented in statewide Youth Art Month Exhibit. The K-12 Citywide Art Show is scheduled for April 13th from 5:30-7:30pm at Whitcomb School.

Mrs. Hennessy acknowledged Auden Grocki for his accomplishments.

7. Acceptance of Minutes:

A. Minutes of the February 1, 2022 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to accept the minutes.

Motion passed 7-0-0.

B. Minutes of the February 8, 2022 School Committee Meeting

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to accept the minutes.

Motion passed 7-0-0.

8. Public Participation:

Jaden Degiacomo, a Marlborough resident at 131 Framingham Road, shared his thoughts on the mask mandate in the district that has been enforced throughout this pandemic.

Arthur Miner, a Marlborough resident at 97 Shawmut Ave, shared that he has been in contact with members of the School Committee previously; he voiced his favor for getting rid of the mask mandate in the district.

Brianna Nielson, a Marlborough resident at 327 Farm Road, shared her opinion on keeping the mask mandate in effect until younger children can be vaccinated.

It should be noted that members of the public may provide comment via email before the meeting to superintendent@mps-edu.org. Public participation is a time for your comments to be heard by the committee; it is not a question-and-answer session.

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9. Action Items/Reports

A. Mask Policy #8.500

Mrs. Hennessy noted that the federal mandate for masks on buses just changed, which differs from what is included in the meeting agenda packet.

Superintendent Bergeron noted that this policy would still require masks in school health offices and for those returning from a 5-day quarantine due to testing positive for COVID-19. He clarified that this would be a mask optional policy, but those two items are not under local control.

Mr. Caruso inquired about testing kits, to which Superintendent Bergeron stated that the district will continue to send test kits home with students for the remainder of the academic year.

Mrs. Hennessy mentioned that a date would need to be set for this amended policy to go into effect if it is approved.

Mr. Caruso and Superintendent Bergeron discussed the other mitigating factors, such as dividers at lunch. The Superintendent feels that these mitigating factors could be removed.

Mrs. Hennessy asked if Ms. Barry could provide the committee with perspective from the staff in schools.

Ms. Barry shared that a Survey Monkey was sent out to over 400 MEA members about mask mandates. She shared the options that were available in the survey, and 52% of respondents selected the option that mask mandates should end on March 14th. Ms. Barry also shared some insight from conversations she had with educators in the district.

Superintendent Bergeron shared that he would need 24 hours' notice to make parents aware of the policy change and for the policy to be in effect on Thursday, March 10th.

Mrs. Hennessy shared that there needs to be time to communicate to staff and post this change on the website as well.

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve the amended policy to take effect on March 10th.

Motion passed 7-0-0.

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B. Request to Submit FY23 Budget for Public Hearing

Mr. Dias requested that the School Committee vote to approve the posting for the Budget Hearing in the local media.

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

Motion passed 7-0-0.

C. Memorandum of Understanding between the Marlborough School Committee and Marlborough Paraeducators

Mrs. Matthews shared that the School Committee voted to approve the reopening agreement with the paraeducators earlier this evening in Executive session.

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

Motion passed 7-0-0.

D. Superintendent Search Committee

Mrs. Bodin-Hettinger explained the Superintendent Search Committee needs to be officially formed and charged with their duties.

The Search Committee were chosen as three committee members: Chairman Vigeant, Daniel Caruso, and Denise Ryan. Two teachers (Eileen Barry and Brendan St. George), a school administrator (Angela House), a parent (Ayako Barnum), and a city official, who has not yet been selected, were also chosen as part of this committee. Chairman Vigeant noted that he could forward a name for the city official position.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve the Superintendent Search Committee.

Motion passed 7-0-0.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to charge the Superintendent Search Committee with the purpose of screening and interviewing candidates and delivering successful candidates as a recommendation of finalists for the School Committee's consideration.

Motion passed 7-0-0.

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E. Acceptance of Donations and Gifts

Donor's Choose. Ms. Hammond's classroom from Jaworek School received \$205.98 and Ms. Cole's classroom from Kane School received \$749.00.

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

Motion passed 7-0-0.

Shutterfly, LLC. Shutterfly, LLC donated \$1,405.48 to Kane School.

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

Motion passed 7-0-0.

Ohiopyle Prints, Inc. Ohiopyle Prints, Inc. donated \$84.51 to MHS.

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

Motion passed 7-0-0.

Saint Gobain. Saint Gobain donated \$1,250.00 to Mr. Rodriguenz's classroom at the Whitcomb School.

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

Motion passed 7-0-0.

Quest Diagnostics, Inc. Quest Diagnostics, Inc. donated \$97,350.00 to MHS for SAT and AP fees.

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

Motion passed 7-0-0.

MA DESE FY22 FC119 ESSERIII. MPS received \$6,329,126.00.

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

Motion passed 7-0-0.

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MA DESE FY22 FC125 Math. MPS received \$127,200.00

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

Motion passed 7-0-0.

10. Reports of School Committee Sub-Committees:

The Policy Sub-Committee will be having another meeting on March 17th.

11. Members' Forum:

Mrs. Matthews has reviewed the warrant and will sign it.

12. Adjournment:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 8:27 p.m.

Motion passed 7-0-0.

Respectfully submitted,

Heidi Matthews
 Secretary, Marlborough School Committee

HM/jm

Approved April 12, 2022

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2022 APR 13 A 10:49

Marlborough Public Schools

School Committee
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Call to Order

March 22, 2022

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

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

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

3. Presentation:

A. MHS Quest Diagnostics

Dr. Riley presented on the partnership with Quest Diagnostics Inc.; they donated \$97,350.00 to the district to pay for student test prep/participation in online SAT and AP test prep. This award was accepted at the previous School Committee meeting on March 8, 2022. Dr. Karthik Kuppusamy and Meredith Harris were honored guests at tonight's meeting, and both guests spoke at the meeting. Quest Diagnostics Inc. presented the check to the committee.

B. MHS Student Advisory Committee

The MHS Student Advisory Committee presented their updates to the committee. The senior class representative, Adham Hussein, shared about unifying student leadership roles at MHS. He proposed an idea for unifying Class Office and Student Council. Adham discussed the logistics and advantages of this unification. He also stated that the Class of 2022 will be running a car wash fundraiser Saturday morning from 9am – 12pm at Navin Arena. It is \$10/car wash.

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The junior class representative, Jessica Rosenzweig, discussed changes, challenges, and solutions for junior prom. The biggest goal of junior class officers this year is to plan and execute prom, so she discussed the process and logistical concerns. Prom will be held in the MHS gym with finger food, a DJ, and Trombetta's ice cream truck. She thanked various administrators and committees who assisted in organizing this event.

The sophomore class representative, Risha Khanderia, spoke about track facilities. She asked the committee to consider updating the outdoor track facility at MHS due to safety concerns. Risha discussed how other facilities in the City were renovated. She proposed numerous reasons for this renovation; for example, the district would be able to hold certain competitions if more lanes were added to the track.

The freshman class representative, Sarah Garner, mentioned class involvement. She noted that the freshman class has not participated in school spirit and fundraisers as much as they would like to. However, the school as a whole has been finding ways to help freshman become more involved.

Mrs. Bodin-Hettinger inquired about whether Adham ran his unification idea by his classmates.

Dr. Riley discussed how to potentially move forward with Adham's proposal.

Mrs. Hennessy stressed making this opportunity available for everyone.

Adham further explained his proposal and the rationale behind it.

C. MHS Graduation Update

Principal Riley presented an update on MHS Graduation. The single graduation ceremony will be held on Sunday, June 5th at 11:00am at the John G. Noble Field behind Whitcomb School. Each student may bring up to four guests. The rain delay date would push the ceremony into the afternoon of June 5th or to the following weekend of June 11th/12th. Dr. Riley spoke about some additional senior activities and dates to keep in mind, which are attached in his report.

Mrs. Hennessy asked if live streaming graduation was plausible, and Superintendent Bergeron is going to look into it.

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4. Committee Discussion/Directives: None.

5. Communications: None.

6. Superintendent's Report:

Superintendent Bergeron updated the committee on the COVID-19 data for the City of Marlborough and MPS. The Superintendent verbally reported current data that differs from the report, which was sent out on March 14, 2022.

The Superintendent mentioned the BPA results from the state leadership conference, which are attached to his report. Ms. Haley was invited up to acknowledge students' accomplishments.

Ms. Haley presented the awards from the BPA state leadership conference. Between the 11 MHS students, 21 awards were accumulated.

Superintendent Bergeron requested a suspension of the rules for agenda item 9A to be discussed.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to bring up item 9A.

Motion passed 6-0-0.

9A. MHS Business Professionals of America Out of State Trip

Superintendent Bergeron requested approval for the BPA National Leadership Conference in Dallas, Texas from May 4th – 8th. Half of the qualifying students in the organization would like to attend; the other half have AP exams the same week unfortunately. The trip is funded through a combination of fundraisers and students'/families' out of pocket payments.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve this request.

Motion passed 6-0-0.

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Superintendent Bergeron continued with his report and noted that the 2022-2023 School Calendar has two adjustments regarding half days towards the end of the year. MCAS timelines were reviewed to make the adjustments in preparation for final approval at tonight's meeting.

The Superintendent shared some exciting news for the district's Music Department. Mr. Rosenthal and Mr. Verdone were invited up to discuss the partnership with Foxboro High School.

Mr. Rosenthal thanked Mr. Verdone for his efforts and dedication to the music program. Mr. Verdone shared about MHS's partnership with Foxboro High School, which led to the opportunity for a guest clinician from the Lincoln Center Jazz Ensemble to work with MHS music students. He provided some background information on how this opportunity developed. Mr. Verdone invited the School Committee to come to an upcoming jazz performance.

Mrs. Hennessy shared her appreciation for this opportunity for jazz students, especially as a parent of a jazz ensemble student.

A. Assistant Superintendent of Student Services & Equity

Mrs. O'Brien, the Assistant Superintendent of Student Services and Equity, reported that 498 staff and 1,297 students in the district have opted in to the At-Home COVID testing option as of today. While secondary schools have sent home more than one box at a time to reduce the time spent to deliver to students during the school day, elementary schools will stick with their biweekly plan. The district will send extra tests to programs, such as the Marlborough Boys and Girls Club, to distribute to students. Mrs. O'Brien shared that she and Mrs. Murphy led discussions about the SST procedures that occur at each school last week during their monthly meeting with Unit B Administrators. Mrs. O'Brien provided some background information on SST, and an informational handout was attached to her report. Mrs. O'Brien also shared what happened before and during the meeting. Administrators at this meeting were able to hear from their peers on procedures used in specific buildings that could be beneficial to adopt in their respective schools as well. Work will continue to be done to develop consistency and continuity across the district.

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7. Acceptance of Minutes: None.

8. Public Participation:

Chairman Vigeant opened the public hearing for the budget.

There was no one who spoke in favor.

There was no one who asked questions.

There was no one who spoke in opposition.

The public hearing was closed on the budget.

There was no additional public participation.

It should be noted that members of the public may provide comment via email before the meeting to superintendent@mps-edu.org. Public participation is a time for your comments to be heard by the committee; it is not a question-and-answer session.

9. Action Items/Reports

A. MHS Business Professionals of America Out of State Trip

Moved to end of Item 6.

B. MHS Program of Studies

Principal Riley highlighted some changes to the MHS Program of Studies, which are outlined in a document attached to this agenda item.

Mrs. Bodin-Hettinger expressed her admiration for this Program of Studies, specifically in regard to giving students experiences to prepare them for college and careers. She then asked about the Art Foundations course being dropped.

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Dr. Riley explained the rationale behind this alteration, as well as Latin as a bridge and library research skills courses.

Mrs. Hennessy asked about the 9th and 10th grade teams being merged to which Dr. Riley explained the purpose behind this. Student feedback has played a significant role in these decisions.

Mrs. Bodin-Hettinger inquired about the teaching assistant internships.

Dr. Riley gave some background information on the creation and execution of this internship program.

Hattie Parker spoke about supporting Adham Hussein's idea of unity as well as the opportunities MHS provides students with for success in their future endeavors. She spoke about her pride in Marlborough as a school community, especially in regard to BPA and the jazz ensemble events coming up.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve this Program of Studies.

Motion passed 6-0-0.

C. FY23 School Choice

Superintendent Bergeron recommended that the district should not adopt school choice as the district currently has over 5,000 students enrolled.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to accept the Superintendent's recommendation.

Motion passed 6-0-0.

D. FY23 School Calendar

Superintendent Bergeron presented the FY23 school calendar and highlighted some changes that were made in regard to March and May early release days. He recommended that the School Committee vote to approve the FY23 MPS school calendar as presented.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve the FY23 school calendar.

Motion passed 6-0-0.

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E. FY22 Operating Budget Transfers

Mr. Dias outlined various budget transfers in the attached document.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve these budget transfers.

Motion passed 6-0-0.

F. Obsolete Furniture

Mr. Dias requested that the school deems certain student seating furniture as obsolete.

Motion made by Mrs. Bodin-Hettinger, seconded by Chairman Vigeant to approve this recommendation.

Motion passed 6-0-0.

G. School Committee Vote on the FY23 Budget

Superintendent Bergeron recommended that the School Committee vote to approve the FY23 budget of \$69,479,713.00.

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

Motion passed 5-0-1 (Vigeant).

H. Acceptance of Donations and Gifts

Special Olympics Massachusetts. MHS Unified Sports received \$500.00.

Motion made by Mrs. Bodin-Hettinger seconded by Chairman Vigeant to approve this donation.

Motion passed 6-0-0.

MA DESE FY22 FC467 Early College Expansions Grant. MHS received this grant worth \$59,000.00.

Motion made by Mrs. Bodin-Hettinger seconded by Chairman Vigeant to approve this donation.

Motion passed 6-0-0.

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10. Reports of School Committee Sub-Committees:

Mrs. Ryan, the Chair of the Superintendent Search Committee, presented an update on the sub-committee's progress. The seven members of the committee include Mrs. Ryan, Mrs. Hennessy, Mr. Caruso, Angela House, Ms. Barry, Mr. St. George, and Ayako Barnum (parent representative). Mrs. Hennessy was selected to replace Chairman Vigeant since he had to resign due to scheduling conflicts. The committee received 23 applicants for the Superintendent position, but only nine individuals were selected to be interviewed. So far, five of those candidates have been interviewed. The goal is to bring the final candidates to the School Committee meeting on the April 12th meeting.

Mrs. Hennessy shared that the Policy Sub-Committee had a meeting on March 17th. Multiple policies will be moving forward for first read and such on the next School Committee agenda. Another meeting needs to be scheduled for this sub-committee.

Mrs. Hennessy will approve and sign the warrant.

11. Members' Forum:

Superintendent Bergeron congratulated the winter sports teams in Marlborough for representing the district.

Mrs. Hennessy shared Ava VanBuskirk's accomplishments in winter track.

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12. Adjournment:

Motion made by Bodin-Hettinger, seconded by Chairman Vigeant to adjourn at 9:05 p.m.
Motion passed 6-0-0.

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 April 12, 2022

Conservation Commission
Minutes
March 17, 2022
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM

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2022 APR 13 A 7:20

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

Absent: none

Approval of Minutes: The minutes of March 3, 2022, and February 17, 2022 were reviewed and on a motion by Mr. White second by Mr. Clancy to approve the minutes as written, the Commission voted 7-0 to approve.

Public hearings:

Abbreviated Notice of Intent (continued from 3/3/2022)

74 & 82 Paquin Dr. - Scott Ferrecchia

Ms. Ryder explained the changes to the plans and showed photos from the site walk earlier with Mr. DiPersio and Mr. Parente showing the location of the stakes. Based on discussions with Tom DiPersio in the field and based on his research and survey by the DPW the top of the spillway is at elevation 261.0'. Therefore, the land under the water below the 261.0' elevation belongs to the city and anything above that would belong to the adjacent landowner. These adjustments will be made to the plans. It was determined that if the face of the wall on the water side was at or above 261.0' that would work.

Mr. Ferrecchia explained that the waves during the summer are causing a great deal of erosion along the shoreline, and he has dragged the sand up now to fill the gaps. A solid wall would help prevent erosion. He would like to put in 20' of blocks from his existing dock to about where the large tree is located as this is the area receiving the most impact. This section will likely have two layers of blocks, one buried and one above. It would be placed on a crushed stone footing and the land above would grade to the top of the wall. After some discussion about construction methods etc. it was determined, that because the spillway has been closed and the water level is already rising, that this project will need to wait until next fall when the water level is dropped again. They will revise the plans based on the engineering information provided and will submit a revised plan to the Commission for the April 7th meeting.

Violation Updates:

- 896 Boston Post Rd. – Continued from 2/3/2022 - Mr. Renovo was present, he explained that he rents this area from Marcello and had been told if he added a berm he could work in this area. After speaking with Ms. Ryder, he understands that is not the case and has moved all his equipment and other materials out of the area that he had removed the leaves, added a berm, and thankfully stopped work before he cut any trees. He is happy to restore the area. Ms. Ryder noted that the trees remain, a berm remains, and the soil is raw, she suggested stabilizing the area but asked the Commission what they wanted to do with the berm. After some discussion about the soil type and stabilization, it was agreed that several Commission

members would do a site visit to make a final determination. A site visit was set for Tuesday March 22 at noon. The results of the site visit will be discussed at the next meeting.

- 630 Forest St. – Project update - As requested at the last meeting the applicant appeared with his various consultants to discuss moving forward with this site which has been excavated without a permit. Mr. Turner, Mr. Vento's, Mr. Wood and Mr. Fred Keylor were present. Mr. Keylor explained that he is the project engineer and has prepared a drawing showing the new drainage pipe and upstream and downstream stabilization, with project sequencing and pumping details. Ms. Ryder noted that City Engineer Tom DiPersio has reviewed and agrees with this plan. It is based on the files Bruce Saluk originally provided and he got permission to use them. Bruce Saluk, working on behalf of the abutter IPG also provided comments on the size of the rip rap to meet MDOT specks. Mr. Keylor also suggested they put a weir of boulders on the upstream side of the culvert to help catch debris from flowing through (creating a natural trash rack of sorts). They also plan to put some guardrails along the grass area on top to prevent cars from access. They reviewed the design details of the pipe and construction process and pumping protocols. They have hired Hancock Engineering to file the Notice of Intent (NOI) for the next meeting and will also analyze the downstream wetlands impacted by the sediment discharged by this project. The Commission and the applicant discussed the need for an emergency certificate to proceed with the work prior to the NOI. It is spring and each rainstorm that the site remains open is a big threat to the downstream wetland. It was agreed that the project, now with a plan and an engineer can proceed to fix the problem and stabilize the site. On a motion by Mr. Skarin, second by Mr. White, to issue an Emergency Certificate to allow the work to continue as discussed, the Commission voted unanimously 7-0 to issue. The Commission will wait for the NOI to be filed for further discussion.

Certificate of Compliance:

- DEP 212-1214 615 Williams St. (continued from 3/3/2022) Ms. Ryder noted that the erosion controls still need to be removed so this was continued to the next meeting.

Discussion/Project Updates:

- 293 Lakeshore Dr. – DEP 212-1211 - dock design approval - The owner has presented a dock location and design as required in the Order of Conditions issued for this property. The Ft. Meadow Commission has reviewed the proposal and Ms. Ryder and Mr. Thomson visited the site to discuss with the owner. Ms. Ryder presented the Commission with the plan for an L shaped dock to extend at an angle parallel to the shoreline on the west side of this property. After some discussion on a motion by Mr. Skarin, second by Mr. White to approve the dock design as presented, the Commission voted 7-0 unanimously to approve.
- Memorial Forest/Desert Natural Area turtle survey – permission - Ms. Ryder noted that the Eversource project has been asked to continue the turtle survey work along the gas pipeline for another year. John Vieira of AE Com. has requested permission for another year of study. On a motion by Ms. Paquin, second by Mr. Dunbar to approve the request to continue turtle survey for 2022, the Commission unanimously 7-0 approved.
- 689 Pleasant St. – preliminary Open Space Development Plan - Ms. Ryder noted that this subdivision is under review by the Planning Board. She provided comments based on her

review for the last Planning Board meeting. The Commission reviewed the revised plans and noted that seepage collars, wetland replication, vernal pool protection and 30' buffer zone as well as the comments Ms. Ryder provided should be included in a new set of comments to the Planning Board. Ms. Ryder will draft the letter for the Chairman's signature.

- Felton Conservation Land – mowing - Ms. Ryder noted that she has reached out to Mr. Stephan to see if he wants to continue mowing the Felton land fields. If he agrees she will add the license agreement to the next agenda.
- Installation of water main on a portion of Pleasant St. and Fitchburg St. – DPW – minor exempt project. Mr. Clancy noted that the Commission had received a letter and plans showing the waterline to be installed along Pleasant St. and Fitchburg St. Ms. Ryder noted that per the regulations if all waterline work is within the existing roadway layout this can be considered a minor exempt project, only requiring notification to the Commission. The Commission agreed but asked that Ms. Ryder convey to the DPW that she be notified when work begins to do an erosion control inspection and review protocol before work begins. Ms. Ryder will convey.
- SuAsCo Small Grant: Ms. Paquin was successful in getting a \$3,000 CISMA Small Grant for 2022 to help the Commission address bittersweet vines at Ghiloni Park and develop an education program for volunteers to help stop the spread of this invasive “killing” vine. The Commission thanked Ms. Paquin for doing this work.

Correspondence

The following documents were reviewed, and the commission unanimously voted to accept and place on file:

- Yearly Operational Plan – 2022 – DPW
- MDAR – control vegetation along rights of way – a 5 yr. Vegetation Management Plan

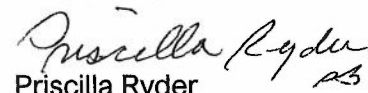
Other Business

- BU College Student Lucy McCabe was present and is doing a research project on how wetlands are protected in Marlborough. She asked many questions and got lots of input from the Commission members. She will continue to reach out for additional information in the coming weeks and months as she does her research. She thanked the Commission for their time.

Next Conservation Commission meetings: April 7th and April 21, 2022

Adjournment: There being no further business the meeting was adjourned at 9:01 PM

Respectfully submitted,


 Priscilla Ryder
 Conservation/Sustainability Officer

MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752

1A

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Call to Order

2022 APR 12 A 11: 00 March 14, 2022

The Meeting of the Marlborough Planning Board was called to order at 7:00 pm in Memorial Hall, 3rd Floor City Hall, 140 Main Street, Marlborough, MA. Members present: Barbara Fenby, Sean Fay, Phil Hodge, George LaVenture, Chris Russ, Matthew Elder and William Fowler. Meeting support provided by City Engineer, Thomas DiPersio.

1. Draft Meeting Minutes

A. February 28, 2022

On a motion by Mr. Elder, seconded by Mr. LaVenture, the Board voted to accept and file the February 28, 2022, meeting minutes with minor typo edits. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

2. Chair's Business

A. Conservation Commission – 30' Wetland setback no disturb policy

On a motion by Mr. LaVenture, second by Mr. Elder, the Board voted to accept and file the Conservation Commission wetland policy. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

The Board discussed specifications from within the policy.

3. Approval Not Required

A. South Street, Map:81 Parcel: 228

Deed Reference: Book: 74382 Page: 124

Name of Applicant: Robert Raiano (21 First Road, Marlborough, MA 01752)

Name of Surveyor: Hancock Associates, John D. Bremser, P.L.S. (315 Elm Street, Marlborough, MA 01752)

i. Correspondence from City Engineer, Thomas DiPersio, Engineering Division

Mr. LaVenture read the March 9, 2022, correspondence from Mr. DiPersio into the record.

On a Motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the correspondence.

Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

ii. Plan of Land in Marlborough, MA – ANR

Dated: 2/16/22

Revised Date: 3/10/22

On a motion by Mr. Fay, second by Mr. Fowler the Board voted to endorse the South Street, Map 81, Parcel 228, Plan of Land dated February 16, 2022, revised March 10, 2022, as Approval Not required under the Subdivision Control Law. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

The Board voted to endorse the plan based upon the satisfaction of ANR requirements and did not affirmatively approve the common driveway depicted on the approved plan.

4. Public Hearings (None)

5. Subdivision Progress Reports

A. Gikas Lane – Road acceptance update

i. Correspondence from City Engineer, Thomas DiPersio, Engineering Division

Mr. LaVenture read the March 10, 2022, correspondence from Mr. DiPersio into the record.

On a Motion by Mr. LaVenture, seconded by Mr. Russ, the Board voted to accept and file the correspondence.

Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

**MINUTES
MARLBOROUGH PLANNING BOARD
MARLBOROUGH, MA 01752**

Mr. DiPersio explained the developer's attorney reached out because the developer is still paying the electric bill. The roadway acceptance process was never completed, but the City does have all the necessary documents. He suggested the Board recommend the road acceptance of Gikas Lane to City Council.

On a motion by Mr. Elder, seconded by Mr. Russ, the Board voted to recommend to the Marlborough City Council that Gikas Lane be accepted as a public way and the appurtenant easements be accepted as municipal easements in the City of Marlborough. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

B. 342 Sudbury Street change of surety – no discussion occurred.

6. Preliminary/Open Space/Limited Development Subdivision

A. Beauchemin Estates, Preliminary Open Space Concept Plan

689 Pleasant Street, Marlborough, MA 01752

Owner of Land: Joyce Beauchemin Realty Trust, Timothy L. Beauchemin, Trustee
(P.O. Box 1067, Townsend, MA 01469)

Name of Engineer: Daniel Koravos, P.E. (59 Granite Lane, Chester, NH 03036)

Deed Reference: Book: 45210 Page: 560

- i. Correspondence from City Engineer, Thomas DiPersio, Engineering Division
Mr. LaVenture read the March 10, 2022, correspondence from Mr. DiPersio into the record.
- ii. Correspondence from Priscilla Ryder, Conservation Commission
Mr. LaVenture read the March 10, 2022, correspondence from Ms. Ryder into the record.

On a Motion by Mr. LaVenture, seconded by Mr. Elder, the Board voted to accept and file both correspondences. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

- iii. Preliminary Open Space Concept Plan Set Dated: 2/10/22 Revised Date: 3/6/22
Existing Conditions Plan
Tree Inventory Plan
Conventional Preliminary Plan
Preliminary Plan & Profile
Preliminary Plan & Profile (2)
Open Space Conceptual Plan

The Board and Mr. Koravos discussed the location of the detention basin and the new 30' set back requirements.

Mr. Russ asked Mr. DiPersio if lot 4 on the conventional plan is a buildable lot due to the grading increase. Mr. DiPersio noted Mr. Russ's concern and explained this would be reviewed in detail during the Engineering review process. Mr. Russ pointed out the regulations require a buffer zone double to the required building setback for lot 1 on the open space plan, because it abuts a residential parcel.

Dr. Fenby asked Mr. Koravos to make the adjustments noted during the discussion before the Board sets a public hearing date.

**MINUTES
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MARLBOROUGH, MA 01752**

The Board and Mr. Koravos agreed there is no clock running because Mr. Koravos and the Board are still in negotiations on the completeness of the application.

Mr. Koravos and the Board agreed that Mr. Koravos would attend the April 11, 2022, with revised plans.

7. Definitive Subdivision Submissions (None)

8. Signs (None)

9. Correspondence (None)

10. Unfinished Business (None)

11. Calendar Updates (None)

12. Public Notices of other Cities & Towns (None)

A. Town of Northborough – Public Hearing Notice

B. Town of Southborough – Public Hearing Notice

On a motion by Mr. Russ, seconded by Mr. LaVenture, the board voted to accept and file the public notices from the Town of Northborough and the Town of Southborough. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

3. Approval Not Required (Continued)

A. South Street, Map:81 Parcel: 228

Mr. Fay signed and endorsed the South Street, Map 84, Parcel 228, Plan of Land dated February 16, 2022, revised March 30, 2022.

On a motion by Mr. Fowler, seconded by Mr. Elder, the Board voted to adjourn the meeting. Yea: Elder, Fay, Fowler, Hodge, LaVenture, Russ, and Fenby. Nay: 0. Motion carried.

Respectfully submitted,


George LaVenture/Clerk

/kmm