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CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2023 JAN 19 PM 1:15

CITY OF MARLBOROUGH
City Council Agenda

Monday, January 23, 2023
8:00 PM

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

1. From Council President Ossing, re: Request of the Mayor to address the City Council on the State of the City.
2. Minutes, City Council Meeting, January 9, 2023.
3. From City Council President Ossing – City Council Regular Meeting Schedule and City Council Committee Assignments for the 2023 Legislative Year.
4. PUBLIC HEARING on the Application for Special Permit from Stephen Copper, on behalf of Alliance Health & Human Services to renovate 10,490 sf of the existing building to provide twelve (12) rest home beds at 720 Boston Post Road East within the Wayside District, Order No. 22-1008768.
5. Communication from the Mayor, re: Grant Acceptance in the amount of \$18,000.00 from the Department of Environmental Protection awarded to the Department of Public Works to be used to offset the increased cost of processing recycling materials.
6. Communication from the Mayor, re: Grant Acceptance in the amount of \$118,136.00 from the Executive Office of Elder Affairs (EOEA) awarded to the Council on Aging to be used to fund the Council on Aging's operating budget for the year.
7. Communication from the Mayor, re: Transfer Request in the amount of \$100,000.00 which moves funds from PEG Funds to Marlborough Cable Trust to fund WMCT operations.
8. Communication from the Mayor, re: Capital Bond Requests totaling \$10,270,000.00, which includes various reconstruction of streets, drain and sidewalk repairs throughout the city.
9. Communication from the Mayor, re: Proposed Ordinance Amendment to Chapter 315 "Enforcement", §2 "Non-criminal Disposition" to ensure consistency with state law.
10. Communication from the Mayor, re: Appointment of Michael Cabral to the Planning Board for a 5-year term to expire on February 1, 2027, replacing Barbara Fenby whose term will expire on February 6, 2023.
11. Communication from the Mayor, re: Appointment of James Fortin to the Planning Board for a 5-year term to expire on February 1, 2027, replacing Matthew Elder who recently resigned.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

12. Communication from Attorney Terrence Morris on behalf of 272 Lincoln LLC, re: Request to Extend Time Limitations until 11:00 PM on March 28, 2023, on the Application for Special Permit, to build a 12-unit multi-family dwelling with accessory parking to be located at 272 Lincoln Street, Order No. 22-1008709.
13. Communication from Marquel Frink and Divino Oliveira on behalf of All Fur Love, re: Request to Extend Time Limitations until 10:00 PM on April 11, 2023, on the Application for Special Permit, to operate a dog grooming business to be located at 75 Lincoln Street, Order No. 22-1008723.
14. Minutes of Boards, Commissions and Committees:
 - a) School Committee, December 13, 2022.
 - b) Conservation Commission, December 15, 2022.
 - c) Historical Commission, November 17, 2022.
 - d) Library Trustees, October 4, 2022, November 14, 2022 & December 6, 2022.
15. CLAIMS:
 - a) Kyle Hesemeyer, 56 Rice Avenue, Northborough, pothole or other road defect.

REPORTS OF COMMITTEES:

Councilors-at-Large

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



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MARLBOROUGH
JAN 12 PM 4:30

Ward Councilors

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

Council President

Michael H. Ossing

Council Vice-President

Kathleen D. Robey

**CITY OF MARLBOROUGH
CITY COUNCIL
MEETING MINUTES
MONDAY, JANUARY 9, 2023**

The regular meeting of the City Council was held on Monday, January 9, 2023, at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Perlman & Robey. Absent: Wagner. Meeting adjourned at 8:25 PM.

At this time Chief Giorgi introduced the new members and recently promoted members of the Police Department for the City of Marlborough, they are:

- ✓ Brandon Carty
- ✓ Patrick Craigen
- ✓ Matthew Curran
- ✓ Michael Donnelly
- ✓ Georgia Kramer
- ✓ Leandro Lins
- ✓ Jeremy Schold
- ✓ Nicholas St. Jean
- ✓ Lieutenant John Graham
- ✓ Sergeant Scott DeCiero
- ✓ Sergeant David Monti
- ✓ Sergeant David Watkins

ORDERED: That Councilor J. Christian Dumais be elected as the President Pro Tempore of the Marlborough City Council for 2023, **APPROVED**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

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

Absent: Wagner.

ORDERED: That Councilor Michael H. Ossing be elected as the President of the Marlborough City Council for 2023, **APPROVED**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

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

Absent: Wagner.

ORDERED: That Councilor Kathleen D. Robey be elected as the Vice-President of the Marlborough City Council for 2023, **APPROVED**; adopted.

Yea: 10 – Nay: 0 – Absent: 1

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

Absent: Wagner.

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

ORDERED: That the 2022 City Council Rules be adopted for operation of the Council in 2023, until such time as they may be reviewed and amended, **APPROVED**; adopted.

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

ORDERED: That the Minutes of the City Council meeting, DECEMBER 19, 2022, **FILE**; adopted.

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

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

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

ORDERED: That the Communication from the Mayor, re: Update on Completed Department of Public Works Projects, **FILE**; adopted.

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

ORDERED: That the Communication from the Mayor, re: New Library Director, Sara Belisle, who is replacing Margaret Cardello upon her retirement, **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 Grant Acceptance in the amount of \$35,466.20 from the Regional Economic Development Organization's Grant Program (REDO) awarded to the Marlborough Economic Development Corporation (MEDC) to be used for downtown improvements and to increase foot traffic; 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 \$24,900.78 from the Executive Office of Public Safety and Security and the Department of Fire Services awarded to the Fire Department to be used for the purchase of various equipment for the department; 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** Grant Acceptance in the amount of \$15,000.00 from the MA Cultural Council awarded to the Marlborough Downtown Village Cultural District, administered through the MEDC to be used to plan and support the annual Food Truck and Artisan Festival; adopted.

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

ORDERED: That pursuant to Section 70 of Chapter 44 of the Massachusetts General Laws, the Marlborough City Council hereby authorizes the Marlborough Public Schools and the Superintendent of Schools to enter into a Memorandum of Understanding with the Executive Office of Health and Human Services (EOHHS), Department of Elementary and Secondary Education (DESE) and the Department of Children and Families (DCF) for the purposes of Title IV-E reimbursements, **APPROVED**; adopted.

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

ORDERED: That the Appointment of Dillon LaForce to the Planning Board for a 5-year term to expire on February 1, 2027, referred to the **PERSONNEL COMMITTEE**; adopted.

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

ORDERED: That the Reappointment of Police Chief David Giorgi as Keeper of the Lock-Up for a term of 1-year, **APPROVED**; adopted.

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

ORDERED: That the Appointment of Elizabeth Jalonski to the Board of Registrars for a 2-year term to expire on April 1, 2025, referred to the **PERSONNEL COMMITTEE**; adopted.

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

ORDERED: That the Communication from the Planning Board, re: Favorable Recommendation on the Proposed Zoning Amendment to Chapter 650 "Zoning" relative to certain provisions concerning mixed-use and affordable housing, **FILE**; adopted.

Motion by Councilor Brown, 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 Approval of an Alternative Basic Service Procurement and Pricing Plan, **FILE**; adopted.

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

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

- a) Conservation Commission, December 1, 2022.
- b) Planning Board, November 21, 2022.
- c) Traffic Commission, September 28, 2022.

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

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

- a) Carlos Cancel, 63 Phelps Road, Framingham, pothole or other road defect.
- b) Progressive Insurance on behalf of Groundbreaking Excavation, 64 Fairmount Street, other property damage and/or personal injury.

Reports of Committees:

THERE WERE NO REPORTS OF COMMITTEE.

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 8:25 PM; adopted.

CITY COUNCIL REGULAR MEETING SCHEDULE 2023

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2023 JAN 12 AM 7:15

January 9
(Organizational Meeting)

January 23

February 13

February 27

March 13

March 27

April 10

April 24

May 8

May 22

June 5

June 26

July 24

August 21

September 11

September 18

October 2

October 23

November 13

November 27
(Agenda closes 5:00 PM Tuesday, November 21st)

December 4
(Tax Classification Public Hearing)

December 18

CITY COUNCIL COMMITTEES
2023

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CITY OF MARLBOROUGH
2023 JAN 12 AM 7:15

Michael H. Ossing, President
Kathleen D. Robey, Vice-President

FINANCE

John J. Irish
Christian Dumais
Mark A. Oram
Samantha Perlman
Teona C. Brown

URBAN AFFAIRS & HOUSING

Kathleen D. Robey
Dave Doucette
Don Landers
Sean A. Navin
Laura J. Wagner

PUBLIC SERVICE

Donald R. Landers
John J. Irish
Teona Brown

LEGISLATIVE & LEGAL AFFAIRS

Samantha Perlman
Mark A. Oram
Kathleen D. Robey

OPERATIONS & OVERSIGHT

Mark A. Oram
Christian Dumais
Dave Doucette

PERSONNEL

Christian Dumais
Sean Navin
Dave Doucette

OPEN SPACE

Sean A. Navin
Samantha Perlman
Laura J. Wagner

VETERANS

Sean A. Navin
Samantha Perlman
Mark A. Oram

PUBLIC SAFETY

Teona C. Brown
Christian Dumais
Kathleen D. Robey

HUMAN SERVICES

Laura J. Wagner
Teona C. Brown
Mark A. Oram

CLIMATE RESILIENCY

David Doucette
Laura J. Wagner
Donald R. Landers

RULES COMMITTEE

Michael H. Ossing
Kathleen D. Robey
John J. Irish

****FIRST PERSON NAMED SHALL SERVE AS COMMITTEE CHAIR****

The **second** person named denotes Committee Vice-Chair.

The President or Vice-President may serve as an ex-officio member
of any of the above Committees to form the required quorum.



IN CITY COUNCIL

Marlborough, Mass., DECEMBER 19, 2022

ORDERED:

That there being no objection thereto set **MONDAY JANUARY 23, 2023**, as the **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Stephen Copper, on behalf of Alliance Health & Human Services to renovate 10,490 sf of the existing building to provide twelve (12) rest home beds at 720 Boston Post Road East within the Wayside District, be and is herewith referred to the **URBAN AFFAIRS COMMITTEE & ADVERTISE**.

Ninety days after public hearing is 04/23/23 which falls on a Sunday, therefore 04/24/23 would be considered the 90th day.

ADOPTED

ORDER NO. 22-1008768



City of Marlborough
Office of the Mayor

RECEIVED
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CITY OF MARLBOROUGH
2023 JAN 19 AM 11:47

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
CHIEF OF STAFF

Candace McGrath
EXECUTIVE ADMINISTRATOR

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

January 19, 2023

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

Re: Grant acceptance for Department of Public Works – Sustainable Materials Recovery Program

Honorable President Ossing and Councilors:

Enclosed for your acceptance is a grant award in the amount of \$18,000.00 from the Department of Environmental Protection earned under the Recycling Dividends Program.

These funds will be used to offset the increased cost of processing recycling materials as stated in Assistant Commissioner Ted Scott's enclosed letter.

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

January 10, 2023

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

Re: Sustainable Materials Recovery Program Grant

Dear Mayor Vigeant:

The Department of Public Works was awarded a Sustainable Materials Recovery Program Grant from the Department of Environmental Protection in the amount of \$18,000. These funds, earned under the Recycling Dividends Program (RDP) and Small-Scale Initiatives grant program, provide incentives for municipalities to improve their recycling programs by implementing best practices and reward communities who practice model recycling and waste reduction programs. Funds will be expended to offset the rising costs of processing recyclable materials. I respectfully request that you submit this grant for City Council acceptance and approval. A copy of the grant acceptance form has also been attached for Council's review and consideration.

Please contact me if you require any additional information.

Sincerely,

Theodore L. Scott
 Assistant Commissioner Operations

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Department of Public Works DATE: 1/10/2023

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Ted Scott- Asst Commissioner of Operations

NAME OF GRANT: Recycling Dividends Program Grant

GRANTOR: MassDEP Sustainable Materials Recovery Program

GRANT AMOUNT: \$18,000.00

GRANT PERIOD: Calendar Year 2023

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

IS A POSITION BEING
CREATED: No

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

ARE MATCHING CITY
FUNDS REQUIRED? No

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

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

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: No

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

SIGN AND RETURN THIS DOCUMENT TO MASSDEP VIA EMAIL

**RECYCLING DIVIDEND PROGRAM CONTRACT ("RDP Contract")
BETWEEN THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL PROTECTION ("MassDEP")
AND THE City of Marlborough ("Municipality")**

Pursuant to the Green Communities Act, relevant provisions of which are codified at M.G.L. c. 25A, Section 11F(d) and the regulations promulgated thereunder at 310 CMR 19.300 and in support of the Massachusetts Solid Waste Master Plan developed pursuant to M.G.L. c. 16, Section 21, MassDEP has awarded the Municipality a Sustainable Materials Recovery Program grant under the Recycling Dividends Program ("RDP"). The Municipality has earned a payment of \$18,000.

The Recycling Dividends Program provides payments to municipalities that have implemented specific programs and policies proven to maximize reuse, recycling and waste reduction. Municipalities receive payments according to the number of criteria points their program earns based on the *2022 Details: Recycling Dividends Program and number of residents served* as described below. RDP provides an incentive for municipalities to improve their recycling programs by implementing best practices and rewards communities with model recycling and waste reduction programs.

Duration: The term of this Contract shall be in effect until the municipality has expended all RDP funds and reported to MassDEP on use of funds.

RESPONSIBILITIES OF THE MUNICIPALITY

1. **Authority:** The Signatory of this RDP Contract is authorized by the governing body of the Municipality to enter into this Contract on behalf of the Municipality and apply for and accept funds on behalf of the Municipality.
2. **Commonwealth Terms and Conditions:** The Municipality shall comply with the Commonwealth Terms and Conditions and other requirements set forth in the Municipality's executed Master Service Agreement.
3. **Failure to Comply:** If, in the judgment of MassDEP, the Municipality fails to comply with any of its responsibilities identified in this Contract, then, at the election of MassDEP, (a) the Municipality shall repay the RDP funds to MassDEP within 90 days; and/or (b) title to all materials purchased with the RDP funds immediately and without any further steps shall be transferred to MassDEP; and/or (c) MassDEP may find the Municipality not eligible to seek another Sustainable Materials Recovery Program Grant for up to three years. MassDEP may provide written notice to the Municipality of any such failure to comply. Such notice may provide a time period and manner for the Municipality to cease or remedy the failure. Such notice from MassDEP of any such failure by the Municipality is not a precondition to MassDEP's right to select options (a), (b), and/or (c) above. The Municipality shall follow the instructions of MassDEP regarding possession of the materials purchased with RDP funds. The Parties hereby agree to execute any and all documents necessary to accomplish said transfer. Furthermore, the Municipality shall transfer or arrange to transfer actual possession of said materials to an authorized representative of the Commonwealth of Massachusetts or its designee.
4. **Recycling in Practice:** The Municipality has established paper, bottle and can recycling in all municipal buildings, offices and meeting spaces, including schools. The Municipality shall continue such paper, bottle and can recycling during the term of the RDP Contract.
5. **Notification of Buy Recycled Policy:** The Grantee has established a written policy which promotes a preference for the purchase of recycled products in lieu of non-recycled products and distributes an annual notification of the Buy Recycled Policy, ordinance or by-law to all staff, department heads and employees with purchasing authority. This notice should be sent from the Mayor, Board of Selectmen, Town Manager, Town Administrator, or Chief Purchasing or Procurement Officer; and should include specific language encouraging the purchase of recycled products as it supports municipal recycling collection programs, recycling markets, and supports closed loop recycling. The Grantee shall submit the annual notification to MassDEP on or before February 15th during the term of the Grant. Failure to submit by this deadline will result in the loss of an RDP point.

SIGN AND RETURN THIS DOCUMENT TO MASSDEP VIA EMAIL

6. **RDP Payment Calculation:** MassDEP has calculated the RDP Payment using the table below which shows payment brackets based on the number of households served by the municipal solid waste program and the point value for each bracket. See *Details: Recycling Dividends Program guidance document for additional information on point value.*

RDP Payment Brackets

# of Households that Receive Trash Service Provided by the Municipality	Point Value Basic Level 1-9 pts.	Point Value Advanced Level ≥ 10 pts. or RDP EJ Populations
0 - 1,999	\$245	\$350
2,000 - 4,999	\$420	\$600
5,000 - 7,499	\$770	\$1,100
7,500 - 9,499	\$910	\$1,300
9,500 - 12,499	\$1,260	\$1,800
12,500 - 16,999	\$2,100	\$3,000
17,000 - 24,999	\$2,450	\$3,500
25,000 - 31,999	\$2,800	\$4,000
32,000 - 99,999	\$4,550	\$6,500
100,000 +	\$7,000	\$10,000

7. **Program Criteria:** The Municipality, through its RDP application, certifies that all points earned are for programs that were in place between July 1, 2021 and June 30, 2022 and that these programs fully meet the performance standard set forth in the *2022 Details: Recycling Dividends Program guidance document.*
8. **Use of Funds:** RDP Payments shall be expended on activities and programs listed on the Approved Spending Categories for Recycling Dividends Program and Regional Small Scale Initiative Funds, to enhance the performance of the Municipality's waste reduction programs. Use of a dedicated account is recommended. Funds may be carried over to future years and accumulated to fund a larger eligible expense or project. Planned use of funds shall be noted on the Annual RDP Spending Report. However, MassDEP may delay future RDP payments if municipality is not expending funds.
9. **Record Keeping:** The Municipality shall be responsible for keeping documentation (i.e. proof of purchase in the form of an invoice which lists the vendor name and address, item purchased, item price, number of items purchased and shipping costs if any) by calendar year, of how RDP funds were expended and the remaining balance of RDP funds. MassDEP may conduct record audits to ensure compliance with this Contract.
10. **Reporting:** By February 15th of each year, for the duration of the Contract, the Municipality shall submit the annual Recycling and Solid Waste survey and the RDP Spending Report through its ReTRAC Connect™ account. Submission of the Annual Notification of Buy Recycled Policy as described in condition 5. above is also required. Failure to comply with these reporting requirements will result in the loss of one RDP point and may jeopardize future grant awards and RDP payments.
11. **Environmental Compliance:** The Municipality understands receipt of RDP funds from MassDEP does not in any way imply that the Municipality is in compliance with applicable environmental regulations. This Municipality shall not be construed as, nor operate as, relieving the Municipality or any other person of the necessity of complying with all applicable federal, state, and local laws, regulations and approvals. The Municipality's facility(ies) are subject to inspection at any time by MassDEP and noncompliance with applicable environmental regulations may result in formal enforcement actions, including penalties.
12. **Addendums:** Should MassDEP award additional RDP funds, an addendum to the Contract shall be provided to the Municipality. The same terms and conditions apply to the addendum.

SIGN AND RETURN THIS DOCUMENT TO MASSDEP VIA EMAIL

13. RDP Payment Calculation:

The Municipality's payment has been calculated as follows:
 (NET RDP POINTS EARNED) x (VALUE OF EACH POINT)

a. Bulky Items	2
b. Center for Hard to Recycle Materials	2
c. Curbside Recycling Regulation	0
d. Diversity, Equity, and Inclusion	0
e. Household Hazardous Waste	1
f. Organics	0
g. Recycling Center Access	1
h. ReUse Programs	2
i. Solid Waste Reduction	0
j. Textile Recovery Initiative	0
k. Outreach and Education	0
l. Yard Waste	2
 TOTAL RDP POINTS EARNED	 10
 POINT DEDUCTED DUE TO LATE SUBMISSION	 N/A
 NET RDP POINTS EARNED	 10
 VALUE OF EACH POINT	 \$1,800
 RDP PAYMENT AMOUNT	 \$18,000

IN WITNESS WHEREOF, MassDEP and the Municipality hereby execute this Contract.

COMMONWEALTH OF MASSACHUSETTS

By: *John Fischer* 11/23/2022
 John Fischer, Deputy Division Director Date
 Bureau of Air and Waste
 Department of Environmental Protection

City of Marlborough
 Municipal Official(s) Authorized to sign: Mayor, DPW Commissioner, Assist. DPW Commissioner

By: *Theodore L. Scott* 11/15/22
 Signature Title Date
THEODORE L. SCOTT
 Print Name



City of Marlborough
Office of the Mayor

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Arthur G. Vigeant
MAYOR

Patricia M. Bernard
CHIEF OF STAFF

Candace McGrath
EXECUTIVE ADMINISTRATOR

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

January 19, 2023

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

Re: Grant acceptance for Council on Aging from Executive Office of Elder Affairs

Honorable President Ossing and Councilors:

Enclosed for your review and acceptance is a grant in the amount of \$116,136.00 from the Executive Office of Elder Affairs. This grant will fund the Council on Aging's operating budget for the year.

As stated in Executive Director Trish Pope's enclosed correspondence, this formula grant funding is based on the statewide per capita funding of \$12.00 per senior as reflected in the 2020 U.S Census. The increase in this grant award is due to the increase in our senior population as shown in the most recent census numbers.

If you have any questions, please let me or Executive Director Trish Pope know.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



City of Marlborough
Council on Aging and Senior Center

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

Patricia A. Pope
 EXECUTIVE DIRECTOR

December 21, 2022

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

Re: EOEA Formula Grant Funding

Dear Mayor Vigeant,

I am pleased to submit to you a grant award in the amount of \$116,136.00 from the Executive Office of Elder Affairs. The grant award reflects the statewide per capita funding of \$12.00 per senior as reflect in the 2020 U.S. Census. The increase in this grant award is due to the increase in our senior population as reflected in the most recent census numbers. This essential funding allows us to continue to provide a vast variety of enrichment opportunities for our older adults.

We look forward to utilizing this grant to continue to enhance the quality of life of our older adult population here in Marlborough. As always, I am available should you or the City Council have any questions.

Sincerely,

Patricia A. Pope
 Executive Director

CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD

DEPARTMENT: Council on Aging DATE: 21-Dec-22

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Patricia A. Pope

NAME OF GRANT: EOEA Formula Grant

GRANTOR: EOEA

GRANT AMOUNT: \$116,136.00

GRANT PERIOD: July 1, 2022 - June 30, 2023

SCOPE OF GRANT/
ITEMS FUNDED Programs, transportation, exercise classes, administration,
and enrichment programs

IS A POSITION BEING
CREATED: Yes, part-time Bus Driver (no benefits)

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

**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**



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2023 JAN 19 AM 11:47

City of Marlborough
Office of the Mayor

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
CHIEF OF STAFF

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

Candace McGrath
EXECUTIVE ADMINISTRATOR

January 19, 2023

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

Re: Transfer request to fund WMCT-TV's operations for FY24

Honorable President Ossing and Councilors:

Enclosed for your review and acceptance is a transfer request in the amount of \$100,000.00 from the Marlborough Public Educational and Government Access Channels (PEG) to fund WMCT-TV operations.

We prefer to split the funding for the Cable Trust operating budget into two fiscal years to alleviate unnecessary annual audits. You may recall that WMCT-TV's fiscal year runs April 1st to March 31st.

Please let me know if you have any questions.

Thank you in advance for your cooperation.

Sincerely,


Arthur G. Vigeant
Mayor

Enclosure

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: Mayor

FISCAL YEAR: 2023

FROM ACCOUNT:

TO ACCOUNT:

Available
Balance

Amount

Org Code

Object

Account Description:

Amount

Org Code

Object

Account Description:

Available
Balance

\$498,899.73

\$100,000.00

27000099

47750

Receipts Reserved-PEG Funds

\$100,000.00

89000

25581

Marlboro Cable Trust

\$0.00

Reason: To fund the balance of WMCT'S FY23 Budget

Reason:

Reason:

Reason:

Reason:

\$100,000.00

Total

\$100,000.00

Total

Department Head signature:

Auditor signature:

Finance Director signature:



PEG FEES

8/29/2017 Verizon	\$111,192.81
8/29/2017 Comcast	\$105,212.77
11/7/2017 Comcast	\$104,451.39
11/29/2017 Verizon	\$108,894.94
2/27/2018 Verizon	\$105,934.98
2/27/2018 Comcast	\$105,579.17
4/2/2018 Verizon-franchise	\$3,295.50
5/8/2018 Comcast	\$96,069.98
5/21/2018 Verizon	\$107,727.46
8/23/2018 Comcast	\$95,348.01
8/23/2018 Verizon	\$103,894.13
11/16/2018 Comcast	\$94,728.72
12/4/2018 Verizon	\$102,511.93
2/20/2019 Comcast	\$95,246.35
2/20/2019 Verizon	\$97,007.90
3/4/2019 Verizon-franchise	\$5,026.30
3/25/2019 Verizon-annual fee	\$2,997.00
3/25/2019 Comcast-annual	\$3,208.00
5/17/2019 Comcast	\$92,916.51
5/31/2019 Verizon	\$99,268.12
8/15/2019 Comcast	\$91,956.97
8/15/2019 Verizon	\$96,147.32
10/31/2019 Verizon-franchise	\$4,981.72
11/27/2019 Comcast	\$91,515.93
11/27/2019 Verizon	\$96,284.00
2/19/2020 Verizon	\$95,552.00
2/19/2020 Comcast	\$91,062.00
3/6/2020 Comcast	\$3,039.00
3/26/2020 Verizon	\$2,699.00
5/21/2020 Verizon	\$106,515.37
5/21/2020 Comcast	\$90,576.14
8/14/2020 Comcast	\$88,411.98
8/31/2020 Verizon	\$87,273.27
11/25/2020 Comcast	\$89,038.41
11/25/2020 Verizon	\$85,497.52
2/19/2021 Comcast	\$86,807.95
2/19/2021 Verizon	\$84,913.83
3/26/2021 Xfinity	\$2,736.00
4/27/2021 Verizon	\$2,397.00
5/12/2021 Verizon	\$73,186.77
5/17/2021 Comcast	\$88,389.83
6/24/2021 Verizon	\$19,114.97
8/24/2021 Verizon	\$76,754.57
11/16/2021 Comcast	\$87,055.28
11/30/2021 Verizon	\$81,924.58

12/23/2021 Comcast	\$85,384.78
2/28/2022 Comcast	\$87,283.11
2/28/2022 Verizon	\$81,969.36
3/22/2022 Verizon	\$2,163.00
3/31/2022 Comcast	\$2,454.50
5/31/2022 Verizon	\$94,515.87
5/31/2022 Comcast	\$88,354.82
8/18/2022 Verizon	\$76,366.48
8/31/2022 Comcast	\$86,708.21
11/30/2022 Verizon	\$69,874.97

Total Funding	<u>\$4,039,418.48</u>
---------------	-----------------------

12/18/2017 co#17-1007095A	-\$282,100.00 IT
5/21/2018 co# 18-1007263A	-\$355,519.00 WMCT FY19 Budget
10/15/2018 co# 18-1007352A	-\$254,000.00 IT
3/11/2019 co# 19-1007565A	-\$510,832.30 WMCT FY20 Budget
9/9/2019 co# 19-1007730A	-\$220,000.00 IT
9/23/2019 co# 19-1007751A	-\$30,000.00 WMCT Capital
3/23/2020 co# 20-1007940A	-\$473,846.52 WMCT FY21 Budget
12/21/2020 co# 20-1008140	-\$80,000.00 IT
3/22/2021 co# 21-1008202A	-\$370,000.00 WMCT FY22 Budget
4/5/2021 co# 21-1008229A	-\$243,000.00 IT
7/19/2021 co# 21-1008325A	-\$213,852.00 IT
11/22/2021 co# 21-1008427A	-\$146,288.00 IT
3/28/2022 co# 22-1008525A	-\$361,080.93 WMCT FY23 Budget

Total Transfers	<u>-\$3,540,518.75</u>
-----------------	------------------------

Available for future transfers	\$498,899.73
--------------------------------	--------------



City of Marlborough

Office of the Mayor

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

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

2023 JAN 19 AM 11:47
Patricia M. Bernard
CHIEF OF STAFF

Candace McGrath
EXECUTIVE ADMINISTRATOR

January 19, 2023

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

Re: FY23 Capital Bonds request for infrastructure repair and upgrades

Honorable President Ossing and Councilors:

Enclosed for your approval is a total of \$10,270,000.00 Capital Bond Request for Fiscal Year 2023. I anticipate a very busy and competitive construction season and thought it prudent to break up our annual capital request into two packages so we can get a head start on lining up contractors and ordering materials. This bond package is dedicated to the City's infrastructure, and I will plan on sending a separate request for projects and equipment in the coming weeks.

Please note, if additional ARPA funding becomes available from the state, I will use the funding to rescind or reduce the bonds based on spending criteria.

The enclosed list includes various reconstruction of streets, drain and sidewalk repairs based on the condition of roads and utilities underground. The list has been scrutinized and prioritized to ensure that we are addressing the City's greatest needs.

Thank you in advance for your cooperation.

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures

INFRASTRUCTURE PROJECT LIST

Project	Amount	Description
Cedar Hill St. (MassWorks)	1,000,000.00	Add 20" water main for future transm line (MassWorks=\$2m)
Main St. (MassWorks)	2,000,000.00	Add new lighting (MassWorks =\$3m)
Gleason St.	175,000.00	Reconstruction project
Russell St.	400,000.00	Reconstruction project
Crescent St.	400,000.00	Reconstruction project
Liberty St.	525,000.00	Reconstruction project
Spring St.	1,200,000.00	Reconstruction project
Hayes Memorial Drive	2,800,000.00	Reconstruction project
Wetherbee St.	550,000.00	Reconstruction project
Gay St.	435,000.00	Reconstruction project
Francis St.	785,000.00	Reconstruction project
TOTAL	<u>10,270,000.00</u>	

ORDERED:

That the sum of \$8,770,000.00 (eight million seven hundred seventy thousand dollars) be and is hereby appropriated for street and infrastructure construction, reconstruction and/or rehabilitation.

That to meet said appropriations, the Finance Director/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$8,770,000.00 under and pursuant to the provisions of Chapter 44, Section 7(1) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough (the "City") therefor; that the Mayor is authorized to contract for and expend any grants, aid, or gifts available for this project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

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

ADOPTED

In City Council

Order No. 23-

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

ORDERED:

That the sum of \$1,000,000.00 (one million dollars) be and is hereby appropriated for water main construction and/or reconstructing.

That to meet said appropriations, the Finance Director/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$1,000,000.00 under and pursuant to the provisions of Chapter 44, Section 8(5) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough (the "City") therefor; that the Mayor is authorized to contract for and expend any grants, aid, or gifts available for this project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

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

ADOPTED

In City Council

Order No. 23-

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:

ORDERED:

That the sum of \$500,000.00 (five hundred thousand dollars) be and is hereby appropriated for sewer construction and/or reconstruction.

That to meet said appropriations, the Finance Director/Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of \$500,000.00 under and pursuant to the provisions of Chapter 44, Section 8(14) of the Massachusetts General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City of Marlborough (the "City") therefor; that the Mayor is authorized to contract for and expend any grants, aid, or gifts available for this project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

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

ADOPTED

In City Council

Order No. 23-

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:



City of Marlborough
Office of the Mayor

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
ARTHUR G. VIGEANT
MAYOR
JAN 19 AM 11:47
PATRICIA M. BERNARD
CHIEF OF STAFF

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

CANDACE McGRATH
EXECUTIVE ADMINISTRATOR

January 19, 2023

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

Re: Proposed Amendment to Ordinance for non-criminal enforcement

Honorable President Ossing and Councilors:

I am recommending an update to the City Ordinance 315-2 and related ordinances referencing non-criminal disposition to ensure consistency with state law as described in City Solicitor Jason Grossfield's enclosed letter.

Upon the Board of Health's recommendation, I believe these changes are in the best interest of public safety and will allow appropriate departments to enforce regulations in place for non-criminal violations.

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

Sincerely,

Arthur G. Vigeant
Mayor

Enclosures



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

BEATRIZ R. ALVES
 PARALEGAL

January 17, 2023

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

Re: Amendment to City Ordinances re: Non-Criminal Enforcement

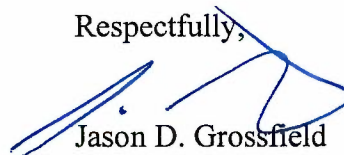
Dear Honorable Mayor Vigeant:

I write to recommend amendments to City Ordinance 315-2 and related ordinances referencing non-criminal disposition to ensure consistency with state law, Massachusetts General Laws c. 40, s. 21D and update certain provisions relating to the use of this procedure.

MGL c. 40, s. 21D sets forth the process for a city to authorize noncriminal disposition for violations of municipal ordinances, rules, or regulations. As an alternative to criminal enforcement, the non-criminal procedure allows city personnel to write a "ticket" to be paid as a penalty for a violation. Section 21D is implemented by a local non-criminal disposition ordinance, which is set forth in City Ord. 315-2. In conjunction with various city departments, I reviewed our ordinances, and recommend several updates in order to: (1) state a specific penalty amount as required by state law (rather than a range); (2) clarify how penalties are applied to repeat violations; and (3) update the table of enforcing city personnel and ordinances or regulations which can be enforced by the non-criminal process.

Enclosed is a copy of the proposed ordinance amendments. I certify that it is in proper legal form. Please contact me if you have any questions or concerns.

Respectfully,



Jason D. Grossfield
 City Solicitor

Enclosure

cc: Thomas DiPersio, City Engineer
 John Garside, Director of Public Health
 Tin Htway, Building Commissioner
 Priscilla Ryder, Conservation/Sustainability Officer

ORDERED:

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

I. Chapter 315 (entitled “Enforcement”), Section 315-2 (entitled “Noncriminal disposition”), Subsection (A), is hereby amended by inserting the following sentence at the end of the existing paragraph:

In addition to any other enforcing municipal personnel, the code enforcement officer(s) may also be a designee of any enforcing agent for all such ordinances, rules or regulations.

II. Chapter 315, Section 315-2, Subsection (B), is hereby amended by inserting the following sentences after the existing second sentence:

Where no specific penalty amount is stated in an ordinance, rule, or regulation, the specific penalty amount shall be: \$100 for First Offense, \$200 for Second Offense, and \$300 for Third and Any Subsequent Offense. Unless otherwise specified, second and any subsequent offenses shall mean additional offenses after a first offense which are committed by the same offender within a twelve-month period.

III. Chapter 315, Section 315-2, Subsection (B), Table Row numbers “20”, “21”, “22”, “23”, “25”, “27”, “28.1”, “29”, and “31”, are hereby amended as follows: (new text shown as underlined, deleted text shown as strikethrough):

	Ordinance Violation (Chapter/Section)	Penalty	Enforcing Agent
20)	Human Habitation, City Health Code Board of Health: Regulations for Minimum Standards for Human Habitation	\$50 <u>1st offense: \$100</u> <u>2nd offense: \$200</u> <u>3rd and subsequent offense: \$300</u>	Board of Health, <u>Director of Public Health, agent, sanitarian and assistant sanitarian</u> (hereinafter, Board of Health)
21)	Subsurface Disposal of Sanitary Sewage, City Health Code Board of Health: Regulations for Minimum Standards for Onsite Sewage Treatment & Disposal Systems	\$50 <u>1st offense: \$100</u> <u>2nd offense: \$200</u> <u>3rd and subsequent offense: \$300</u>	Board of Health

22)	Food Establishments, City Health Code Board of Health: <u>Regulations for Minimum Standards for Food Establishments</u>	\$50 <u>1st offense: \$100</u> <u>2nd offense: \$200</u> <u>3rd and subsequent offense: \$300</u>	Board of Health
23)	City Wetland Regulations (Ch. 627)	<u>Penalty amounts set forth in Ch. 627.</u>	Conservation Officer
25)	Plumbing	For violation of any provisions of Ch. 270, Art. II, § 270-7.1 or any provision of the State Plumbing Code (248 CMR): no less than \$50 nor more than \$100 <u>\$100</u> for 1 st offense; \$200 for 2nd offense; no less than \$200 not more than \$300 <u>\$300</u> for each succeeding offense; each day or part thereof, whether continuous or intermittent, construed as separate and succeeding offense	Plumbing Inspector or Assistant Plumbing inspector (in his absence)
27)	Building Regulations Building Permits, etc., Ch. 270, § 270-8	For violation of § 270-8 or any provision of State Building Code (780 CMR): <u>\$100 for 1st offense; \$200 for 2nd offense; \$300 for each succeeding offense</u> no less than \$100 nor more than \$300 \$X for each offense ; each day or part thereof, whether continuous or intermittent, construed as separate and succeeding offense	Building Commissioner or his or her designee, in his absence
	Certificate of legal multifamily dwelling units, Ch. 420	Not less than \$100 nor more than \$300 <u>\$100 for 1st offense; \$200 for 2nd offense; \$300 for 3rd and subsequent offense</u>	Building Commissioner or his or her designee
28.1)	Motorized Scooters, Ch. 503	First offense: not more than \$25; second: not less than \$25 nor more than \$50; subsequent offenses: not less than \$50 nor more than \$100	Police Department

29)	<u>Antiblignht; Nuisances (Ch. 485, Art. I)</u> Registration and Maintenance of Abandoned and/or Foreclosing Residential Properties, Ch. 485, <u>Art. II</u>	<u>\$200</u> \$300	<u>Building Commissioner or his or her designee; Board of Health</u> Building Commissioner
31)	Stormwater Management, Ch. 271	<u>1st offense: \$100</u> <u>2nd offense: \$200</u> <u>3rd and subsequent offense: \$300</u>	City Engineer

IV. Chapter 315, Section 315-2, Subsection (B), Table Row number “24”, is hereby deleted in its entirety and replaced with the following:

	Ordinance Violation (Chapter/Section)	Penalty	Enforcing Agent
24)	Board of Health: Regulation XII, Smoking and other use of tobacco products in school buildings, upon school grounds or in pupil transport vehicles	\$25 per offense	Superintendent of Marlborough School District; all district principals, assistant principals, directors of athletics; Superintendent-Director and Principal of Assabet Valley Regional Vocational High School, as well as police officers
24.1)	Board of Health Regulations: All other Board of Health regulations not listed in Section 315-2.	Amount as set forth in the Board of Health Regulation. If no specific penalty is listed in the regulation, then: 1 st offense: \$100 2 nd offense: \$200 3 rd and subsequent offense: \$300	Board of Health

V. Chapter 420 (entitled "Multifamily Dwellings"), Section 420-3 (entitled "Violations and Penalties") is hereby amended as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

Every day that a person violates § 420-2 shall constitute a separate offense. Each offense shall be subject to a noncriminal fine ~~of not less than \$100 and not more than \$300~~ as set forth in the Code of the City of Marlborough §315-2B, as enforced by the Building Commissioner or his/her designee.

VI. Chapter 485 (entitled "Property Maintenance"), Section 485-3 (entitled "Administration"), Subsection (A)(3), is hereby amended as follows: (new text shown as underlined, deleted text shown as ~~strikethrough~~):

In addition to the foregoing remedy, whoever violates any provision of this article or fails to obey any lawful order issued by the enforcing authority in enforcing this article shall be liable to a noncriminal fine ~~of not more than \$200 for each violation~~ as set forth in the Code of the City of Marlborough §315-2B. Each violation of this article shall constitute a separate offense. Each day that any such violation continues shall constitute a separate violation. The enforcing authority may also issue a cease-and-desist order for any hazardous situation.

VII. Effective Date. These amendments shall take effect upon passage.

ADOPTED
In City Council
Order No. 23-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



City of Marlborough
Office of the Mayor

RECEIVED
 CITY CLERK'S OFFICE
 CITY OF MARLBOROUGH

Arthur G. Vigeant
 MAYOR

Patricia M. Bernard
 CHIEF OF STAFF

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

Candace McGrath
 EXECUTIVE ADMINISTRATOR

January 19, 2023

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

Re: Appointment of James Michael Cabral to the Planning Board

Honorable President Ossing and Councilors:

I am pleased to submit for your approval the appointment Michael Cabral to the Planning Board replacing Barbara Fenby, for a five-year term expiring on February 1, 2027, subject to City Council confirmation.

Michael Cabral is currently serves on the Recreation Commission and has expressed an interest in serving in a more substantial capacity. He is a principal software engineer at Raytheon and currently the test director for the Air Traffic Control software that the Federal Aviation Administration (FAA) uses at all the airports in the US. In addition, he manages and coordinates the selloff of software updates/enhancements with the FAA, and I believe his background will be an asset to our Planning Board.

I would like to thank Ms. Fenby for her 34 years of service and commitment to the City.

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

Sincerely,

Arthur G. Vigeant
 Mayor



City of Marlborough
Office of the Mayor

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

2023 JAN 19 AM 11:17
Patricia M. Bernard
CHIEF OF STAFF

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

Candace McGrath
EXECUTIVE ADMINISTRATOR

January 19, 2023

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

Re: Appointment of James Fortin to the Planning Board

Honorable President Ossing and Councilors:

I am pleased to submit for your approval the appointment of James Fortin to the Planning Board replacing Matthew Elder, who recently resigned, for a five-year term expiring on February 1, 2027, subject to City Council confirmation.

Former Fire Chief Fortin served the City as Chief for nearly two years and had an exemplary thirty-one-year career with the Marlborough Fire Department. Currently he is a property management consultant, and his combined public safety experience and knowledge will greatly benefit the Planning Board.

I would like to thank Mr. Elder for his service and commitment to the City.

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

Sincerely,


Arthur G. Vigeant
Mayor



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2023 JAN 10 PM 3:38

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

**AGREEMENT TO EXTEND
TIME LIMITATIONS**

Order No.2022-1008709
Application for Special Permit by 272 Lincoln LLC,
To construct 12-Unit multi-family dwelling
with accessory parking to be located at 272 Lincoln Street.

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

Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, is hereby extended, by agreement, until 10:00 p.m. on **March 28, 2023**

By: _____
Michael H. Ossing, President
Marlborough City Council

By: Terrence Morris Esq.
For Petitioner: Terrence Morris, Esq.
272 Lincoln LLC.



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2023 JAN 19 AM 11:46

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

**AGREEMENT TO EXTEND
TIME LIMITATIONS**

Order No.2022-1008723

Application for Special Permit by Marquel Frink and Divino Oliveira
On behalf of All Fur Love to operate a dog grooming business
To be located at 75 Lincoln Street, Marlborough, MA

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

Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, is hereby extended, by agreement, until 10:00 p.m. on April 11, 2023

By: _____
Michael H. Ossing, President
Marlborough City Council

By: _____
For Petitioner: Marquel Frink
All Fur Love, 120 Main Street
Medway, MA 02053



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2023 JAN 11 AM 10:18

Marlborough Public Schools

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

Call to Order

December 13, 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, Katherine Hennessy, Heidi Matthews, and Denise Ryan. Also present were Assistant Superintendent of Teaching and Learning, Robert Skaza, Assistant Superintendent of Student Services and Equity, Jody O'Brien, and Director of Finance and Operations, Douglas Dias. Additionally, Student Advisory Representative Jessica Rosenzweig was 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 Student Advisory Committee**

The senior class representative, Rachel Scooler, presented on the AP course options. There were 20 different AP courses offered to students (sophomores to seniors); 155 students enrolled in these classes. Rachel shared some student testimonials to highlight the benefits of AP courses. Students have shared their feedback on this program to teachers, counselors, and Dr. Riley.

The junior class representative, Risha Khanderia, spoke about inclusion within MHS. Risha highlighted two organizations: Best Buddies and Special Olympics. She also mentioned different fundraising events, such as Penny Wars. This year, \$1500 was raised from Penny Wars for Special Olympics. Unified Bocce and Polar Plunge are some upcoming events.

The sophomore class representative, Sarah Garner, described the Home for the Holidays program at MHS. This is an annual celebration where the Christmas tree is lit on the Marlborough Common. The MHS String and Jazz ensembles performed at this event for the first time since 2019.

The freshman class representative, Atul Modur, discussed underclassmen sports teams. He surveyed the freshman class on what was going well at MHS and what could be improved. His classmates noted that sports teams, aside from football, do not receive much recognition. Atul met with Dr. Riley and Mr. Rudzinsky to brainstorm ways to recognize all sports.

www.mps-edu.org



Marlborough Public Schools

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

B. Communication Coordinator Update

Jill Morin, the Communications Coordinator, presented an overview of recent school events and highlighted some upcoming events as well. She went over public engagement on various social media platforms, district hiring efforts, and the MPS digital library. Ms. Morin spoke about involving students more within the communications process going forward. She currently has an MHS senior intern, Sean Deneen, who assists her with videography. Her PowerPoint presentation slides are attached to this update within the agenda.

4. Committee Discussion/Directives: None.

5. Communications: None.

6. Superintendent's Report – Presentation 3B

Superintendent Murphy's report is replaced with the Communication Coordinator report.

A. Director of Finance & Operations Report

Mr. Dias, the Director of Finance and Operations, reported that the Food Service staff is still pushing to reach the 75% lunch participation district wide. So far, Whitcomb, MHS, and Richer Elementary School have reached this benchmark. Mr. Dias thanked kitchen managers Deb Dallamora, Julie Whapham, and Laurel Butler.

Mr. Dias shared that his office has issued an Invitation for Bids (IFB) focused on large yellow bus transportation. The IFB raised the minimum pay rate for drivers in hopes of attracting more applicants. The District received one bid from NRT, and he will later be asking the committee to approve the new contract that would begin on January 1, 2023 and end on June 30, 2025.

B. Assistant Superintendent of Student Services & Equity

Mrs. O'Brien, the Assistant Superintendent of Student Services and Equity, shared that the district held a virtual parent workshop – Basic Rights: Evaluation & Eligibility – on November 28th, which was presented by The Federation for Children with Special Needs. Sixteen parents participated and the workshop received great feedback.

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 District Education Center
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 (508) 460-3509

Numerous parents in attendance suggested that they would like to help re-establish the Special Education Parent Advisory Council (SEPAC) and would appreciate more virtual workshops being held throughout the year.

Mrs. O'Brien described the Special Education Pathways Program and the new data collection system (ACE ABA Software System) that the district invested in this academic year. ACE also has a comprehensive curriculum that is customizable for BCBAs and special educators to utilize. Mrs. O'Brien shared that the district purchased 60 mini-iPads for the Pathway teachers and behavior technicians to help implement the ACE program effectively. This will enable staff to directly input data into an electronic device/system.

Mrs. O'Brien shared that the virtual parent workshop had translators available, so when parents signed in, they chose their preferred language and were directed to the corresponding presentation.

7. Acceptance of Minutes:

A. Minutes of the November 22, 2022 School Committee Meeting

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

Motion passed 6-0-0.

8. Public Participation: None.

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. Akiruno Exchange Program

Heather Roach, a guidance counselor at Whitcomb, is the new Akiruno Exchange Program Coordinator. The program is hopefully going to be rebooted in the Fall of 2023. Whitcomb students would travel to Akiruno from September 8th to September 15th, 2023. Akiruno would send their students to Whitcomb from October 12th to October 20th, 2023.

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Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve this exchange program dates.
 Motion passed 6-0-0.

B. FY23 Operating Budget Transfers

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

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve these transfers.
 Motion passed 6-0-0.

C. Recommendation to Award 2 ½ Year Yellow Bus Contract

Mr. Caruso recused himself from the room for this action item.

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to approve this bus contract.
 Motion passed 5-0-1.

D. Policies for First Read

Mrs. Hennessy requested a suspension of the rules to vote on these first read policies before the 2023 year.
 Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to suspend the rules.
 Motion passed 6-0-0.

1. Policy 2.450 Public Participation at School Committee Meetings

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.
 Motion passed 6-0-0.

2. Policy 6.600 Drug/Alcohol Free Workplace

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.
 Motion passed 6-0-0.

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3. Policy 8.0125 Substance Abuse Prevention and Abuse Education

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 6-0-0.

4. Policy 8.030 Residency

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 6-0-0.

5. Policy 8.031 Non-Resident Students

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 6-0-0.

6. Policy 8.050 Moving Within Districts

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy.

Motion passed 6-0-0.

7. Policy 8.300 Physical Restraint of Students

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to approve this policy as amended.

Motion passed 6-0-0.

E. Policy for Removal

1. Policy 9.310 Use of School Buildings

Motion made by Mrs. Hennessy, seconded by Chairman Vigeant to remove this policy.

Motion passed 6-0-0.

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F. Acceptance of Donations and Gifts

Jewish Family Services. MPS families received \$3,430.00 from Jewish Family Services.

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

Motion passed 6-0-0.

MHS Student Fundraiser (Ava VanBuskirk). MPS families received \$216.00 for this fundraiser.

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

Motion passed 6-0-0.

Marlborough Rotary Club. MPS students received \$1,000.00 from the Marlborough Rotary Club.

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

Motion passed 6-0-0.

Toys for Tots. MPS families received \$4,400.00 from Toys for Tots.

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

Motion passed 6-0-0.

Donor's Choose. Ms. Thresher's class in Goodnow Brothers Elementary School received \$378.85.

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

Motion passed 6-0-0.

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Barbara Garnett. The MPS Art Department received \$500.00 from Barbara Garnett.

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

Motion passed 6-0-0.

Brigham Family Trust. At the Whitcomb School, Mr. Rodriquenz's Engineering class received \$5,000.00 and Ms. Mahoney's Robotics class received \$3,000.00 from the Brigham Family Trust.

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

Motion passed 6-0-0.

The Benevity Community (St. Gobain). Mr. Rodriquenz's class at Whitcomb School received \$1,250.00 from the Benevity Community.

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

Motion passed 6-0-0.

O'Connor School Portraiture. Kane School received \$1,061.65 from O'Connor School Portraiture.

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

Motion passed 6-0-0.

Hannaford Helps. Whitcomb School received \$171.00 from Hannaford Helps.

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

Motion passed 6-0-0.

Global Montello Group. MHS received \$655.00 from Global Montello Group.

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

Motion passed 6-0-0.

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10. Reports of School Committee Sub-Committees: None.

11. Members' Forum:

Mrs. Matthews has reviewed and signed the warrant. She wished everyone a happy holiday season.

Mrs. Ryan reminded everyone that the MHS Winter Concert will be held at Whitcomb this Thursday night at 7pm.

Mrs. Hennessy expressed her appreciation for Mrs. Matthews continued effort and support throughout the time she was remote.

Chairman Vigeant wished everyone a happy holiday and new year!

12. Adjournment:

Motion made by Mrs. Matthews, seconded by Chairman Vigeant to adjourn at 8:41 p.m.

Motion passed 6-0-0.

Respectfully submitted,

Heidi Matthews
 Secretary, Marlborough School Committee

HM/jm

Approved January 10, 2023

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Conservation Commission
Minutes

Dec. 15, 2022 - 7:00 PM

140 Main St. – Marlborough City Hall – 3rd Floor (Memorial Hall)

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2023 JAN 18 PM 4: 27

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

Absent: None

The hearing was recorded using Microsoft Teams.

Approval of Minutes: The minutes of Dec. 1, 2022, were reviewed and on a motion by Mr. White second by Mr. Clancy, the Commission voted unanimously to approved 7-0.

Public hearings

Amend Order of Conditions (212-1218)

339 Boston Post Rd. – Walcott Heritage

Carlton Quin from Allan and Major was present. He explained that his client is requesting an amended Order of Conditions, DEP 212-1218 which was issued on Sept. 11, 2020. The new project scope reduces the project by one building and moves work outside the floodplain, reduces project to 140 units and parking stalls to 280 stalls. Because the project is less in size and has substantially less impacts, they are requesting that the current Order of Conditions be amended to reflect the new plans. He reviewed the plan changes which included, removal of satellite parking, moving the dog park, all above ground detention areas, and reduce from 4-3 buildings total. Total impervious area is reduced by one acre. No floodplain or Riverfront impacts are needed for this revised plan. The riding ring path will not be touched or improved. A Conservation Restriction is still to be established on the 3 properties as originally designated.

The Commission reviewed the plans and asked questions about the rain garden design and details, snow storage location, filter strips for sheet flow runoff. Drainage structures for the dog park's proximity to the stream and if there was a dog park "cleaning/drainage" design for review. The snow storage area was discussed at length both that it might be undersized, and how it will function as it drains to the rain garden and how it will be maintained and what barriers can be added to prevent snow storage in the landscaped areas. Councilor Ossing, who was in attendance, noted that the snow storage guidelines are also noted in the City Council Special permit requiring all excess snow to be removed from site. The sidewalk is to be installed by Mass DOT. School bus stop is to be determined through discussions with the Schools in Site Plan Review. Ms. Ryder noted that because the plans were submitted before the

Commission established the 30' no disturb wetland, the original 20' no disturb buffer will hold for this project as confirmed with the legal office since the reason for delay was an appeal.

After some discussion the Commission determined that additional information would be needed regarding snow storage location and design with signage to not dump in wetland/detention basins; snow storage barriers; rain garden design; design and long-term maintenance of filter

strips. Define the basins vegetation mix; provide dog park design; review Order of Conditions and suggest amendments for the Commission to consider. Mr. Quinn said he would provide in time for the next meeting. The Commission continued this hearing to the January 12, 2023.

Notice of Intent - 212-1254 (continued to Jan. 12, 2023)

846 & 850 Boston Post Rd. East - Exela Movers

Proposes to make site improvements to an existing storage facility near wetlands.

At the applicants request before the meeting, this item was continued to the January 12th meeting.

Abbreviated Notice of Intent

21 Blaiswood Ave. - Helvecio Carvalho

At the applicants request prior to the meeting, this hearing was continued to the January 12th meeting, the owner has had it surveyed and is waiting for a plan he can submit to the Commission.

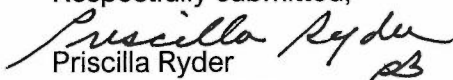
Discussion/Correspondence:

- Lot L Hayes Memorial Dr. – 2022 Fall Wetland Restoration Monitoring Report from Goddard Consulting. Ms. Ryder noted she has not checked the site; this was continued to the next meeting.
- Letter from Tennessee Gas Pipeline Co. LLC, dated Dec. 5, 2022, RE: Notification of Pipeline Maintenance Activities, City of Marlborough, Middlesex County, Mass. - Ms. Ryder noted that she has asked for some clarification, as the gas company made a mess last year, she will report the response.
- Letter from National grid dated Nov. 28, 2022, RE: 45 Day Yearly Operational Plan Public Notice. This item was reviewed and unanimously accepted and placed on file.
- 30 ft. Wetland Setback Policy update to address fences. The Commission reviewed the changes to the policy to include clarifications that fences are not permitted within the 30' no disturbance zone unless they are pre-existing. On a motion by Mr. Demers second by Mr. Clancy to approve the new language as noted, the Commission voted unanimously 7-0 to approve.
- 339 Boston Post Rd. – Ms. Ryder noted that she and Mr. Dunbar had met the MassDOT contractor, Ludlow who is using this area as a staging area for the Rte. 20 project. They were to stay out of the 100' buffer zone, however they have now encroached about 30'. The Commission discussed and asked Ms. Ryder to have them define the 100' buffer zone and move their materials out of this zone. Restoration and stabilize as needed. Full restoration can happen in the spring, depending on when the Walcott Heritage project will begin.

Next Conservation Commission meetings: January 12, 2023, and February 2, 2023

Adjournment - There being no further business the meeting was adjourned at 8:30 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer.

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2023 JAN 17 AM 8:01

Marlborough Historical Commission Meeting Minutes

November 17, 2022

Location: City Hall 140 Main Street Council Committee Meeting Room

Board Attendees: Brendan Downey, Sarah Hough, Pamela Wilderman, Stephanie Ferrecchia, & Kathleen Newton.

Other Attendees: Adrian Gilbert

Meeting called to order 7:00 PM

1. A motion was put forth and seconded to approve the October minutes. The Commission voted as follows:

Downey AYE

Wilderman AYE

Hough AYE

Ferrecchia AYE

Newton AYE

The motion passed.

2. A motion was put forth and seconded to move new business to the top of the agenda. The Commission voted as follows:

Downey AYE

Wilderman AYE

Hough AYE

Ferrecchia AYE

Newton AYE

The motion passed.

3. New Business – Part 1.

- a. Tin Htway – Marlborough Building commissioner. Spoke to the commission about ideas he has for the Historical Commission.
 - i. He feels that currently the planning board does not necessarily have the expertise to manage the architectural aspects of projects that they review. However, there is a need to provide that guidance.
 - ii. There was a discussion about defining and encouraging a cohesion of architectural styles in the city. Would it be possible to create a referral process to help provide guidance. A good starting point would be to keep this action within certain established districts like Downtown or Wayside. How to we formalize the what happens occasionally now (example: the Commission's review of the Armory project)? Tin informed us that current processes are being reviewed and this represents an opportunity for the commission to provide more frequent guidance. There was a general discussion around past preservation efforts within the context of Marlborough's pro-development environment.
 - iii. Next steps: Leverage time in the December meeting discuss which existing district to potentially use as a test case.

4. A motion was put forth and seconded to return to the original agenda order. the Commission voted as follows:

Downey AYE

Wilderman AYE

Hough AYE

Ferrecchia AYE

Newton AYE

The motion passed.

5. Current business.

- a. Historic house sign project.

- i. Review current status of project

- ii. We still need the 2 lists – voted & approved vs applied. We will attempt to work on this during the December meeting.

6. New Business – Part 2.

- a. The Commission reviewed proposed edits to MHC website text. The current site was reviewed and then board will review text from attachment 1 to then approve and add to site in December or early January.

- b. The Commission reviewed proposed framework created by Adrian for providing color guidance to homeowners that are working on historical renovations. There was a discussion on how the methodology behind the documents and how to utilize it.

- c. The Commission reviewed proposed best practices for grant writing and agreed that they are a good resource to have in the future but there are no immediate next steps.

7. A motion was put forth and seconded to adjourn meeting at 8:04 PM, the Commission voted as follows:

Downey AYE

Hough AYE

Wilderman AYE

Ferrecchia AYE

Newton AYE

The motion passed. Meeting adjourned.

Respectfully submitted,

Brendan Downey

Marlborough Public Library Board of Trustees
 Meeting Minutes
 October 4, 2022
 Meeting held at the Walker Building

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 2023 JAN 13 PM 2:53

The meeting was called to order by Fred Haas at 7:00 PM.

Board Members attending:

Tom Abel
 Bill Brewin
 Nena Bloomquist
 Fred Haas, Chair
 Samantha Khosla
 Rustin Kyle
 Robyn Ripley

Also attending:

Margaret Cardello, Library Director

Documents Reviewed/Referenced:

Agenda
 Meeting Minutes for September 6, 2022
 Trust Fund/ State Aid Reports for August 2022
 Director's Report

Proceedings:

1. **Minutes:** A motion to delay the approval of the minutes for the September 6, 2022 until the November meeting was passed (Ripley, Khosla). A motion to approve the minutes for the September 22, 2022 meeting as corrected was passed (Brewin, Abel).
2. **Trust Funds Reports:** A motion to approve the Trust Fund Report for August 2022 was passed (Abel, Kyle).
3. **Director's Report:**
 Director's Report
 October 2022

Jean Shelton started as our new Principal Clerk on Monday, October 3. We are very pleased to have her on our team. She is off to a good start. She is working with the Auditors Office to learn MUNIS.

Margaret worked with Christine Purple to finalize the Library Director posting and add it to the MBLC and Simmons job boards. The position was posted on the city website as well as sites listed above on Tuesday, September 26, 2022.

We continue to try to hire a PT Reference Librarian to fill our open position. The salary is below what other libraries are paying so we have had some difficulty. We have contacted BiblioTemps to see if they can help us while we search for a permanent Reference Librarian.

The Construction crew is working on closing up the walls in preparation for colder weather. Yellow wallboard is one noticeable part of this.

Margaret received the approval from the Treasurer's office that the City no longer requires the Library to collect fines. I would like the Trustees to vote on this to make it official Library policy. CW Mars is planning to go fine free and 70% of the libraries that belong to CW Mars are already fine free. A motion to end fines was passed (Bloomquist, Ripley). Additionally, the Treasurer's Office will take over managing the sick leave and vacation time of the part time employees of the library in the next few months. They already do this for other city departments. This has been managed by the library up to this point. Sick days and vacation days will now appear on the employee's pay stub

Margaret was notified that the Mary P. O'Malley trust managed by Bank of America has been closed. Due to market volatility the trust was depleted in May 2021 and was subsequently terminated. The trustees asked Margaret to request a final statement from the bank.

The staff is planning a number of fall in-person programs. Due to patrons demand 2 youth programs will remain virtual, one is PJ Storytime, and the other is at home craft projects for Children and Teens.

4. **MPLF:** Nena reported that we are still working with Donor Perfect to fix our online donation form. Invoices will be sent out this month for pledges that are due this year. The MPLF has received several donations in memory/honor of Terrance Carlin, husband of Peggy Carlin who was very active with the Friends.
5. **Old Business:** none
6. **New Business:** A motion to go into Executive Session to discuss the Director search process was passed by a roll call vote at 7:28 PM (Bloomquist, Kyle). A motion to end the Executive Session was passed by a roll call vote at 8:01 PM (Brewin, Khosla).
7. **Adjournment:** A motion to adjourn was passed at 8:02 PM (Abel, Ripley).

Respectfully submitted by Nena Bloomquist

Marlborough Public Library Board of Trustees

Meeting Minutes

November 14, 2022

Meeting held at the Walker Building

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The meeting was called to order by Fred Haas at 7:03 PM.

Board Members attending:

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

Also attending:

Margaret Cardello, Library Director

Documents Reviewed/Referenced:

Agenda
Meeting Minutes for October 4, 2022
Trust Fund/State Aid Reports for October 2022
Director's Report

Proceedings:

- 1. Minutes:** A motion to approve the minutes for the October 4, 2022 meeting was passed (Abel, Ripley).
- 2. Trust Fund Reports:** A motion to approve the Trust Fund Report for October 2022 was passed (Abel, Khosla).

3. Director's Report November 2022:

Construction

Work continues on closing up the building before winter. Temporary lighting and heating will help make it winter ready.

Work on the front façade should begin this fall when the elements above the front entry are disassembled, and brought off site for evaluation and restoration. This is a lengthy process with work projected to be in progress after our facility is open to the public. Special arrangements will be put in place to allow for safe use of the West Main St. egress for emergencies.

I have asked for a meeting to review our steel shelving needs and to place our order. The lead time for steel shelving has been considerable so it is something best done right away. We will also be reviewing our furniture plan to see how current pricing compares to our budgeted amount.

Staffing

We have hired a new Library Page. Leyalyn Grenfell-Lee is a Marlborough resident who is also a student at the Macomber Center in Framingham. She will begin work on October 31.

We continue to try to hire a PT Reference Librarian. We have advertised several times with no luck. One reason is that there are several libraries that have been looking for both PT and FT Reference Librarians. We are contemplating implementing a plan b which would involve hiring a circulation staff member instead so that we have sufficient people to safely open the building.

We have compiled 2023 holidays that we then program into our Evergreen library software. The library calendar now better aligns with City Hall. In the most recent MMEA contact the library will now follow City Hall and close at noon on the day before Thanksgiving and Noon on New Year's eve. When the City provides funding for the library to be open on Sundays in the new building the calendar will need to be revisited for any Sunday holiday closures.

Programming

Staff are in the midst of fall programming.

For teens there is a 9 week in person coding class. Our Teen Librarian, Rachel Stone, is also promoting a TAB (Teen Advisory Board) that will provide input on collections, programs at the Walker Building and at our new facility.

We continue to offer weekly Read to a Dog program with Dublin who is a "great listener".

The Virtual Crafty Club is focusing on Halloween and fall projects in upcoming months.

For adults the staff will provide an overview of Worcester Public Library's Talking Book program and the services they provide to visually impaired patrons.

Staff handed out event calendars and small prizes to participants in Main Street's Horribles Parade on October 27.

Collections

I would like your approval to purchase a new Venmill DVD buffer machine with State Aid funds. These machines are used by most libraries to buff out scratches on DVDs and therefore, extend their life for many more circulations. Staff have researched the models and spoken to libraries who use the preferred model. The cost to purchase the machine which includes the startup supplies is \$999.

Submitted by

Margaret Cardello

October 28, 2022

A motion to approve the purchase of a new Venmill DVD Buffer machine was passed (Merk, Ripley).

Janice Merk and Margaret Cardello met with Maureen Sullivan from the Community Advocate today to discuss the progress of the library renovation and expansion.

4. **MPLF:** Janice Merk reported that on November 4, 2022, Margaret Cardello, Bill Keyles and Nena Bloomquist of the MPLF participated in a photo opportunity with State Senator Eldridge and State Representatives Gregoire and Gentile for the presentation of the \$300,00 earmark from the State to the MPLF. Margaret is working on the process of setting up an account to access the funds so they may be passed on to the City. These funds need to be spent by June 30, 2023. To date, we have raised \$1.3 million dollars. Our next meeting is Thursday , November 17, 2022. We are working on an online donation form to put on our Facebook page.
5. **Executive Session:** A motion to go into executive session was passed by a roll call vote (Ripley, Bloomquist) and the executive session began at 7:45 PM. A motion to return to the regular meeting was passed by a roll call vote (Brewin, Ripley) and the executive session was ended at 8:27 PM.
6. **New Business:**Janice Merk inquired about progress on a new trustee to replace Karen Bento. Margaret Cardello reported that there is no progress at this time.
7. **Adjournment:**A motion to adjourn was passed at 8:31 PM (Brewin, Abel).

Respectfully submitted by Nena Bloomquist

Marlborough Public Library Board of Trustees

Meeting Minutes

December 6, 2022

Meeting held at the Walker Building

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2023 JAN 13 PM 2:53

The meeting was called to order at 7:04 PM

Board members attending:

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

Also attending:

Margaret Cardello, Library Director

Documents reviewed/referenced:

Agenda
Meeting minutes for November 14, 2022
Trust Fund/ State Aid Reports for November 2022
Director's Report

Proceedings:

1. Minutes: A motion to approve the minutes for the November 14, 2022 meeting as amended was passed. (Kyle, Ripley)
2. Trust Fund Reports: A motion to approve the Trust Fund Reports for November 2022 was passed (Merk, Khosla).

3. Director's Report:

Construction

Progress continues to be made to prepare the exterior for winter weather. The roof shingles and exterior brick are being laid and that has certainly changed the look of the building.

We had a Children and Teens furnishing meeting with LLB's designers to discuss options for these spaces. The samples that were delivered for our review were too much like a classroom setup and staff would like to see other options.

We are waiting for our metal shelving estimate so that we can review it in light of our budget. This cost is part of the MBLC grant. We did receive an estimate of \$392,000 which includes a surcharge which we are asking the legal department to have removed. This does not include the wooden endcaps.

We have met with the project team and City IT staff to review all our needs in the new facility. We will soon start getting some quotes on what this equipment will cost.

We have encumbered \$170,000 in state aid funds that will be used for furnishings in the new facility. We will be using Tucker for the furnishings. We can be flexible, adding or subtracting from this total. We will be receiving an additional \$40,000 in state aid funds this month.

Staffing

Erin McGrady has accepted our part time Reference Librarian position. We are working on completing the new hire paperwork and will set a start date soon.

Library Pages will be paid \$15/hour beginning January 1, 2023. I sent the payroll change forms over to HR.

New Director Prep

I am working on budget notes, a calendar of important dates and organizing files for the new Director. I have a list of things that I would be focusing on if I were here. These include notes on our move to the Walker Building, things that worked and lessons learned for the move back.

4. Marlborough Public Library Foundation:

We have received a \$50,000 donation that the donor has requested to be anonymous at this time. St. Mary's has created a banner to hang on the fence in front of the construction site to publicize their donation. We are checking with Pam Wilderman to see if we need any permission to hang their banner. The MPLF is also creating it's own banner to publicize all our commercial donors and encourage more donations.

5. Executive Session: A motion to go into executive session was passed at 7:35 PM (Khosla, Ripley). A motion to return to the public meeting was passed at 8:27 PM (Merk, Khosla).
6. New business: The trustees discussed plans to celebrate/commemorate Margaret Cardello's retirement as Director of the Marlborough Public Library. A motion was to allocate up to \$1000 from the O'Connell Fund for the event was passed (Bloomquist/Brewin).
7. Adjournment: A motion to adjourn was passed at 8:38 PM (Abel, Kyle).

Respectfully submitted by

Nena Bloomquist
Trustee, MPL