

City of Marlborough Public Meeting Posting

Meeting Name: City Council Public Services Committee
Date: March 30, 2022
Time: 6:30 PM
Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2022 MAR 24 P 4: 50

This meeting will be held in the City Council Chamber. Public attendance is permitted. The 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's website, home page (www.marlborough-ma.gov).

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.

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

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."

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

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.

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.



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 14, 2022

ORDERED:

That the Application for Renewal of Taxi/Livery License from Katsunori Tanaka d/b/a Global Limousine & Tour Services, 17 Eager Court, be and is herewith referred to **PUBLIC SERVICES COMMITTEE.**

ADOPTED

ORDER NO. 22-1008514



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

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 FEB -9 A 10: 15

**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: Katsunori Tanaka
- B. Address: 17 Eager Ct. Marlborough, MA 01752
- C. Telephone Number: 508-561-5545
- D. Business Name: Global Limousine & Tour Services, LLC
- E. Business Address: 17 Eager Ct. Marlborough, MA 01752
- F. Business Number: 981-330-0898

3. NUMBER OF VEHICLES: 1

APPLICANT'S SIGNATURE [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

City Council

From: David Giorgi
Sent: Friday, March 25, 2022 12:02 PM
To: City Council
Subject: RE: TO CHIEF GIORGI: Application from Katsunori Tanaka for RENEWAL of a Livery License, One (1) Vehicle d/b/a Global Limousine and Tour Services, LLC, to operate as Home Office at 17 Eager Court

Good Afternoon Karen,

I did receive a 2022 copy of Mr. Tanaka's CORI report and I do not have any concerns with his renewal application for his livery license.

Any questions or concerns, please do not hesitate to let me know.

Thank you,
D. Giorgi

From: City Council <citycouncil@marlborough-ma.gov>
Sent: Thursday, March 24, 2022 7:55 PM
To: David Giorgi <dgiorgi@marlborough-ma.gov>
Subject: TO CHIEF GIORGI: Application from Katsunori Tanaka for RENEWAL of a Livery License, One (1) Vehicle d/b/a Global Limousine and Tour Services, LLC, to operate as Home Office at 17 Eager Court

I have attached the Public Services posting for your recommendation for the renewal of Mr. Tanaka's livery license. As noted, the meeting is next Wednesday.
Thanks.
KB

From: City Council
Sent: Thursday, March 24, 2022 7:50 PM
To: KATS.JREX@gmail.com
Cc: Karen Boule <kboule@marlborough-ma.gov>; Steven Kerrigan <skerrigan@marlborough-ma.gov>; Wilson Chu <wchu@marlborough-ma.gov>
Subject: Application from Katsunori Tanaka for RENEWAL of a Livery License, One (1) Vehicle d/b/a Global Limousine and Tour Services, LLC, to operate as Home Office at 17 Eager Court

Dear Mr. Tanaka:

The Marlborough City Council Public Services Committee will meet next Wednesday, March 30, 2022 at 6:30 PM in the City Council Chamber, 2nd Floor, City Hall, to review the above-referenced application for RENEWAL of a livery license.

Please confirm your attendance and feel free to call the office if you have any questions.

Karen A. Boule



IN CITY COUNCIL

Marlborough, Mass., MARCH 14, 2022

ORDERED:

That there being no objection thereto set **MONDAY MARCH 28, 2022**, as the **DATE FOR PUBLIC HEARING**, on 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, be and is herewith referred to the **PUBLIC SERVICES COMMITTEE**.

ADOPTED

ORDER NO. 22-1008541

PETITION FOR MANHOLE AND DUCT LOCATIONS

RECEIVED
November 23, 2021
CLERK'S OFFICE
CITY OF MARLBOROUGH

To the City Council
of the City of Marlborough, Massachusetts

2022 MAR -8 A 7:40

MASSACHUSETTS ELECTRIC COMPANY requests permission to locate manholes, wires, and ducts, including the necessary sustaining and protecting fixtures, along and across the following public way:

Vega Rd


Ngrid to replace direct buried cable for Woodland Estates w/ +/- 5457' of 1-2" cable in conduit. Ngrid to install 85' of 2-3' conduit from riser poles to pullboxes. Ngrid to install 10 pullboxes, 1 heavy duty handhole, 1 junction box. Ngrid to replace 3 submersible transformers w/ pad mounted transformers. Ngrid to replace 4 risers Ngrid to install 1-2" cable in conduit via directional drilling.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain manholes, ducts and wires, together with such sustaining and protecting fixtures as it may find necessary, said manholes and ducts to be installed substantially in accordance with the plan filed herewith marked--

MASSACHUSETTS ELECTRIC COMPANY

Plan No. 30039021 Dated: 7/6/2020

MASSACHUSETTS ELECTRIC COMPANY

By:  DBA Robert Leonida
Manager of Distribution Design

ORDER FOR MANHOLE AND DUCT LOCATIONS

November 23, 2021

By the City Council
of the City of Marlborough, Massachusetts

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that **MASSACHUSETTS ELECTRIC COMPANY** be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the **23rd day of November, 2021**

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

Manholes and ducts shall be set substantially at the points indicated upon the plan marked--

MASSACHUSETTS ELECTRIC COMPANY

Plan No. **30039021** Dated: **7/6/2020**

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

Vega Rd

Ngrid to replace direct buried cable for Woodland Estates w/ +/- 5457' of 1-2" cable in conduit. Ngrid to install 85' of 2-3' conduit f riser poles to pullboxes. Ngrid to install 10 pullboxes, 1 havy duty handhole, 1 junction box. Ngird to replace 3 submersible transformers w/ pad mounted transofrmers. Ngird to replace 4 risers Ngrid to install 1-2" cable in conduit via directional drilling.

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 _____ 2021

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 _____, 20_____, at _____ o'clock, _____ M
at _____ a public hearing was held on the petition of

MASSACHUSETTS ELECTRIC COMPANY for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

Council of the City of

Marlborough, Massachusetts

CERTIFICATE

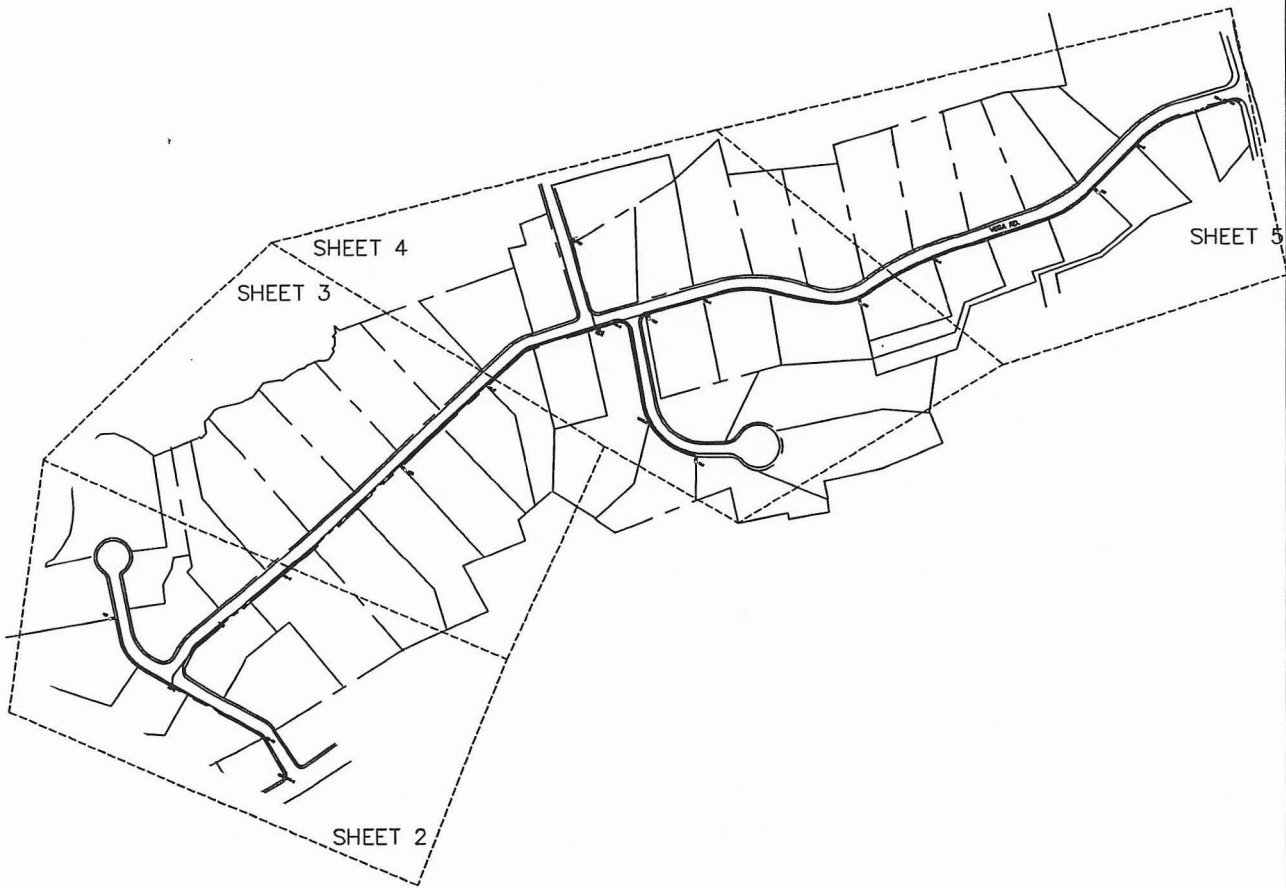
I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Marlborough, Massachusetts, on the _____ day of _____ 2021 and recorded with the records of location orders of said City, Book _____, Page _____.

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

Attest: _____
City Clerk



EXHIBIT 'A' NOT TO SCALE
 THE EXACT LOCATION OF
 SAID FACILITIES TO BE
 ESTABLISHED BY AND UPON
 THE INSTALLATION AND
 ERECTION OF THE FACILITIES
 THEREOF.



LEGEND

- POLE
- ⊙ 1 PHASE PAD
- ⊙ JUNCTION
- ⊙ HEAVYDUTY HANDHOLE
- SPLICE
- PULLBOX
- 3IN. PVC CONDUIT
- 2" CABLE IN CONDUIT

JUNIPER RD., BUTLER CIR & VEGA RD.
 PETITION

MARLBOROUGH
 SHEET 1 & 5

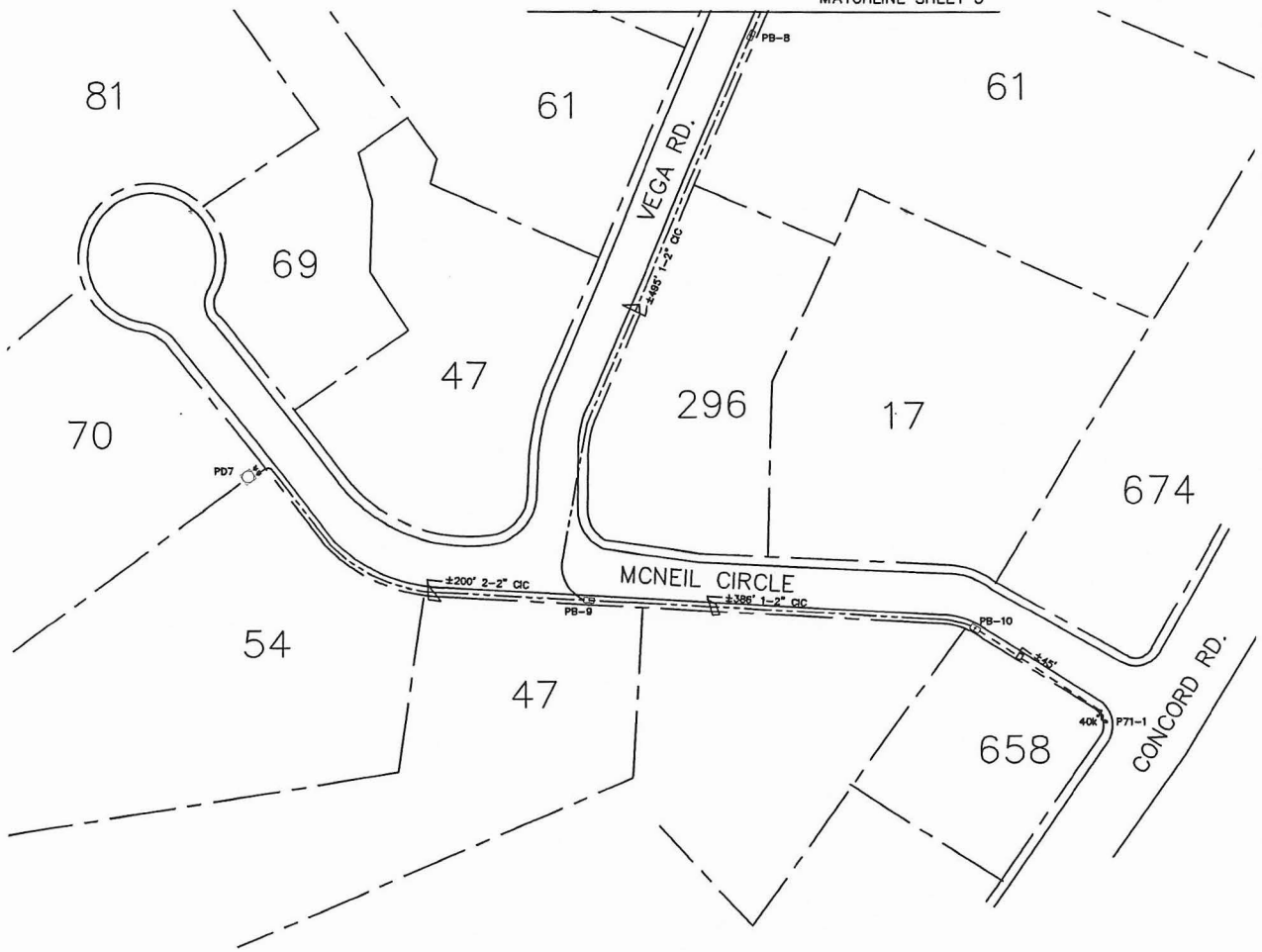
Date: 7.6.2020
 Designer: V.EANG
 W/R: 30039021

nationalgrid










EXHIBIT 'A' NOT TO SCALE
 THE EXACT LOCATION OF
 SAID FACILITIES TO BE
 ESTABLISHED BY AND UPON
 THE INSTALLATION AND
 ERECTION OF THE FACILITIES
 THEREOF.

MATCHLINE SHEET 3



LEGEND

-  POLE
-  1 PHASE PAD
-  JUNCTION
-  HEAVYDUTY HANDHOLE
-  SPLICE
-  3IN. PVC CONDUIT
-  PULLBOX
- 2" CABLE IN CONDUIT

JUNIPER RD., BUTLER CIR & VEGA RD.
 PETITION

MARLBOROUGH
 SHEET 2 & 5

Date: 7.6.2020
 Designer: V.EANG
 MA. WR: 30039021

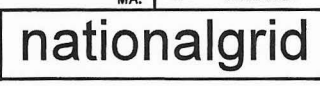











EXHIBIT 'A' NOT TO SCALE
THE EXACT LOCATION OF
SAID FACILITIES TO BE
ESTABLISHED BY AND UPON
THE INSTALLATION AND
ERECTION OF THE FACILITIES
THEREOF.

MATCHLINE SHEET 4



MATCHLINE SHEET 2

LEGEND

-  POLE
-  1 PHASE PAD
-  JUNCTION
-  HEAVYDUTY HANDHOLE
-  SPLICE
-  PULLBOX
-  3IN. PVC CONDUIT
-

JUNIPER RD., BUTLER CIR & VEGA RD.
PETITION

MARLBOROUGH
SHEET 3 & 5

Date: 7.6.2020

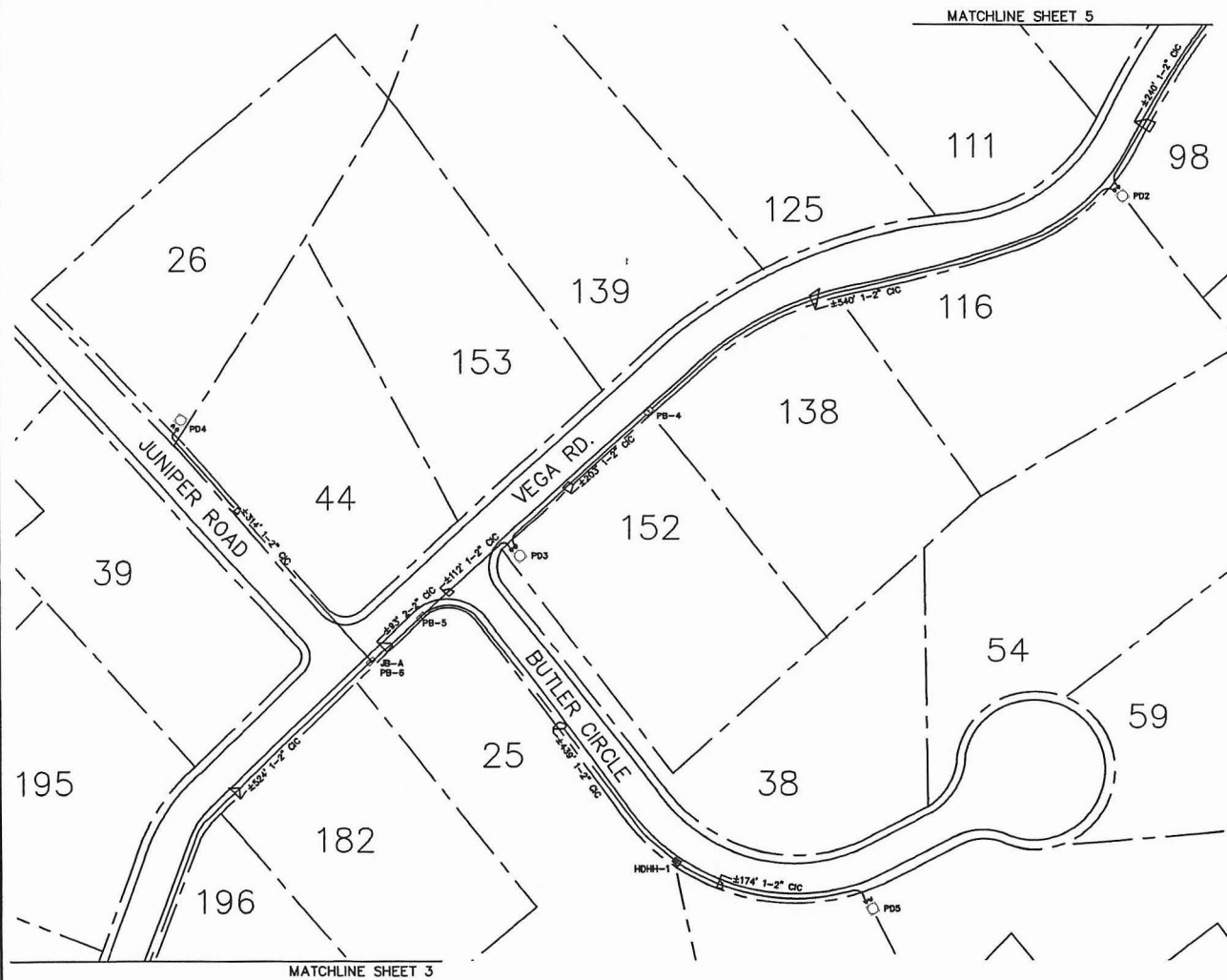
Designer: V.EANG

MA. W/R: 30039021

nationalgrid



EXHIBIT 'A' NOT TO SCALE
 THE EXACT LOCATION OF
 SAID FACILITIES TO BE
 ESTABLISHED BY AND UPON
 THE INSTALLATION AND
 ERECTION OF THE FACILITIES
 THEREOF.



LEGEND	
	POLE
	JUNCTION
	SPLICE
	PULLBOX
	1 PHASE PAD
	HEAVYDUTY HANDHOLE
	3IN. PVC CONDUIT
	2" CABLE IN CONDUIT

JUNIPER RD., BUTLER CIR & VEGA RD.
 PETITION
 MARLBOROUGH
 SHEET 4 & 5

Date: 7.6.2020
 Designer: V.EANG
 MA. W/R: 30039021

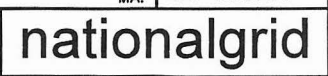
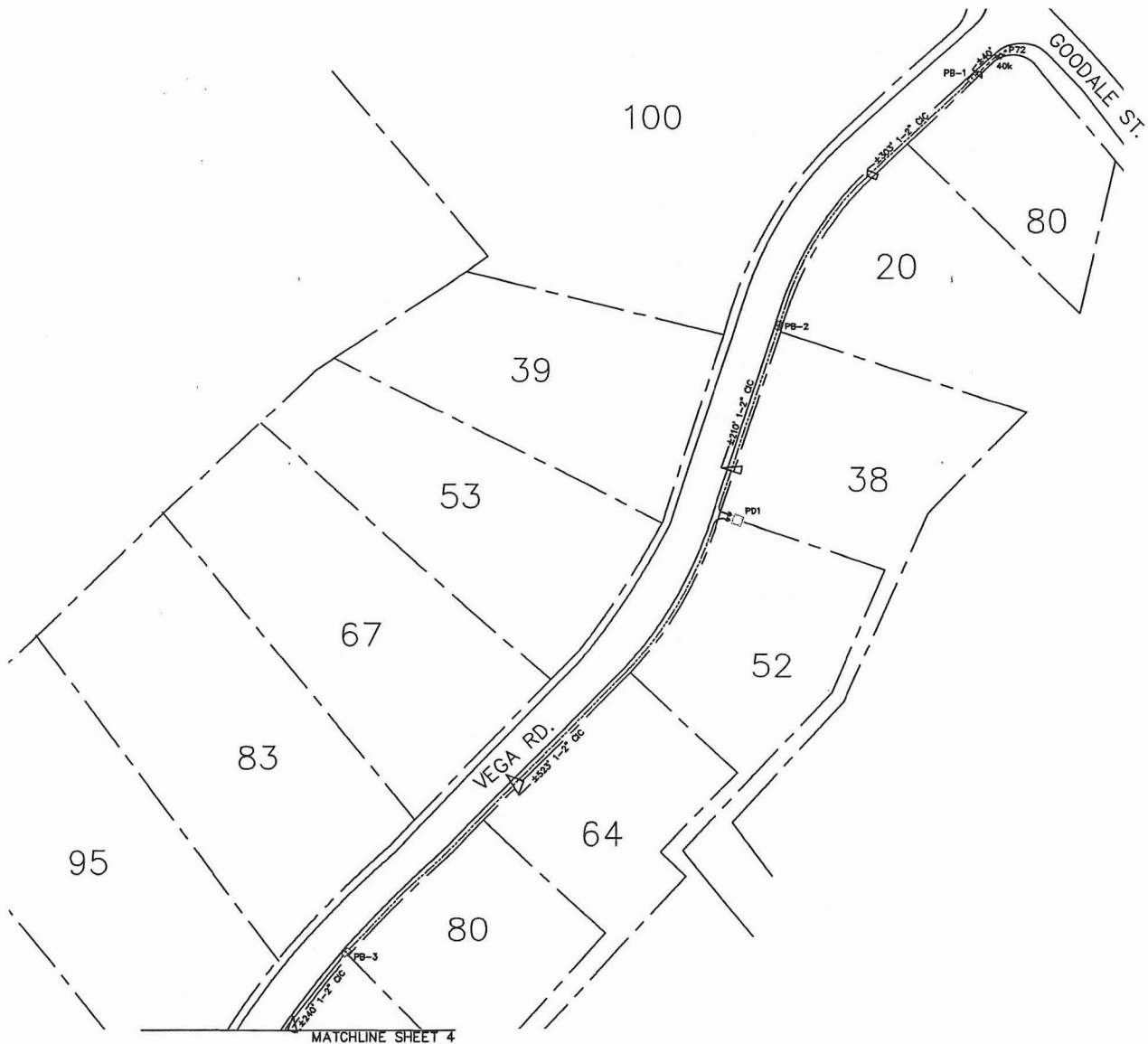




EXHIBIT 'A' NOT TO SCALE
 THE EXACT LOCATION OF
 SAID FACILITIES TO BE
 ESTABLISHED BY AND UPON
 THE INSTALLATION AND
 ERECTION OF THE FACILITIES
 THEREOF.



MATCHLINE SHEET 4

LEGEND

- POLE
- ⊙ JUNCTION
- SPLICE
- PULLBOX
- 1 PHASE PAD
- HEAVYDUTY HANDHOLE
- 3IN. PVC CONDUIT
- 2" CABLE IN CONDUIT

JUNIPER RD., BUTLER CIR & VEGA RD.
 PETITION

MARLBOROUGH
 SHEET 5 & 5

Date: 7.6.2020

Designer: V.EANG

MA. W/R: 30039021

nationalgrid

City Council

From: Thomas DiPersio
Sent: Friday, March 25, 2022 3:48 PM
To: City Council
Subject: Order 22-1008541
Attachments: Standard Conditions for Utility Petitions.docx

To the Public Services Committee:

Regarding Order 22-1008541: Petition of Massachusetts Electric to replace direct buried cable for Woodland Estates with 5,457' 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, I offer the following:

- Some of this work was done last year as an emergency. National Grid should confirm that what was installed last year will remain (the plans do not reflect this).
- 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.
- 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.
- A Street Opening Permit is required from DPW/Engineering, which will outline pavement repair limits and specifications.
- The attached standard conditions shall also apply.

Please contact me with any questions.

Thomas DiPersio, Jr., PE, PLS

City Engineer
Department of Public Works
135 Neil Street
Marlborough, MA 01752
Phone:(508)624-6910x33200
tdipersio@marlborough-ma.gov



STANDARD CONDITIONS FOR UTILITY PETITIONS

1. Any necessary easements are to be obtained from affected property owners.
2. A street opening permit must be applied for by the proposed contractor performing the work.
3. The contractor performing the work must obtain a street opening bond with the City of Marlborough.
4. The contractor shall provide the Engineering Division preconstruction photos of driveways, sidewalks, lawn areas, and roadway areas impacted by all construction activities.
5. 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.
6. The contractor is to ensure residents are always able to enter and exit their driveways (have necessary steel plating on site and accessible).
7. Ensure construction safety controls are established (signage, drums, police details, etc...) and are in accordance with the latest MUTCD standards.
8. Trench backfilling, compacting, temporary, and final paving are to be done in accordance with the City of Marlborough standard trenching details.
9. Trenches are to be paved or completely backfilled and compacted at the end of each work day. Trenches are never to be left unattended.
10. Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765.
11. Proposed utility pole(s) shall not put any sidewalks or sidewalk ramps into non-compliance with current ADA standards.



IN CITY COUNCIL

Marlborough, Mass., MARCH 14, 2022

ORDERED:

PAGE 1

That the: Proposed Amendment to Code of the City of Marlborough, Chapter 510 "Sewers" §2(D) "Use of Public Sewers" as submitted by the Mayor, be and is herewith referred to the **PUBLIC SERVICES COMMITTEE AND ORDERED ADVERTISED.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 510, ENTITLED "SEWERS," AS FOLLOWS:

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

The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated with the City and abutting on any street, alley or right-of-way in which there is now or may in the future be located a public sanitary sewer of the City, are hereby required, at their expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within the following time limits:

- (1) Where said public sewer now exists at the time of the effective date of this clause, or is constructed and/or located after said effective date with official notice by the Commissioner that the public sewer is available for connection, the connection shall be completed: (a) prior to transfer of the property, (b) prior to change in use of a structure as set forth in Chapter 650, Zoning, (c) prior to an increase in the sewage design flow applicable to a structure for purposes of Title 5, 310 CMR 15.000, of the State Environmental Code, or (d) upon failure of any system under said Title 5, 310 CMR 15.000, whichever shall occur first.
- (2) ~~Where said public sewer is constructed and/or located after the effective date of this subsection, the connection shall be completed within 180 days after date of official notice by the Commissioner that the public sewer is available for connection.~~

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



IN CITY COUNCIL

Marlborough, Mass., MARCH 14, 2022

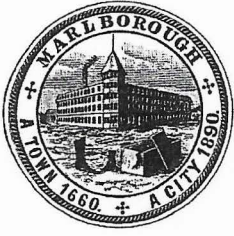
PAGE 2

ORDERED:

An exemption from the connection requirement in this section may only be granted upon application to the Board of Health, and with the recommendation of the City Engineer for reasons of ~~either~~: (a) extraordinary site conditions that prohibit or severely limit the feasibility of connection to such public sewer, due to which the land cannot be drained into such sewer, or due to weather conditions limiting the ability to connect, provided that the exemption shall apply only until such incapacity is removed and subject to a private disposal system meeting all applicable requirements and any other conditions imposed by the board; (b) an escrow or other acceptable agreement is in place requiring the connection be completed within six (6) months after a property transfer; or (c) for a period of five years from the date of installation of a new or replacement private disposal system which fully complies with Title 5, provided that the exemption shall expire upon the failure of any such system under said Title 5.

ADOPTED

ORDER NO. 22-1008537A



City of Marlborough
Office of the Mayor

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

Arthur G. Vigeant
MAYOR

Patricia M. Bernard
EXECUTIVE AIDE

Ryan P. Egan
EXECUTIVE SECRETARY

7

March 10, 2022

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

*Public
Sewers
-
Advisors*

RE: Proposed amended order and appropriation request to finance sewer connections

Honorable President Ossing and Councilors,

After several attempts to put forth a fair sewer connection order, enclosed for your review and approval is a final proposed amended order to Ch. 510, § 2, Use of Public Sewers, subsection D. Property owners located where public sewer now exists, or is constructed and/or located after said effective date with official notice by the Commissioner that the public sewer is available for connection, will be required to connect upon transfer of existing property or upon failure of septic system.

The Department of Public Works currently has hookups on hold for 30 days and will plan to use the current order if these proposed amendments are not approved.

These proposed changes will be helpful to residents, as well as the DPW and Health departments by streamlining the sewer connection requirement.

The point in time by which a property owner has to connect to sewer (prior to sale) will now be the same for properties on streets with existing sewer and streets where sewer is added in the future.

Exemption language is clarified, including a new exemption allowing for a homeowner to make the connection shortly after a sale by using sale proceeds held in escrow.

We are planning on implementing a betterment program and have enclosed an appropriation request in the amount of \$100,000.00 from the undesignated fund to the Sewer Service Betterment line for your review and approval. The sole purpose is for loaning homeowners who are not eligible through the Community Development Authority up to \$20,000.00 per property at a rate of 3% interest to cover the costs associated with connecting to public sewer. Depending on the quantity

of loans, principal and interest collected, we may need to request additional funding for this program.

A homeowner may petition the Board of Health for a loan and the financing would fall under the form of a betterment agreement between the homeowner and the City. The loan would be payable by quarter for a 20-year term and appear on the homeowner's tax bills.

The Department of Public Works, Board of Health, Finance office and our Legal office will be setting up a criterion for the betterment loan program. More information will be forthcoming.

My staff and I will be available to discuss more in depth at a future meeting.

Thank you in advance for your cooperation.

Sincerely,

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

Arthur G. Vigeant
Mayor

Enclosures

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 510, ENTITLED "SEWERS," AS FOLLOWS:

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

The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated with the City and abutting on any street, alley or right-of-way in which there is now or may in the future be located a public sanitary sewer of the City, are hereby required, at their expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within the following time limits:

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

~~(2) — Where said public sewer is constructed and/or located after the effective date of this subsection, the connection shall be completed within 180 days after date of official notice by the Commissioner that the public sewer is available for connection.~~

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

An exemption from the connection requirement in this section may only be granted upon application to the Board of Health, and with the recommendation of the City Engineer for reasons of ~~either~~: (a) extraordinary site conditions that prohibit or severely limit the feasibility of connection to such public sewer, due to which the land cannot be drained into such sewer, or due to weather conditions limiting the ability to connect, provided that the exemption shall apply only

until such incapacity is removed and subject to a private disposal system meeting all applicable requirements and any other conditions imposed by the board; (b) an escrow or other acceptable agreement is in place requiring the connection be completed within six (6) months after a property transfer; or (bc) for a period of five years from the date of installation of a new or replacement private disposal system which fully complies with Title 5, provided that the exemption shall expire upon the failure of any such system under said Title 5.

ADOPTED

In City Council

Order No. 22-

Adopted

Approved by Mayor

Arthur G. Vigeant

Date:

A TRUE COPY

ATTEST:



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 14, 2022

ORDERED:

That the Application for Taxi/Livery License from Josiah Ihechukwu d/b/a ROA Health System, to operate a Livery Service, 43 Bowstring Way, be and is herewith referred to **PUBLIC SERVICES COMMITTEE.**

ADOPTED

ORDER NO. 22-1008515

Pd
2/2/2022

11



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

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

2022 FEB -2 A 9:37

**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: JOSIAH I. IHECHUKWU
- B. Address: 43 BOWSTRING WAY E46 MARLBOROUGH MA
- C. Telephone Number: (781) 521-3888
- D. Business Name: ROA Health System Inc
- E. Business Address: 43 Bowstring Way E46 Marlborough MA 017
- F. Business Number: (781) 521-3888

3. NUMBER OF VEHICLES: TWO

APPLICANT'S SIGNATURE [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

City Council

From: David Giorgi
Sent: Friday, March 25, 2022 12:10 PM
To: City Council
Subject: RE: Cori Check on Josia Ihechukwu for Livery License (2) dba ROA Health Systems, 43 Bowstring

Good Afternoon Karen,

I have received a 2022 copy of Josiah Ihechukwu's CORI report and I do not have any concerns with his application for a livery license. In addition, I also received a 2022 CORI report for Obianuju Ihechukwu, who is listed as a partner in the business, and I do not have any concerns re: this individual either.

Any questions or concerns, please let me know.

Thank you,
D. Giorgi

From: City Council <citycouncil@marlborough-ma.gov>
Sent: Thursday, March 24, 2022 8:35 PM
To: David Giorgi <dgiorgi@marlborough-ma.gov>
Subject: Cori Check on Josia Ihechukwu for Livery License (2) dba ROA Health Systems, 43 Bowstring

Please send CORI check and recommendation for this applicant as well.
KB

Karen A. Boule, Secretary
Marlborough City Council
City Hall, 2nd Floor
Marlborough, MA 01752
508-460-3711
citycouncil@marlborough-ma.gov

City Council

From: City Council
Sent: Friday, March 25, 2022 1:36 PM
To: CITYCOUNCIL2018
Cc: Steven Kerrigan; Wilson Chu
Subject: Recommendation From Chief Giorgi: Cori Check on Josia Ihechukwu for Livery License (2) dba ROA Health Systems, 43 Bowstring

From: David Giorgi <dgiorgi@marlborough-ma.gov>
Sent: Friday, March 25, 2022 12:10 PM
To: City Council <citycouncil@marlborough-ma.gov>
Subject: RE: Cori Check on Josia Ihechukwu for Livery License (2) dba ROA Health Systems, 43 Bowstring

Good Afternoon Karen,

I have received a 2022 copy of Josiah Ihechukwu's CORI report and I do not have any concerns with his application for a livery license. In addition, I also received a 2022 CORI report for Obianuju Ihechukwu, who is listed as a partner in the business, and I do not have any concerns re: this individual either.

Any questions or concerns, please let me know.

Thank you,
D. Giorgi

From: City Council <citycouncil@marlborough-ma.gov>
Sent: Thursday, March 24, 2022 8:35 PM
To: David Giorgi <dgiorgi@marlborough-ma.gov>
Subject: Cori Check on Josia Ihechukwu for Livery License (2) dba ROA Health Systems, 43 Bowstring

Please send CORI check and recommendation for this applicant as well.
KB

Karen A. Boule, Secretary
Marlborough City Council
City Hall, 2nd Floor
Marlborough, MA 01752
508-460-3711
citycouncil@marlborough-ma.gov



City of Marlborough, Massachusetts CITY CLERK DEPARTMENT

Steven W. Kerrigan
City Clerk

Business Certificate Application Guidelines

- ✓ The Tax Certification form **MUST** have the City Tax Collector signature prior to being processed by the City Clerk's Office.
- ✓ The Building Department Affidavit (form is 2-sided) and Application for Use or Change of Use **MUST** be completed and signed by a Building Department Official **BEFORE** a Business Certificate can be issued. **We recommend that you proceed to the Building Department as soon as possible after filling out the required Building Department forms.**
- ✓ Once you have the appropriate forms signed off by the Building Department and Tax Collector, you may bring all the forms to the City Clerk's Office. You should have the Business Certificate Application, Tax Certification and Building Department forms. We will then process the application and provide you with a certified copy of the Business Certificate upon remittance of the fee.
- ✓ You must be specific relevant to the type of business which is listed on the Business Certificate Form.
- ✓ The Business Certificate Application **MUST** be signed either in our presence *or* in the presence of a notary.
- ✓ The filing fee for a Business Certificate is \$20.00 and expires four (4) years from the date of issuance. There are no reminders to renew your business certificate.
- ✓ You also can visit the www.mass.gov and click on "Working" link at the top of the page. Then click on "Business Resources" There is a additional information related to starting a business.
- ✓ Any change in a Business Certificate, such as discontinuance, amendment or withdrawal **MUST** be recorded in the City Clerk's Office. These forms are available upon request and the appropriate fee will apply.

- **MGL, CHAPTER 110 LABELS, TRADE MARKS, NAMES AND REGISTRATION THEREOF**
- **Section 5** Certificates of persons conducting businesses; contents; filing; fees; index

Section 5. Any person conducting business in the commonwealth under any title other than the real name of the person conducting the business, whether individually or as a partnership, shall file in the office of the clerk of every city or town where an office of any such person or partnership may be situated a certificate stating the full name and residence of each person conducting such business, the place, including street and number, where, and the title under which, it is conducted, and pay the fee as provided by clause (20) of section thirty-four of chapter two hundred and sixty-two. Such certificate shall be executed under oath by each person whose name appears therein as conducting such business and shall be signed by each such person in the presence of the city or town clerk or a person designated by him or in the presence of a person authorized to take oaths. The city or town clerk may request the person filing such certificate to produce evidence of his identity and, if such person does not, upon such request, produce evidence thereof satisfactory to such clerk, the clerk shall enter a notation of that fact on the face of the certificate. A person who has filed such a certificate shall, upon his discontinuing, retiring or withdrawing from such business or partnership, or in the case of a change of residence of such person or of the location where the business is conducted, file in the office of said clerk a statement under oath that he has discontinued, retired or withdrawn from such business or partnership or of such change of his residence or change of the location of such business, and pay the fee required by clause (21) of said section thirty-four. In the case of death of such a person, such statement may be filed by the executor or administrator of his estate. The clerk shall keep a suitable index of all certificates so filed with him which are currently in force and effect, setting forth the pertinent facts, including a reference to any statement of discontinuance, retirement or withdrawal from, or change of location of, such business, or change of residence of such person. A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed. Copies of such certificates shall be available at the address at which such business is conducted and shall be furnished on request during regular business hours, to any person who has purchased goods or services from such business. Violations of this section shall be punished by a fine of not more than three hundred dollars for each month during which such violation continues.



City of Marlborough
Massachusetts

Business Certificate

CERTIFICATE # **12086**

NEW: RENEWAL:

Date Filed:

March 23, 2022

In conformance with Massachusetts General law, Chapter 110, Section 5 the parties hereto declare(s) that a business under the title of:

ROA Health Systems

Operating at:

43 Bowstring Way, E46; Marlborough, MA 01752

Map: 74 Parcel: 5 Residential: Commercial: Property Owner:

Phone Number: (781) 521-3888

Proposed Use: Livery Service

Owner(s):

Josiah Ihechukwu

Obianuju Ihechukwu

Residential Address:

43 Bowstring Way, E46, Marlborough, MA 01752

43 Bowstring Way, E46, Marlborough, MA 01752

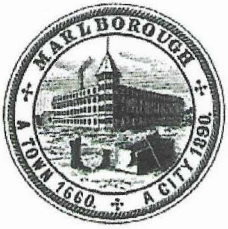
Or Corporation Name: ROA Health System, Inc.

March 23, 2026

CERTIFICATE EXPIRATION DATE

Steven W. Kerrigan
City Clerk

A certificate issued in accordance with this section shall be in force and effect for four (4) years from the date of issue and shall be renewed every four (4) years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed. Copies of such certificate shall be available at the address at which such business is conducted and shall be furnished on request during regular business hours, to any person who has purchased goods or services from such business. Violations of this section shall be punished by a fine of not more than \$300.00 for each month during which such violation continues. The filing of this form in no way implies permission, or approval to conduct any business in accordance with the Marlborough Zoning Ordinance or any Massachusetts General Law or Regulation.



BUSINESS CERTIFICATE APPLICATION
COMMONWEALTH OF MASSACHUSETTS
MARLBOROUGH

12026

NEW: RENEWAL:

In conformance with MGL, Chapter 110, Section 5 the undersigned hereby declare(s) that a business under the title of:

BUSINESS NAME: ROA Health System Inc

ADDRESS: 43 STREET: Bowstring Way E46

MARLBOROUGH, MA 01752

TELEPHONE NUMBER: (781) 521-3888

PROPOSED USE (please describe): LIVERY

SOLE PROPRIETOR OR PARTNERSHIP
NAME(S)

RESIDENTIAL ADDRESS:

(Print legibly)
JOSIAH IHECHUKWU 43 BOWSTRING WAY E46 Marlborough
OBIANUJU IHECHUKWU 43 BOWSTRING WAY E46 MARLBOROUGH MA

OR CORPORATION NAME: ROA HEALTH SYSTEM INC

AND NAME, RESIDENTIAL ADDRESS, AND PHONE NUMBER OF INDIVIDUAL LOCALLY IN CHARGE OF THE OPERATION

(Print legibly)
NAME RESIDENTIAL ADDRESS PHONE:
JOSIAH IHECHUKWU 43 BOWSTRING WAY E46 MARLBOROUGH (781) 521-3888

DO NOT SIGN UNLESS IN THE PRESENCE OF THE CLERK'S OFFICE OR A NOTARY PUBLIC

SIGNATURE(S) OF SOLE PROPRIETOR OR PARTNER(S) OR CORPORATE OFFICER
[Signature] [Signature]

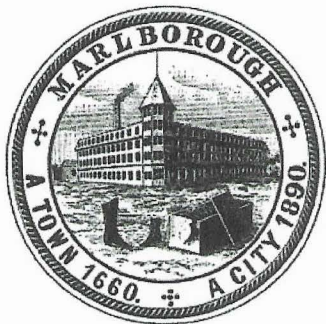
The above-named person(s) personally appeared before me and made oath that the foregoing statements is true.

City Clerk or Notary Public

My Commission Expires

A certificate issued in accordance with this section shall be in force and effect for four (4) years from the date of issue and shall be renewed each four (4) years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed. Copies of such certificates shall be available at the address at which such business is conducted and shall be furnished on request during regular business hours, to any person who has purchased goods or services from such business. Violations of this section shall be punished by a fine of not more than three hundred dollars for each month during which such violation continues.

The filing of this form in no way implies permission, or approval to conduct any business in accordance with the Marlborough Zoning Ordinance or any Massachusetts General Law or Regulation.



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

**Steven W. Kerrigan
City Clerk**

TAX CERTIFICATION

I/we certify under the penalties of perjury, to the best of my/our knowledge and belief, I/we have paid all taxes owed to the City of Marlborough as required under the law.

INDIVIDUAL/PARTNERSHIP

Individual/Partner Signature

Individual/Partner Signature

Social Security Number

Social Security Number

Driver License Number

Driver License Number

CORPORATION

ROA HEALTH SYSTEM INC

Corporate Name (Mandatory)

By: Signature of Corporate Officer

47-0974770

Federal Tax ID Number

A Business Certificate will not be issued unless the certification clause is signed by the applicant and the Tax Collector.

Tax Collector



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

**Steven W. Kerrigan
City Clerk**

BUILDING DEPARTMENT AFFIDAVIT

Please print clearly or type out form

BUSINESS NAME: ROA TRANSPORTATION

BUSINESS ADDRESS: 43 BOWSTRING WAY E46 MARLBOROUGH

BUSINESS OWNER(S) NAME: JOSIAH \$ OBIAMUJU IHECHUKWU

PHONE: (781) 521-3888

EMAIL: j.roahealthsystems@gmail.com

Check if this business is located in a residence and you are renting/leasing at the above address
(You must then have the owner sign off at the bottom of this form)

Describe the intended business or office use:

Parking of Livery Vehicles

Signed under the penalties of perjury that my Home Business/Office described above does and will confirm to the regulations.

[Signature]
Signature of Business Owner

3/08/2022
Date

HOMEOWNER SIGN OFF

I hereby certify that as the homeowner I have been informed of the Home Business/Office as described above:

[Signature]
Signature of Home Owner

3/8/22
Date

HOME OCCUPATION INFORMATION

(Ch. 650-5b)

An occupation customarily conducted in the place of residence of the operator or of a professional person, or in a building accessory thereto, such as dressmaking, millinery, home cooking, handcraft, specialized cultivation and propagation of houseplants, insects, fish, birds and animals, limited to one litter at a time, or the offices of a physician, surgeon, dentist, real estate agent, teacher, clergyman, artist, lawyer, architect, musician, landscape architect, land surveyor, City planner, broker, engineer, beautician or member of any other recognized profession, provided that not more than three persons are engaged in the activity.

(OVER)

BUILDING DEPARTMENT AFFIDAVIT – PAGE 2

Conditions for uses:

(Ch. 650-18)

(7) Customary Home Occupations - Customary home occupations are permitted, provided that:

- A. No more than 25% of the floor area of the residence is used for the purpose of the home occupation or the professional use or, if an accessory building is used, no more than 30% of the floor area of the accessory building and residence combined.
- B. There is no external evidence of the home occupation or the profession, and no major structural change shall be made in the exterior so as to alter the appearance and character of the residence.
- C. There are not more than two nonresidents employed on the premises.

Residence Districts:

(Ch. 526-8)

In a residence district, or where a residential use legally exists in a nonresidential district, the following signs only are permitted. Such signs may be freestanding signs or flat wall signs.

A. Occupant Sign.

- 1. Name and address. One freestanding sign and one flat wall or nameplate sign of not more than two square feet displaying the street number and/or the name of the occupant of the property.
- 2. Home occupancy sign. The signs permitted in Subsection A(1) above may be increased in area to no more than three square feet in order to allow identification of a customary home occupation as defined in and permitted by Chapter 650. Zoning.

Off-Street Parking

(Ch. 650-48)

In all zoning districts, permanently maintained off-street parking shall be provided as part of the plan for any new construction as follows:

- 8. Home occupation: one off-street parking space for each nonresident employee and two additional spaces.

OFFICIAL USE ONLY – TO BE COMPLETED BY A BUILDING OFFICIAL		
Zone: <u>B</u>	Map: <u>74</u>	Parcel: <u>5</u>
<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> NOT APPROVED	
<u>Pamela R. Robinson</u>		<u>3/9/22</u>
Approved by		Date
Reason for Denial: _____		

Date _____

Commonwealth of Massachusetts
CITY OF MARLBOROUGH
APPLICATION FOR USE OR CHANGE OF USE

The Marlborough City Code requires that a permit be obtained before any land or structure may be used in any way, and before any use may be changed.

► This does not apply to a change of ownership – only to a change in use.

Applications for permits shall be accompanied by two prints of a plan of the lot, drawn to scale, showing the actual dimensions of the lot, exact location and size of any existing or proposed buildings and streets and ways adjacent to the lot.

Address of property for which use or change of use is applied for:

43 BOWSTRING WAY E46

No. / Street

Parcel ID#

Zoning District

Assessors Init: _____

Description of Use Proposed (as written in Section 650-17 Table of Uses).

Please attach a brief narrative, if necessary.

Parking of business vehicles

If Residential, state # of units proposed

1

If Business, state exact type

Livery transportation

Present Use of Property, including any existing structures

Applicant's Name JOSIAH \$ OBIANUJU HECHUKUM

Bldg Owner's Name JOSIAH \$ OBIANUJU HECHUKUM

Applicant's Address
43 BOWSTRING WAY E46
MARLBOROUGH 01752

Owner's Address
43 BOWSTRING WAY E46
MARLBOROUGH MA 01752

Applicant's Phone 781-521-3888

Owners Phone (781) 521-3888

I, as Owner/Authorized Agent hereby declare that the statements and information on the foregoing application are true and accurate, to the best of my knowledge and belief.

[Signature]

[Signature]

Applicant's Signature

Owner's Signature

I certify that the owner of record below is not delinquent in payments to the City of Marlborough under any circumstances per MGL Chapter 40 Section 57.

Tax Collector _____

Date _____

OVER ►

FOR ADMINISTRATION USE ONLY – DO NOT WRITE BELOW THIS LINE

APPROVE
DENIED

[Signature]

ZONING AGENT

ZONING CODE B
REASON FOR DENIAL

3/9/22

DATE

Page 1 of 2

Description of Business:

Livery transportation: The vehicle
will take off from the address above and will
be returned to the same address (43 Bowstring
way E46).

Name and Address of all persons involved in proposed Business: JOSIAH & OBIANUJU
HECHURUM 43 BOWSTRING WAY E46

List all major equipment used in this business: two vehicles

What size vehicle will be involved with the business, if any: Honda Odyssey van

Where on the premises will business be conducted? Living room

Will there be any exterior changes to this property including signs? NO

Will there be any noise, emissions, noticeable to persons adjacent to this property? NO

Will customers visit the property? NO If yes, how many people are expected at one time? _____

List materials sold or stored at the property: Livery

Is this business solely a telephone or marketing business use? YES

Please provide any other information that would allow us to understand your proposed business that you feel is important:

Name of Business: ROA Health System Inc