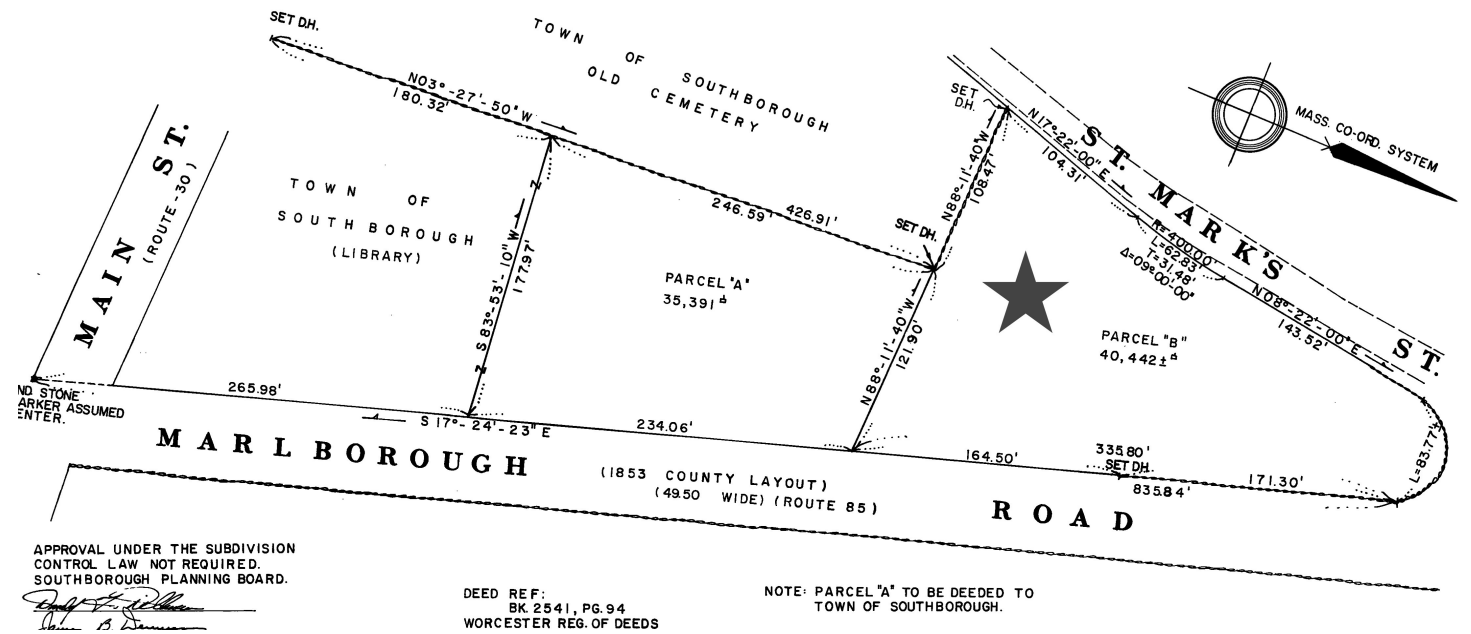


Article 13

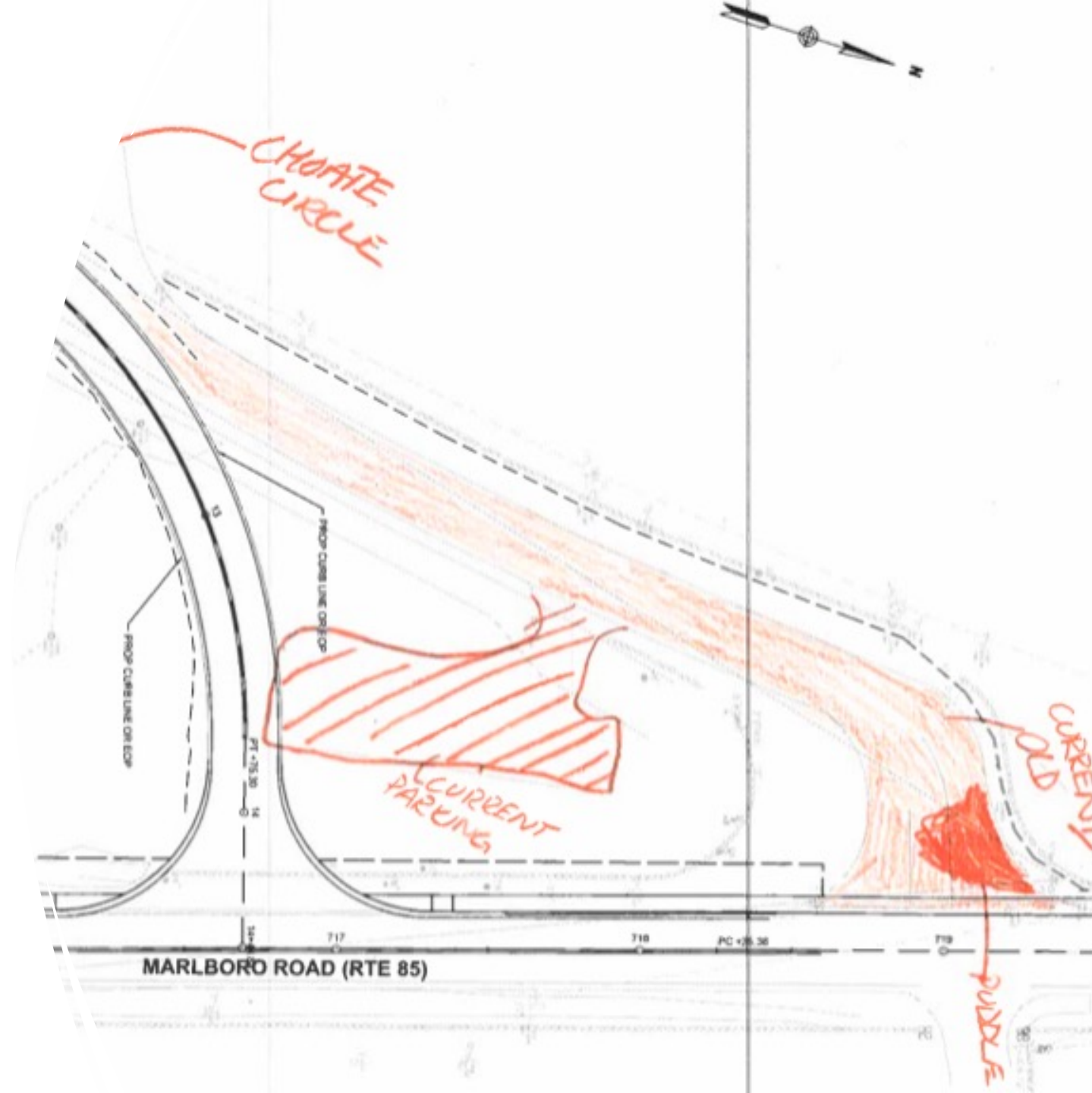


Encourage St Mark's School to donate the entire Triangle to the Town of Southborough...

...by authorizing the Select Board to accept the land as a gift

Timeline - 2020

- Aug 21 – DPW and St. Mark's discuss plan for St. Mark's St
 - Motivation to provide parking for St. Mark's School
 - No mention of a pocket park
- Nov 4 – Select Board allocates **\$105,000** of Ch. 90 funds for design
- Dec 15 – Select Board review
 - Primary focus is the 55-space parking lot for St Mark's and the intersection
 - Pocket park added as afterthought



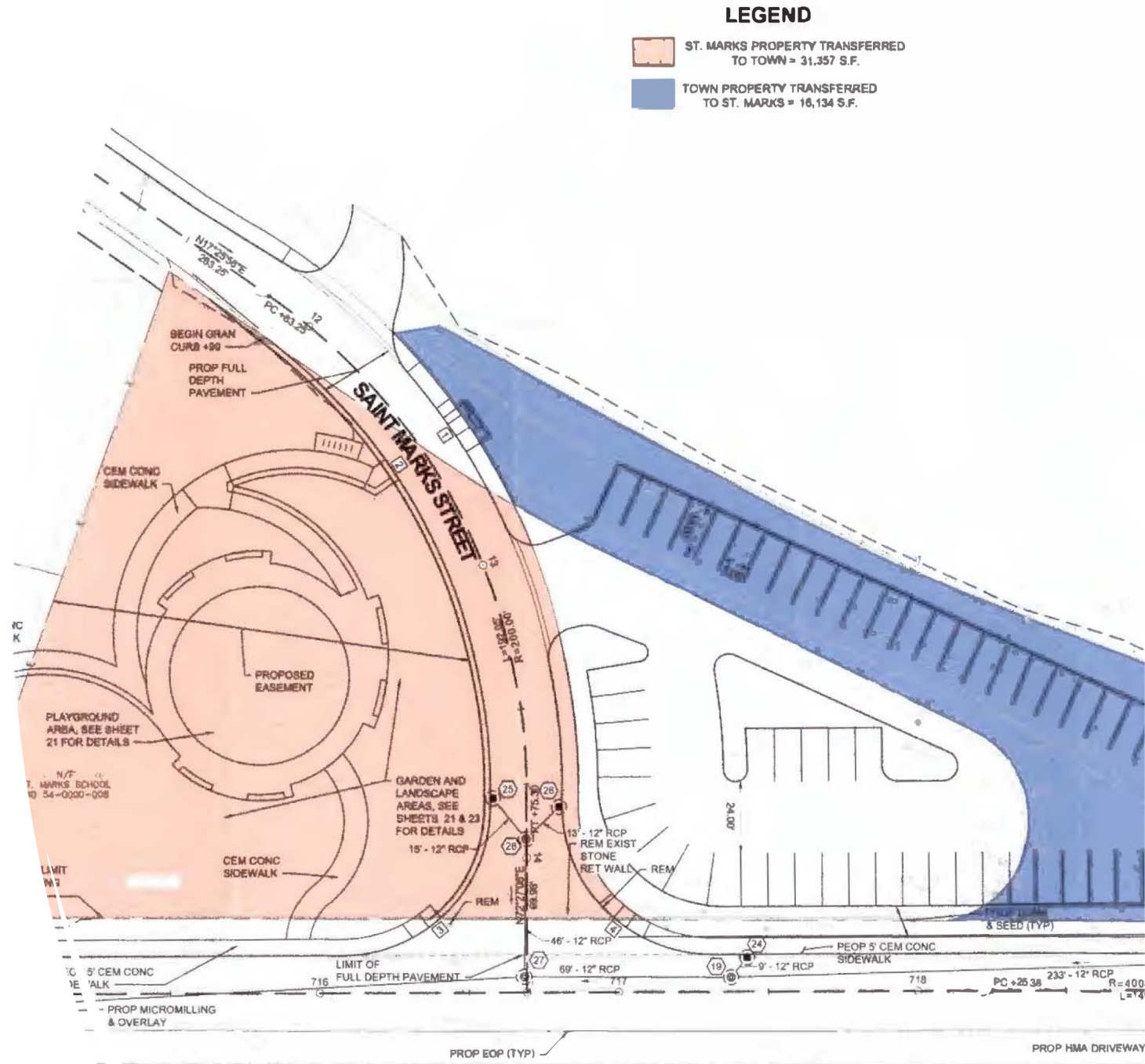
Timeline - 2021

- Jan 5 – DPW applies for a Shared Streets Winter Grant for a "Southborough History Walk"
- Jan 29 – Town awarded **\$290,000** grant
- May 25 – DPW sends draft license agreement and easements to St. Mark's School
- Nov 1 – Construction underway, trees and historic stone wall removed. Letter from Historical Commission to halt work, construction continues
- Nov 12 – Tree Hearing for removal of remaining trees on Marlborough Road
- Nov 24 – Reciprocal Interim Licensing agreement signed by the Board of Selectmen



Timeline - 2022

- Jan 5 – At Advisory, DPW asserts that the entire \$290,000 grant has been already spent
- May 5 – Annual town meeting rejects Article 25 – the “land swap” easements for Parcel B
- Aug 19 – Select Board authorizes an additional **\$7,695** for new design proposals



Today

- ... at least **\$402,695** of Town and State funds spent
- ... under a revocable Reciprocal Interim Licensing Agreement
- ... on land owned by St. Mark's
- ... without Town Meeting approval
- ... and it looks like this →



Public Funds for Private Use, MGL C. 40 s. 5

- Under state law, cities and towns can spend only for public purposes
- Public funds cannot be used for private purposes
- Cities and town have the right to spend money for any purpose where the public good will be served but not where the expenditure of money is directly for private benefit

Sometimes the expenditure of public funds advances both public and private interests

- In those situations, if the dominant motive for the expenditure is a public one, incidental benefits to a private individual will not invalidate the expenditure
- If, however, the dominant motive is to promote a private purpose, the expenditure will be invalid even if incidentally some public purpose also is served

This article ensures that public funds are not used for a private use

A "YES" vote on Article 13...

...spend Town money on Town land...no more bypassing
Town Meeting...more transparency

Encourages the Select Board to accept
the entire Triangle as a gift



Encourages St. Mark's School to donate
the Triangle to the Town



Provides a **Town Meeting approved**
solution to this problem