

**Councilors-at-Large**

Sean A. Navin  
Mark A. Oram  
Michael H. Ossing  
Kathleen D. Robey



**Ward Councilors**

Ward 1 – Mark A. Vital  
Ward 2 – David Doucette  
Ward 3 – Robert Preciado  
Ward 4 – Teona C. Brown  
Ward 5 – John J. Irish  
Ward 6 – A. Trey Fuccillo  
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, FEBRUARY 12, 2024**

The regular meeting of the City Council was held on Monday, February 12, 2024, at 8:00 PM in City Council Chambers, City Hall. Councilors Present: Ossing, Vital, Doucette, Preciado, Brown, Irish, Fuccillo, Landers, Navin, Oram, & Robey. Meeting adjourned at 8:28 PM.

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

**ORDERED:** That the Minutes of the City Council meeting, JANUARY 22, 2024, **FILE**; adopted.

That the PUBLIC HEARING on the Application from ViewPoint Sign and Awning on behalf of Best Western Royal Plaza Hotel for replacement of a Free-Standing EMC Sign at 181 Boston Post Road West, Order No. 23-1009035, all were heard who wish to be heard, hearing closed at 8:08 PM; adopted.

**Councilors Present: Vital, Doucette, Preciado, Brown, Irish, Fuccillo, Landers, Navin, Oram, Ossing & Robey.**

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

**ORDERED:** That the Communication from Michael Kennedy on behalf of Kennedys Restaurant and Market, re: Request to Withdraw without Prejudice the Application for installation of a Free-Standing EMC Sign at 247 Maple Street, **APPROVED**; adopted.

That the PUBLIC HEARING on the Application from Barlo Signs on behalf of Kennedys Restaurant and Market for installation of a Free-Standing EMC Sign at 247 Maple Street, Order No. 23-1009036, be **CANCELLED**; adopted.

**Councilors Present: Vital, Doucette, Preciado, Brown, Irish, Fuccillo, Landers, Navin, Oram, Ossing & Robey.**

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

ORDERED: That the Mid-Year Transfer Requests in the amount of \$1,202,100.00 (One million two hundred two thousand one hundred dollars) from various departments for FY24, which moves funds from and to accounts as outlined in the transfer sheets, referred to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		City Clerk/Election				FISCAL YEAR:		2024		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
Amount	Org Code	Object	Account Description:		Amount	Org Code	Object	Account Description:		Available Balance
\$35,354.60	\$13,000.00	11620002	50520	Principal Clerk	\$4,450.00	11610002	50290	Assistant City Clerk		\$27,524.17
	Reason:	Position not filled for entire year			Reason:	Salary Ordinance change				
					\$1,550.00	11610004	53180	Prof & Tech Svcs		\$838.81
	Reason:				Reason:	Updates to General Code & Traffic Regulations				
					\$1,000.00	11620005	54220	Office Supply/Expense		\$1,550.88
	Reason:				Reason:	Election related materials and supplies				
					\$6,000.00	11620006	53871	Poll Workers		\$18,795.00
	Reason:				Reason:	Additional assistance for Early Voting/VBM				
\$13,000.00	Total				\$13,000.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Various				FISCAL YEAR:		2024		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
Amount	Org Code	Object	Account Description:		Amount	Org Code	Object	Account Description:		Available Balance
\$141,700.00	\$50,100.00	11990006	57820	Reserve for Salaries	\$17,200.00	11210001	50321	Chief of Staff		\$11,164.52
	Reason:	Funds available				To cover vacation payout, slbb and overlap				
					\$4,900.00	11210002	50590	Executive Admin		\$18,483.26
						To cover vacation payout and slbb				
					\$11,000.00	11410004	53180	Assesors Professionl & Tech		\$10,686.80
	Reason:					To cover unexpected appraisals & consulting services				
					\$1,600.00	11550004	52544	Maint Contract/Copier		\$20,911.25
	Reason:					Library printing shortfall				
					\$10,400.00	11550006	53420	Telephone-City		\$46,004.80
	Reason:					Additional phones/phone lines				
					\$5,000.00	11210005	54230	Mayors Expense		\$3,735.13
	Reason:					To cover expenses through June 30th				
\$50,100.00	Total				\$50,100.00	Total				

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT: DPW - School Maintenance and Property Maintenance					FISCAL YEAR: 2024				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$67,535.00	\$26,000.00	11920001	50375	Plumber	\$26,000.00	13032003	51240	Temporary Part-Time	\$1,500.00
	Reason:	Excess due to vacancy				Part time Plumber			
\$67,535.00	\$19,000.00	11920001	50375	Plumber	\$19,000.00	13032003	51300	Additional Gross	\$0.00
	Reason:	Excess due to vacancy				Increased overtime need			
\$213,159.42	\$10,000.00	11920003	50560	Houseworker	\$10,000.00	11920004	53140	Contract Services	\$0.00
	Reason:	Excess due to vacancy				Library Custodians			
	\$55,000.00	Total			\$55,000.00	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT: DPW - School Maintenance - Electricity Utilities					FISCAL YEAR: 2024				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$213,159.42	\$41,000.00	11920003	50560	Houseworker	\$41,000.00	13032006	52120	Electricity	\$637,612.63
	Reason:	Excess due to vacancy				Rate increase			
\$67,400.00	\$7,000.00	14003001	50750	Equipment Operator - RDF	\$7,000.00	13032006	52120	Electricity	\$637,612.63
	Reason:	Excess due to vacancy				Rate increase			
\$98,310.44	\$71,000.00	14003003	51240	Drop-Off Attendant	\$71,000.00	13032006	52120	Electricity	\$637,612.63
	Reason:	Excess due to vacancy				Rate increase			
\$489,104.79	\$22,000.00	14001503	50740	Equipment Operator - FPC	\$22,000.00	13032006	52120	Electricity	\$637,612.63
	Reason:	Excess due to vacancy				Rate increase			
\$96,926.87	\$16,000.00	14001001	50600	DPW Commissioner	\$16,000.00	13032006	52120	Electricity	\$637,612.63
	Reason:	Excess due to vacancy				Rate increase			
	\$157,000.00	Total			\$157,000.00	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT: DPW - School Maintenance - Electricity Utilities					FISCAL YEAR: 2024				
FROM ACCOUNT:					TO ACCOUNT:				
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$150,708.28	\$10,000.00	60085001	50850	Treatment Plant Operator	\$10,000.00	13032006	52120	Electricity	\$637,612.63
	Reason:	Excess due to vacancy				Rate increase			
\$254,173.30	\$237,000.00	60086006	52935	Solid Waste Disposal	\$237,000.00	13032006	52120	Electricity	\$637,612.63
	Reason:	No additional surcharges				Rate increase			
	\$247,000.00	Total			\$247,000.00	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT: DPW - School Maintenance - Gas Utility					FISCAL YEAR: 2024				
FROM ACCOUNT:					TO ACCOUNT:				
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$96,926.87	\$46,000.00	14001001	50600	DPW Commissioner	\$46,000.00	13032006	52200	Gas	\$333,349.83
	Reason:	Excess funds due to vacancy				Rate increase			
\$65,600.00	\$65,600.00	14001101	50700	Grade 2 Engineer (Aide)	\$65,600.00	13032006	52200	Gas	\$333,349.83
	Reason:	Excess funds due to vacancy				Rate increase			
\$156,584.88	\$42,400.00	14001101	50710	Junior Civil Engineer	\$42,400.00	13032006	52200	Gas	\$333,349.83
	Reason:	Excess funds due to vacancy				Rate increase			
\$61,702.05	\$8,000.00	13032001	50386	HVAC	\$8,000.00	13032006	52200	Gas	\$333,349.83
	Reason:	Excess funds due to vacancy				Rate increase			
	\$162,000.00	Total			\$162,000.00	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT: DPW - Property Maintenance - Electricity Utility					FISCAL YEAR: 2024				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$451,863.20	\$60,000.00	14001303	50740	Equipment Operator - Streets	\$60,000.00	11920006	52120	Electricity	\$989,955.14
	Reason:	Excess due to vacancy				Rate increase			
\$156,584.88	\$21,000.00	14001101	50710	Junior Civil Engineer	\$21,000.00	11920006	52120	Electricity	\$989,955.14
	Reason:	Excess due to vacancy				Rate increase			
\$9,312.25	\$5,000.00	14001103	51240	Temporary Part/Time	\$5,000.00	11920006	52120	Electricity	\$989,955.14
	Reason:	Excess due to vacancy				Rate increase			
\$489,104.79	\$98,000.00	14001503	50740	Equipment Operator - FPC	\$98,000.00	11920006	52120	Electricity	\$989,955.14
	Reason:	Excess due to vacancy				Rate increase			
\$67,400.00	\$27,000.00	14003001	50750	Equipment Operator - RDF	\$27,000.00	11920006	52120	Electricity	\$989,955.14
	Reason:	Excess due to vacancy				Rate increase			
	\$211,000.00	Total			\$211,000.00	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT: DPW - Property Maintenance - Gas Utility					FISCAL YEAR: 2024				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$451,863	\$31,000.00	14001303	50740	Equipment Operator - Streets	\$31,000.00	11920006	52200	Natural Gas	\$186,090.39
	Reason:	Excess due to vacancy				Rate increase			
\$6,000	\$6,000.00	14001303	51240	Temporary / Part Time	\$6,000.00	11920006	52200	Natural Gas	\$186,090.39
	Reason:	Excess due to vacancy				Rate increase			
	\$37,000.00	Total			\$37,000.00	Total			

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	DPW - Fleet				FISCAL YEAR:	2024			
		FROM ACCOUNT:				TO ACCOUNT:				
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$67,400	\$3,000.00	14003001	50750	Equipment Operator - RDF	\$3,000.00	14001403	51470	Interim Foreman	\$9,421.90	
	Reason:	Excess due to vacancy				Increased need				
	\$3,000.00	Total			\$3,000.00	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	DPW - Sewer				FISCAL YEAR:	2024			
		FROM ACCOUNT:				TO ACCOUNT:				
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$419,800	\$145,000.00	61090001	50740	Equipment Operator - Water	\$145,000.00	60080006	55660	Pumping Station	\$52.95	
	Reason:	Excess due to vacancy				Replenish funds from Legal Services				
\$213,159	\$25,000.00	11920003	50560	Houseworker	\$25,000.00	60080006	55660	Pumping Station	\$52.95	
	Reason:	Excess due to vacancy				Replenish funds from Legal Services				
\$213,159	\$60,000.00	11920003	50560	Houseworker	\$60,000.00	60080004	53110	Legal Services	\$0.00	
	Reason:	Excess due to vacancy				Northborough legal fees				
\$67,400	\$10,000.00	14003001	50750	Equipment Operator - RDF	\$10,000.00	60080003	51310	Overtime - Regular	\$1,043.64	
	Reason:	Excess due to vacancy				Increased need				
	\$240,000.00	Total			\$240,000.00	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	DPW - East Plant					FISCAL YEAR:	2024		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$150,708	\$27,000.00	60085001	50850	Treatment Plant Operator	\$27,000.00	60081003	51310	Overtime - Regular	\$22,921.80	
	Reason:	Excess due to vacancy					On-call Program			
	\$27,000.00	Total			\$27,000.00	Total				

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

**ORDERED:** That the Transfer Request in the amount of \$162,202.95 (One hundred sixty-two thousand two hundred two dollars and ninety-five cents) from Free Cash to the Opioid Settlement Special Revenue Fund, referred to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Mayor					FISCAL YEAR:	2024		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$7,602,846.40	\$162,202.95	10000	35900	Undesignated Fund	\$162,202.95	29012809	48999	Opioid Settlements	\$0.00	
	Reason:	To move payments received in FY23								
	\$162,202.95	Total			\$162,202.95	Total				

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 \$20,150.00 from the MA Emergency Management Agency (MEMA) awarded to Marlborough Emergency Management to be used to fund the acquisition of additional equipment and supplies, adopted.

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

ORDERED: That the Proposed Amendments to the City Code, Chapter 125 “Personnel” §5 “Preparation of Classification Descriptions” and to Chapter 125 “Personnel” §6 “Salary Schedule” to create a new position of Communications & Special Projects Director in addition to a Transfer Request in the amount of \$25,900.00 to fund the position for the remainder of FY 24, referred to **FINANCE COMMITTEE**, adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:		Mayor				FISCAL YEAR:		2024	
FROM ACCOUNT:					TO ACCOUNT:				
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$61,500.00	\$25,900.00	15120001	50607	Substance Abuse Coordinator	\$25,900.00	11210002	50592	Comms Director	\$0.00
	Reason:	Vacant position				New position			
	\$25,900.00	Total			\$25,900.00	Total			

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

ORDERED: That the Communication from the Mayor, re: Notification of Extension of Temporary Appointment pursuant to MGL Chapter 41 §61A of David Williams as Interim Comptroller/Treasurer for an additional 60-day term to expire April 2, 2024, **FILE**; adopted.

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

ORDERED: That the Reappointments of Sean Fay, Barbara Fenby, and Christopher Russ to the Planning Board for 5-year terms respectively to expire on February 5, 2029, referred to the **PERSONNEL COMMITTEE**; adopted.

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

ORDERED: That the Communication from City Solicitor Jason Grossfield, re: Request for Executive Session to discuss litigation strategy relative to JW Capital Partners, LLC and Marlborough TOTG LLC v. City of Marlborough (Land Court No. 23 MISC 000199), **MOVED TO THE END OF AGENDA & FILE**; adopted.

**Councilor Preciado Recused.**

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

ORDERED: That the Communication from City Clerk, Steven Kerrigan, re: Presidential Primary Election Call, **FILE**; adopted.

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

ORDERED: That the Communication from City Clerk, Steven Kerrigan, re: In-Person Early Voting for Presidential Primary, **FILE**; adopted.

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

ORDERED: That the Communications from Karin Paquin of the Conservation Commission and James Confrey of the Council on Aging, re: Notification of Resignation as member of their respective board, **FILE**; adopted.

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

ORDERED: That there being no objection thereto set **MONDAY FEBRUARY 26, 2024**, as the **DATE FOR PUBLIC HEARING**, on the Petition from Massachusetts Electric and Verizon New England, to install one Joint Owned Pole at 219 Forest Street beginning at a point approximately 972' East of the centerline of the intersection of Teller Street. Install 45'C1.2 midspan between Poles 25 & 26. Install feeder monitor on new midspan Pole 25-50, referred to the **PUBLIC SERVICES COMMITTEE**; adopted.

**Councilor Vital Recused.**

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

ORDERED: That the Application for Renewal of Taxi/Livery License from Katsunori Tanaka d/b/a Global Limousine & Tour Services, to operate a Livery Service (One Vehicle) at 17 Eager Court, **APPROVED**; 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) School Committee, December 12, 2023, January 1, 2024 & January 9, 2024.
- b) Conservation Commission, January 4, 2024, January 11, 2024 & January 18, 2024.
- c) Cultural Council, January 3, 2024.
- d) Library Trustees, November 7, 2023.
- e) OPEB Trust, January 18, 2024 & January 24, 2024.
- f) Planning Board, December 4, 2023 & December 18, 2023.
- g) Traffic Commission, November 29, 2023.

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

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

- a) Jose Aguilar, 55 Norwood Street, other property damage and/or personal injury.
- b) Joniel Anderson, 111 Howe Street, other property damage and/or personal injury.
- c) James Lee, 849 Boston Post Road East, #1F, pothole or other road defect.
- d) Nagwa Mina, 12 McIntyre Court, other property damage and/or personal injury.
- e) Lucas Ragan, 39 Austen Way, #13F, pothole or other road defect.
- f) Jonathan Taft, 30 Broad Street, #201, other property damage and/or personal injury.
- g) Ted Tamburro, 168 Naugler Avenue, pothole or other road defect.

Councilor Navin reported the following out of the Personnel Committee:

**City Council Personnel Committee  
January 29, 2024  
Minutes and Report**

This meeting convened at 7:35 PM in the City Council Chamber and was open to the public. The meeting was televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's website, home page ([www.marlborough-ma.gov](http://www.marlborough-ma.gov)).

Voting members present: Chair Navin, Councilors Brown and Doucette.

Non-Voting members present: Councilors Vital, Oram, Robey, Irish and Fuccillo.

Also present: Mayor Dumais, Conservation Commission Chair Edward Clancy.

**Order No. 24-1009071: Communication from Mayor Dumais with Appointment to the Conservation Commission of Elizabeth Austin for a 2-year term to expire on May 5, 2026.**

Chair Navin read the letter from the Mayor into the record.

Ms. Austin answered questions from councilors and explained her interest in joining the commission.

Edward Clancy, Chair of the Conservation Commission, highly endorsed Elizabeth's appointment, indicating she will be a perfect fit as a new member of the commission.

**On a motion by Councilor Brown, seconded by the Chair, the Personnel Committee recommends approval of the appointment of Elizabeth Austin to the Conservation Commission for a 2-year term to expire on May 5, 2026. Vote 3-0**

Motion made and seconded to adjourn; the meeting adjourned at 7:50 PM.

Councilor Irish reported the following out of the Finance Committee:

**City Council Finance Committee  
January 29, 2024  
Minutes and Report**

This meeting convened at 7:00 PM in the Council Chamber and was open to the public. The meeting was televised on WMCT-TV (Comcast Channel 8/Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's home page, [www.marlborough-ma.gov](http://www.marlborough-ma.gov).

Voting Members present: Chair Irish, Councilors Brown, Vital, Fuccillo and Oram.

Non-Voting Members present: Councilors Navin, Robey, and Doucette.

Also present: Mayor Dumais; City Auditor Smith; Acting DPW Commissioner Scott; IT Director Gibbs; Library Director Belisle; WMCT-TV Director Malyar.

**Order No. 24-1009067: Communication from Mayor Dumais with Transfer in the amount of \$40,000.00 which moves funds from Free Cash to IT Equipment for Website Upgrade and Redesign Project.**

Reports of Committee Continued:

Chair Irish read the letter from the Mayor addressing the transfer. Mayor Dumais explained the updates to the website and asked for a suspension of the rules to approve the transfer on February 12.

**On a motion by Councilor Brown, seconded by the Chair, the Finance Committee recommended approval of the transfer under suspension of the rules on February 12, 2024. Vote 5-0**

**Order No. 24-1009068: Communication from Mayor Dumais with Transfer in the amount of \$100,000.00 from the Public Educational and Government Access Channels (PEG) Fund to fund WMCT-TV Operations.**

Chair Irish read the letter from the Mayor into the record.

**On a motion by Councilor Brown, seconded by the Chair, the Finance Committee recommended approval of the transfer. Vote 5-0**

**Order No. 24-1009070: Communication from Mayor Dumais with request to increase the spending limit for the Public Safety Revolving Fund from \$120,000.00 to \$143,000.00 for the remainder of FY2024.**

Chair Irish read the letter from the Mayor into the record. Police Chief Giorgi and Fire Chief Breen support the increase in the spending limit for the revolving fund. The funds are from the annual dispatch fee from Patriot Ambulance.

**On a motion by Councilor Oram, seconded by the Chair, the Finance Committee recommended approval of the increase in the spending limit for the Public Safety Revolving Fund from \$120,000.00 to \$143,000.00. Vote 5-0**

**Order No. 24-1009072: Communication from Mayor Dumais with proposed amendments to the City Code, Chapter 125 "Personnel" §6 'Salary Schedule' relative to positions at the Library and Public Facilities and the proposed job descriptions pursuant to Chapter 125 "Personnel" §5 'Preparation of Classification Descriptions' for new positions in the Public Library and Public Facilities Departments.**

Chair Irish read the letter from Mayor Dumais.

**On a motion by Councilor Brown, seconded by the Chair, the Finance Committee recommended approval of the ordinances and Job Descriptions as submitted. Vote 5-0**

Motion made and seconded to adjourn; meeting adjourned at 7:30 PM

**Suspension of the Rules requested – granted.**

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

**ORDERED** That the Transfer Request in the amount of \$40,000.00 (Forty thousand dollars) which moves funds from Free Cash to IT Equipment for Website Upgrade & Redesign Project, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		IT				FISCAL YEAR:		2024		
FROM ACCOUNT:					TO ACCOUNT:					
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$7,602,846.40	\$40,000.00	10000	35900	Undesignated Fund	\$40,000.00	19300006	58618	IT Equipment	\$0.00	
	Reason:	Website redesign								
	\$40,000.00	Total			\$40,000.00	Total				

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

**ORDERED:** That the Marlborough City Council meet in executive session under Purpose 3 of the Open Meeting Law, MGL c. 30A, s. 21(a)(3), to “discuss strategy with respect to...litigation if an open meeting may have a detrimental effect on the...litigating position of the public body” regarding the pending matter, *JW Capital Partners, LLC and Marlborough TOTG LLC v. Marlborough City Council* (Land Court No. 23 MISC 000199), as the chair hereby declares that discussion in an open session may have a detrimental effect on the City and the City Council’s litigating position.

The City Council will not re-convene in open session after the Executive Session.

**APPROVED**; adopted.

**Yea: 10 – Abstain: 1**

**Yea: Vital, Doucette, Brown, Irish, Fuccillo, Landers, Navin, Oram, Ossing & Robey.**

**Abstain: Preciado.**

Motion by Councilor Navin, 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 8:28 PM; adopted.