



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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MARCH 23, 2015

Regular meeting of the City Council held on Monday, MARCH 23, 2015 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Irish, Clancy and Landers. Meeting adjourned at 8:45 PM.

Council President Pope recognized Cub Scout Pack 31, Den 8 who were in attendance and working on their Citizenship in the Community Merit Badges.

ORDERED: That the minutes of the City Council meeting MARCH 9, 2015, **FILE**; adopted.

ORDERED: That the Communication from the Mayor re: Intermunicipal Agreement and Grant Acceptance from the Prevention and Wellness Trust Fund, **MOVED TO AFTER REPORT OF COMMITTEES**; adopted.

ORDERED: That the Communication from DPW Commissioner, John Ghiloni, re: Request for Possible Purchase of a Parcel of Land on New St., Order No. 15-1006090, **MOVED TO ITEM 23**; adopted.

ORDERED: That the Communication from City Solicitor, Donald Rider re: request for Executive Session for the purpose of discussing litigation strategy in a Special Permit dispute involving property on South St., **MOVED TO AFTER REPORTS OF COMMITTEES**; adopted.

ORDERED: That the Application for Renewal of Junk Dealers/Second Hand License, Antoine Bitar, d/b/a Hannoush Jewelers, 601 Donald Lynch Blvd., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Communication from NStar d/b/a Eversource re: Filing a Request with the MA Department of Utilities to Increase Gas Distribution Rates, **FILE**; adopted.

ORDERED: That the Minutes Conservation Commission, January 29 & February 19, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, February 23, 2015, **FILE**; adopted.

ORDERED: That the Minutes, School Committee, February 24, 2015, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessors, February 11, 2015, **FILE**; adopted.

ORDERED: That the Communication from Amica, on behalf of Joren Reyes, 57 Simmons St., Andrea Finn, 285 Church St., Craig Brown, 19 Fish Ln., Betina Bucciarelli, 849 Boston Post Rd., Apt 8c, Alphonse Niski, 60 Heatherwood Dr., Linda Spooner, 389 Cook Ln., Louise Elias, 79 Deerfield Run, Unit 79, & Edith Sussman, 25 Canterbury Way, refer to **LEGAL DEPARTMENT**; adopted.

ORDERED: That the Communication from Hanover Insurance Group, on behalf of Kerri Grainger, 30 Karopulios Dr., Catherine Young, 64 Deerfield Run, Unit 69, Joseph Kenosian, 721 Stow Rd., Suzanne Neubauer, 453 Bigelow St., Richard Tomanek, 19 Water St., Jessica Steinburg, 51 Violetwood Cir., & Navin Patel, 61 Foley Rd., refer to **LEGAL DEPARTMENT**; adopted.

ORDERED: That the Communication from Union Mutual of Vermont Companies, on behalf of Joan Connor, 47 Crystal Brook Way, Unit G, refer to **LEGAL DEPARTMENT**; adopted.

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

- a. Sean McDonald, 10 Stonehill Rd Rd., pothole or other road defect claim.
- b. Robert Steadman, 18 Phippen Rd., other property damage.
- c. J. W. Carney, Jr., 34 Chestnut Terrace, Newton, pothole or other road defect claim.
- d. Richard Bonina, 39 Gregoire Dr., residential mailbox claim 2(a).
- e. J. Dawson Milne, 121 Farrington Ln., residential mailbox claim 2(b).
- f. Frederick Ferris, 122 Farrington Ln., residential mailbox claim 2(b).
- g. Steven Burnett, 106 Farrington Ln., residential mailbox claim 2(b).
- h. Nin Guan, 22 Muir Way, residential mailbox claim 2(b).

Reports of Committees:

Councilor Clancy reported the following out of the Urban Affairs Committee:

Meeting Name: City Council Urban Affairs Committee

Date: March 10, 2015

Time: 5:30 PM

Location: City Council Chambers, 2nd Floor, City Hall, 140 Main Street

Convened: 5:30 PM

Adjourned: 6:30 PM

Present: Councilor Clancy (Acting Chair); Urban Affairs Committee Members Councilors Landers, Tunnera, and Page; Councilors Robey and Pope

Absent: Chairman Delano (recused)

Also Present: Donald Rider, City Solicitor; Robert Camacho, Building Commissioner; David McCay, Mirick O'Connell; John LaHair, Public Relations Manager, Digital Federal Credit Union (DCU)

Reports of Committees cont'd:

Order No. 15-1006011B (X14-1006053, X03-10047B): Application for Special Permit to modify existing Special Permit issued to Digital Federal Credit Union, 853-865 and 905 Donald Lynch Boulevard on June 16, 2003, to remove Condition #7 prohibiting LCD signs on the property.

The committee first reviewed Order No. 15-1006011B, the application for a Special Permit to modify an existing Special Permit issued to Digital Federal Credit Union, 853-865 and 905 Donald Lynch Boulevard on June 16, 2003, to remove Condition #7 prohibiting LCD signs on the property.

Chairman Clancy read through Condition #7 prohibiting LCD signs from the Special Permit granted to DCU in June 2003. The condition read as follows: "Signage on the Site shall not exceed the As-of-Right square footage, height, mechanical, lighting and setback requirements as outlined in the City of Marlborough Sign Ordinance. There shall be no moving parts, message boards, liquid crystal displays (LCD's) or equivalent features on the signs on the Site."

Mr. McCay explained the applicant is seeking relief from Condition #7 in the Special Permit granted to DCU in June of 2003. Chairman Clancy read the proposed wording to replace Condition #7 in the original Special Permit, "The locations and design of any signage shall be reviewed and approved by the City of Marlborough in accordance with the Sign Ordinance of the City of Marlborough."

The applicant agreed to make the word locations singular in form as suggested by the City Solicitor such that the proposed wording would be, "The location and design of any signage shall be reviewed and approved by the City of Marlborough in accordance with the Sign Ordinance of the City of Marlborough."

The committee further discussed the addresses of the properties with regards to the assigned street addresses and Assessor's Map and Parcel assignments. Chairman Clancy stated they wish to identify the correct parcels so the Special Permit will be applied properly. Chairman Clancy further stated if there was a change in numbering since the Special Permit is referred to the Legal Department for proper form, any corrections would be noted on it by them.

Motion made by Councilor Tunnera, seconded by the Chair, to approve the amended Special Permit, as amended. The motion carries 4-0.

Order No. 14-1006053A (X14-1006011B, X03-10047B): Application for Sign Ordinance Special Permit, Digital Federal Credit Union, 865Donald Lynch Boulevard, to operate an electronic message center sign at its bank branch located at 865 Donald Lynch Boulevard.

The committee next reviewed Order No. 14-1006053A, the application for a Sign Ordinance Special Permit, Digital Federal Credit Union, 865Donald Lynch Boulevard, to operate an electronic message center sign at its bank branch located at 865 Donald Lynch Boulevard.

Chairman Clancy confirmed with the Building Commissioner that the applicant's existing sign fell under the definition of a double-faced sign according to City of Marlborough General Code Chapter 526 Signs.

Reports of Committees cont'd:

Chairman Clancy read through the Decision on a Sign Ordinance Special Permit, Findings of Fact and Ruling.

On #3, the “display area of 24 square feet” should be changed to “display area of 24.77 square feet” as noted in Attachment 1 of the application.

The applicant appeared before the Planning Board on February 12, 2015 requesting a variance with regards to the dimensional area ratio (33% vs. 25%). Chairman Clancy read through the letter from the Planning Board and the applicant agreed to the conditions set forth in the letter dated February 17, 2015 as well as being in agreement with all conditions of the sign ordinance as it currently exists.

Chairman Clancy read through a revised Finding of Fact #1 which includes the map and parcel number, “The Applicant is owner of the property located at Assessor’s Map 50, Parcel 9 at 865 Donald J. Lynch Boulevard, Marlborough, Massachusetts (the “Site”).

Chairman Clancy read through the Special Permit with the following additions/amendments to the language, Finding of Fact #4 includes “February 12, 2015” as the date the Planning Board issued a variance decision for the Sign. And section D2 includes language for recordation of deed.

Motion made by Councilor Tunnera, seconded by Chair, to approve as amended. The motion carries 4-0.

Motion made by Councilor Tunnera, seconded by Chair, to request a suspension of the rules at the next regular City Council meeting to refer both orders to the City Solicitor for proper legal form. The motion carries 4-0.

Motion made by Councilor Tunnera, seconded by Chair, to adjourn. The motion carries 4-0. The meeting adjourned at 6:30.

Councilor Elder reported the following out of the Operations & Oversight Committee:

Meeting Name: City Council Operations & Oversight Committee

Date: March 16, 2015

Time: 5:30 PM

Location: City Council Chambers, 2nd Floor, City Hall, 140 Main Street

Convened: 6:11 PM

Adjourned: 6:50 PM

Present: Chairman Elder; Operations & Oversight Committee Members Councilors Delano and Landers; Councilors Clancy, Robey, and Pope

Also Present: Mayor Arthur Vigeant; Richard Langlois, Superintendent, Marlborough Public Schools; Michael Bergeron, Executive Director of Finance & Operations, Marlborough Public Schools

Reports of Committees cont'd:

Order No. 15-1006128: That WHEREAS having convened in an open meeting on March 9, 2015 the CITY COUNCIL of the CITY OF MARLBOROUGH, MA in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form BY NO LATER THAN APRIL 10, 2015 for the RICHER ELEMENTARY SCHOOL LOCATED AT 80 FOLEY ROAD, MARLBOROUGH, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future to include PRIORITY 7: REPLACEMENT OF OR ADDITION TO OBSOLETE BUILDINGS IN ORDER TO PROVIDE FOR A FULL RANGE OF PROGRAMS CONSISTENT WITH STATE AND APPROVED LOCAL REQUIREMENTS AS DETERMINED IN THE JUDGMENT OF THE AUTHORITY; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City of Marlborough to filing an application for funding with the Massachusetts School Building Authority, NOW THEREFORE the City Council of the City of Marlborough hereby authorizes the Superintendent to submit a Statement of Interest to the Massachusetts School Building Authority for the above-specified project.

The Operations and Oversight Committee along with Councilors Clancy, Robey and Pope met with Mayor Arthur Vigeant, Superintendent Richard Langlois and Michael Bergeron, MPS Director of Finance & Operations for a discussion of the request from the Mayor for the City of Marlborough to file a Statement of Interest for Marlborough Public Schools with the Massachusetts School Building Authority (MSBA). Those in attendance agreed on the importance of submitting a Statement of Interest with the Massachusetts Building Authority for either renovation to or replacement of Richer Elementary School to meet the needs of the current student population.

Motion made by Councilor Delano, seconded by Councilor Landers, to favorably recommend the authorization of the filing of the Statement of Interest (SOI) to the Massachusetts School Building Authority (MSBA), under a suspension of the City Council Rules if necessary. Vote 3-0

Motion made by Councilor Delano, seconded by Chair, to adjourn. The motion carries 3-0. The meeting adjourned at 6:50PM.

Suspension of the Rules requested – granted

ORDERED: That the Application for Special Permit to modify existing Special Permit issued to Digital Federal Credit Union, 853-865 and 905 Donald Lynch Blvd. on June 16, 2003, to remove Condition #7 prohibiting LCD signs on the property., Order No. 14/15-1006011C, refer to **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM FOR APRIL 6, 2015 CITY COUNCIL AGENDA**; adopted.

Suspension of the Rules requested – granted

ORDERED: That the Application for Sign Ordinance Special Permit from Digital Federal Credit Union, 865 Donald Lynch Blvd., to operate an electronic message center sign at its bank branch located at 865 Donald Lynch Blvd, Order No. 14/15-1006053B, refer to **CITY SOLICITOR TO PLACE IN PROPER LEGAL FORM FOR APRIL 6, 2015 CITY COUNCIL AGENDA**; adopted.

Suspension of the Rules requested – granted

ORDERED: That WHEREAS having convened in an open meeting on March 23, 2015, prior to the closing date, the CITY COUNCIL of the CITY OF MARLBOROUGH, MA in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form BY NO LATER THAN APRIL 10, 2015 for the RICHER ELEMENTARY SCHOOL LOCATED AT 80 FOLEY ROAD, MARLBOROUGH, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future to include PRIORITY 7: REPLACEMENT OF OR ADDITION TO OBSOLETE BUILDINGS IN ORDER TO PROVIDE FOR A FULL RANGE OF PROGRAMS CONSISTENT WITH STATE AND APPROVED LOCAL REQUIREMENTS AS DETERMINED IN THE JUDGMENT OF THE AUTHORITY; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City of Marlborough to filing an application for funding with the Massachusetts School Building Authority, NOW THEREFORE the City Council of the City of Marlborough hereby authorizes the Superintendent to submit a Statement of Interest to the Massachusetts School Building Authority for the above-specified project.

APPROVED; adopted.

Councilors Present: Pope, Ossing, Oram, Robey, Delano Page, Elder, Tunnera, Irish, Clancy & Landers.

No one requested to be recorded in opposition.

ORDERED: That the following documents which comprise the Intermunicipal Agreement and Grant Acceptance from the Prevention and Wellness Trust Fund, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

ORDERED: That It is moved, in conformance with the provision of section 21(a)(3) of Chapter 30A of the General Laws of the Commonwealth, that the Marlborough City Council conduct an executive session for the purpose of discussing litigation strategy in a special permit dispute involving a property on South Street, as an open meeting may have a detrimental effect on the litigating position of the City Council, and the chair hereby declares that an open meeting may have that effect.

It is further moved and stated that the City Council will re-convene in open session after the executive session, **APPROVED**; adopted.

Yea: 11-Nay: 0

Yea: Delano, Page, Elder, Tunnera, Irish, Clancy, Landers, Ossing, Pope, Robey & Oram

ORDERED: That the Reappointments of Kelly French and Michael Gibson to the Youth Commission for terms to expire three years from date of approval and the appointment of Sharon Buckley to the Youth Commission for a term to expire two years from date of approval, **APPROVED**; adopted.

ORDERED: That the Reappointment of Greg Mitrakas and Appointment of David Bouvier to the License Board for terms to expire six years from date of approval, **APPROVED**; adopted.

ORDERED: That the Appointment of Pat Gallier to the Council on Aging to fill the balance of the term of Lynn Anderson which is due to expire on May 2, 2017, **APPROVED**; adopted.

ORDERED: That the Appointment of Paul Sliney as the tenant's representative on the Community Development Authority (CDA) for a three year term to commence at the expiration of Ms. Swartz's term which is March 12, 2015, **APPROVED**; adopted.

ORDERED: That the Appointment of David Manzello as Principal Assessor for a term to expire three years from date of confirmation, **APPROVED**; adopted.

ORDERED: That the Reappointment of Mark Gibbs as IT Department Head, for a term to expire three years from date of approval, **APPROVED**; adopted.

ORDERED: That the Reappointment of Cynthia Panagore-Griffin as Assistant City Solicitor, for a term to expire three years from date of approval, **APPROVED**; adopted.

ORDERED: That the Appointment of Robert Camacho as Building Commissioner for a term to expire three years from date of appointment, **APPROVED**; adopted.

Councilor Irish recused.

ORDERED:

Pursuant to MGL c. 30B, § 16(e)(2), the City Council of the City of Marlborough hereby determines that advertising for the proposed purchase of a certain parcel of land containing 1,750 s.f., more or less, on New Street, Marlborough, MA 01752, will not benefit the City's interest because of the unique qualities and location of the property as hereinafter defined.

The parcel is identified as Map 69, Parcel 194 of the Assessors Map of the City of Marlborough.

The parcel is further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 61935, Page 108.

The property satisfies the requirements of said MGL c. 30B, § 16(e)(2), because the property: (a) is directly adjacent to the new Marlborough Senior Center; (b) provides a small structure that can house maintenance equipment needed at the adjacent Artemus Ward Park; and (c) is located in a residential neighborhood in which the City wishes to eliminate this parcel's future use as a commercial property.

It is further ordered that the Mayor is authorized to enter into negotiations for the purchase of the property so identified, subject to the availability of sufficient funds or an appropriation as required, and an affirmative two-thirds vote of the City Council prior to a binding agreement of sale.

The price of any purchase that may ensue from this Order shall not exceed Thirty-Five Thousand Dollars (\$35,000.00).

Pursuant to MGL c. 7C, § 38, the persons having a beneficial interest in this parcel, as set forth in said Book 61935, Page 108, is 11 New Street LLC, 662 Moody Street, Waltham, MA 02453. The maximum proposed purchase price is \$35,000.00, subject to such conditions as may be negotiated.

APPROVED; adopted.

ORDERED: That the Fire Department transfer request in the amount of \$30,000.00 which moves funds from and to various accounts as noted in the attached spreadsheet to contract with a search firm to assist in the hiring of a new Fire Chief, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Fire Department				FISCAL YEAR:		2015		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$52,950.00	\$15,000.00	14001002	50062	DPW-Finance Assistant	\$30,000.00	12200003	53140	Fire-Contract Services	\$0.00	
	Reason:	Position vacant until recently				To fund a consultant for a Fire Chief search				
\$7,362.50	\$3,100.00	11520004	53150	Personnel-Advertising						
	Reason:	Advertising costs lower than anticipated								
\$1,900.00	\$1,900.00	15270004	53140	HS-Contract Services						
	Reason:	Funds available								
\$50,000.00	\$10,000.00	61075206	59080	Water-Interet Expense						
	Reason:	Interest expense will be lower than anticipated								
	\$30,000.00	Total			\$30,000.00	Total				

ORDERED: That the Health Department transfer request in the amount of \$25,500.00 which moves funds from and to various accounts as noted in the attached spreadsheet to fund the final transition of the Health Department reorganization, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Board of Health				FISCAL YEAR:		2015		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$13,891.65	\$5,000.00	15120001	50391	Part-Time Nurse	\$24,000.00	15120001	50605	Sanitarian/Admin	\$16,503.83	
		Funds availabe due to prior vacancy				To fund new director at proposed salary thru 6/30/15				
\$22,166.55	\$4,500.00	16100001	50470	Childrens Librarian	\$1,500.00	15120001	50611	Assistan Sanitarian	\$29,755.01	
		Funds availabe due to prior vacancy				To fund two Asst Sanitarrians thru 6/30/15				
\$26,115.75	\$2,000.00	16100003	51259	Reference Librarian Part-Time						
	Reason:	Funds availabe due to prior vacancy								
\$72,704.69	\$4,000.00	16100003	51261	Part-Time Library Clerks						
	Reason:	Funds availabe due to prior vacancy								
\$35,400.00	\$10,000.00	11330002	50770	Comptroller-Sr Clerk						
	Reason:	Funds availabe due to prior vacancy								
	\$25,500.00	Total			\$25,500.00	Total				

ORDERED: That the Building Department transfer request in the amount of \$10,000.00 which moves funds from Contract Services to Assistant Building Inspector for the hiring of a temporary, full-time Local Inspector in the Building Department, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Building Department				FISCAL YEAR:		2015		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$13,225.44	\$10,000.00	12410004	53140	Contract Services	\$10,000.00	12410001	50260	Asst Bldg Inspector	\$55,148.08	
Reason:		Available funds				To fund a temporary asst building inspector thru 6/30/15				
	\$10,000.00	Total			\$10,000.00	Total				

Councilor Irish recused.

ORDERED: That the following mid-year transfer requests from Comptroller’s Office, Police Department, DPW, Public Facilities, Legal Department, & Fire Department **APPROVED**; adopted, with explanations noted within the following spreadsheets

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Comptroller				FISCAL YEAR:		2015		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$35,400.00	\$7,000.00	11330002	50770	Senior Clerk	\$520.00	11610002	50770	Senior Clerk	\$16,014.41	
Reason:		Surplus				Treasurer Payroll Calculation Error				
\$32,667.86	\$16,000.00	11940006	51860	Widows Pensions	\$23,900.00	11410004	57038	Pers Prop Valuation Serv	\$33,000.00	
Reason:		Surplus				Contractual Support on Personal Property Values				
\$350,783.13	\$55,900.00	60075206	59050	Interest Expense - Sewer	\$20,000.00	11930006	57410	Property Liability Insurance	\$20,833.25	
Reason:		Surplus				Additional Coverage & Rate Increase				
					\$1,480.00	11550001	50213	Network Engineer	\$29,008.33	
Reason:						Recalculate for step increase				
					\$33,000.00	11980006	51752	Medicare Insurance	\$74,244.29	
Reason:						Recalculate for payroll costs				
	\$78,900.00	Total			\$78,900.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:	Police						FY:	2015	
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$1,127,393	\$85,000.00	12100001	50420	Police Officers	\$85,000.00	12100003	51310	OT - Regular	\$87,905
	Reason:	Surplus due to vacancies and injuries				Deficit due to high number of injuries and other leave			
\$174,684	\$1,000.00	12100001	50510	Police Lieutenants	\$1,000	12100006	55882	Meals for Prisoners	\$1,364
	Reason:	Surplus due to injury				Higher than expected number of long term prisoners			
\$174,684	\$12,000.00	12100001	50510	Police Lieutenants	\$12,000	12100003	51490	Holiday	\$74,418
	Reason:	Surplus due to injury				Deficit due to pay increases and weekday holidays			
\$174,684	\$1,000.00	12100001	50510	Police Lieutenants	\$1,000.00	12100006	57340	Dues and Subscriptions	\$2,300
	Reason:	Surplus due to injury				Increased dues rates			
\$174,684	\$1,000.00	12100001	50510	Police Lieutenants	\$1,000	12100006	52010	Translation Service	\$1,300
	Reason:	surplus due to injury				High translator usage			
	\$100,000.00	Total			\$100,000.00	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:	Police						FY:	2015	
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$16,130	\$1,300.00	12100001	50435	Police Specialists	\$1,300.00	12100006	53816	ACO Callout	\$192
	Reason:	Surplus due to unfilled positions				Deficit due to higher call out frequency			
\$16,130	\$1,000.00	12100001	50435	Police Specialists	\$1,000	12100004	53817	Kennel Services	\$1,188
	Reason:	Surplus due to unfilled positions				Higher than expected kenneling services			
	\$2,300.00	Total			\$2,300.00	Total			

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Department of Public Works				FISCAL YEAR:	2015			
		FROM ACCOUNT:				TO ACCOUNT:				
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available	
Balance									Balance	
\$25,000	\$25,000	14001106	59570	Chapter 90 Construction	\$1,895	14001103	51240	Temporary Part-time (Eng)	\$3,865	
	Reason:	Anticipated surplus				Anticipated funds for season help program				
\$329,399	\$8,040	14001303	50740	Equipment Operators	\$500	14001103	51310	Overtime-regular (Eng)	\$729	
	Reason:	Money available due to previous vacancy				Anticipated cost to cover remainder of FY15				
					\$22,605.00	61090006	54620	Maintenance-trenches	\$9,756	
						Anticipated cost to permanently repair water trenches				
					\$6,500	14001301	50690	Foreman (Sts)	\$97,042	
						Anticipated cost to cover remainder of FY15				
					\$1,040	14001303	51240	Temporary Part-time (Sts)	\$1,760	
						Anticipated funds for seasonal help program				
					\$500	14001303	51310	Overtime-regular (Sts)	\$814	
						Anticipated cost to cover remainder of FY15				
	\$33,040	Total			\$33,040	Total				

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$329,399	\$36,610	14001303	50740	Equipment Operators	\$8,000	14001304	53140	Contract Services	\$0
	Reason:	Money available due to previous vacancy				Anticipated cost to cover remainder of FY15			
\$29,492	\$4,700	14001401	50690	Foreman	\$10,000	14001305	55310	Highway Construction Mat.	\$21,343
	Reason:	Money available due to previous vacancy				Anticipated cost to cover remainder of FY15			
					\$1,650	14001306	55400	Sidewalk Maintenance	\$108
						Anticipated cost to cover remainder of FY15			
					\$16,960	61090006	54620	Maintenance-trenches	\$9,756
						Anticipated cost to permanently repair water trenches			
					\$1,450	14001403	51240	Summer Part-time (FI)	\$3,560
						Anticipated funds for season help program			
					\$900	14001403	51470	Interim Foreman (FI)	\$664
						Anticipated cost to cover remainder of FY15			
					\$2,350.00	61090006	54620	Maintenance-trenches	\$9,756
						Anticipated cost to permanently repair water trenches			
	\$41,310	Total			\$41,310	Total			

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:						FISCAL YEAR:				
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$138,599	\$25,000	14001501	50690	Foreman	\$15,000	14001503	51240	Temporary Part-time (FPC)	\$13,675	
	Reason:	Money Available due to W.C.				Anticipated funds for season help program				
\$310,185	\$7,900	14001503	50740	Equipment Operator	\$2,000	14001503	51310	Overtime-Regular (FPC)	\$5,005	
	Reason:	Money Available due to W.C.				Emergency response as well as weekend burials				
					\$2,000	14001503	51470	Interim Foreman (FPC)	\$2,281	
						Anticipated cost to cover remainder of FY15				
					\$6,000	14001504	53140	Contract Services	\$17,616	
						Anticipated cost to cover remainder of FY15				
					\$200	14001503	51990	Meal Allowance	\$108	
						Anticipated cost to cover remainder of FY15				
					\$1,700	14001504	53810	Insect & Pest Control	\$72	
						Anticipated cost to cover remainder of FY15				
					\$6,000	14001505	54610	General Material (FPC)	\$1,156	
						Anticipated cost to cover remainder of FY15				
	\$32,900	Total			\$32,900	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$310,185	\$21,100	14001503	50740	Equipment Operator	\$8,000	14001506	58420	Guardrail & Fencing (FPC)	\$934
		Reason: Money Available due to W.C.				Anticipated cost to cover remainder of FY15			
\$6,160	\$6,000	60081004	52570	Service Contract	\$13,100.00	61090006	54620	Maintenance-trenches	\$9,756
		Reason: Anticipated surplus				Anticipated cost to permanently repair water trenches			
\$116,197	\$12,900	60081006	55950	East Waste Water Treat Plt.	\$6,000	60080003	51380	Overtime-Water/Sewer (SS)	\$1,804
		Reason: Anticipated surplus				Police Higher than anticipated system repairs			
\$30,338	\$720	60085006	55980	West Wastes Water Treat. Plt.	\$2,000	60081003	51310	Overtime-Regular (EWTP)	\$8,234
		Reason: Anticipated surplus				Higher than anticipated system repairs			
					\$900	60081003	51470	Interim Foreman (EWTP)	\$41
						Anticipated cost to cover remainder of FY15			
					\$10,000.00	61090006	54620	Maintenance-trenches	\$9,756
						Anticipated cost to permanently repair water trenches			
					\$720	60085003	51470	Interim Foreman (WWTP)	\$33
						Anticipated cost to cover remainder of FY15			
	\$40,720	Total			\$40,720	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$56,293	\$50,000.00	60086006	52935	Solid Waste Disposal	\$20,000.00	60086006	53142	Protection Services	\$0
	Reason:	Anticipated surplus				Anticipated cost to cover remainder of FY15			
\$109,621	\$105,600.00	61090006	52322	Water-Marlboro Plant	\$30,000.00	61090006	54620	Maintenance-trenches	\$9,756
	Reason:	Anticipated surplus				Anticipated cost to permanently repair water trenches			
\$82,017	\$12,000.00	61090001	50690	Foreman	\$30,000.00	61090003	51310	Overtime-Regular	\$19,733
	Reason:	Money available due to retirement				Higher than anticipated system repairs			
					\$5,600.00	61090006	54620	Maintenance-trenches	\$9,756
						Anticipated cost to permanently repair water trenches			
					\$70,000.00	61090006	55740	Water Meters	\$5,001
						Replacement for stopped residential meters.			
					\$5,000.00	61090003	51240	Summer Part-time	\$3,062
						Adding additional temporary help for hydrant painting program			
					\$7,000.00	61090003	51380	Overtime-Water/Sewer Police	\$615
						Higher than anticipated system repairs			
	\$167,600	Total			\$167,600	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$82,017	\$9,000.00	61090001	50690	Foreman	\$4,000.00	61090003	51470	Interim Foreman	\$1,467
	Reason:	Money available due to retirement				Anticipated cost to cover remainder of FY15			
					\$5,000.00	61090003	51990	Meal Allowance	\$42
						Anticipated cost to cover remainder of FY15			
\$50,000	\$50,000	60080004	53110	Legal Service	\$50,000.00	61090006	54620	Maintenance-trenches	\$9,756
	Reason:	Anticipated surplus				Anticipated cost to permanently repair water trenches			
\$10,000	\$10,000.00	60086006	58654	Hazmat Collection Day	\$10,000.00	61090006	54620	Maintenance-trenches	\$9,756
	Reason:	Anticipated surplus				Anticipated cost to permanently repair water trenches			
\$12,000	\$6,000.00	60086006	52940	Transfer Station	\$6,000.00	61090006	54620	Maintenance-trenches	\$9,756
	Reason:	Anticipated surplus				Anticipated cost to permanently repair water trenches			
\$20,000	\$20,000.00	14001004	53140	Contract Services	\$20,000.00	61090006	54620	Maintenance-trenches	\$9,756
	Reason:	Anticipated surplus				Anticipated cost to permanently repair water trenches			
\$40,096	\$3,500.00	14001001	50600	DPW Commissioner	\$3,500.00	61090006	54620	Maintenance-trenches	\$9,756
	Reason:	Money available due to step increases				Anticipated cost to permanently repair water trenches			
	\$98,500	Total			\$98,500	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$39,525	\$6,000.00	14001101	50640	City Engineer	\$62,500.00	61090006	54620	Maintenance-trenches	\$9,756
				Reason: Money available due to step increases				Anticipated cost to permanently repair water trenches	
\$21,835	\$3,300.00	60080001	50580	Assistant Chemist					
				Reason: Money available due to previous vacancy					
\$34,475	\$800.00	60080001	50630	Assistant Commissioner					
				Reason: Money available due to step increases					
\$125,027	\$8,700.00	60081001	50850	Sewer Tr. Plt. Operator					
				Reason: Money available due to previous vacancy					
\$104,633	\$8,700.00	60085001	50850	Sewer Tr. Plt. Operator					
				Reason: Money available due to previous vacancy					
\$151,411	\$35,000.00	14001406	54830	Fuel & Lubricant					
				Reason: Anticipated surplus due to fluctuation in fuel cost					
	\$62,500	Total			\$62,500	Total			

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$473	\$473.49	60081003	51430	Longevity	\$23,237.00	61090006	55740	Water Meters	\$5,001
	Reason:	Money available due to previous vacancy				Replacement for stopped residential meters.			
\$2,500	\$2,500.00	60081003	51440	Education Incentive					
	Reason:	Money available due to previous vacancy							
\$1,196	\$1,195.54	60085003	51920	Sick Leave Buy Back					
	Reason:	Money available due to vacancy							
\$14,000	\$14,000.00	60081004	53174	Contract Services/Lab Testing					
	Reason:	Anticipated surplus							
\$4,500	\$4,500.00	60081004	53180	Prof. & Tech Services					
	Reason:	Anticipated surplus							
\$568	\$568.13	61090003	51430	Longevity					
	Reason:	Money available due to previous vacancy							
	\$23,237	Total			\$23,237	Total			
						Department Head signature:	_____		
						Auditor signature:	_____		
						Comptroller signature:	_____		

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR:				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$3,330	\$3,330.00	61090003	51440	Education Incentive	\$7,639.86	61090006	55740	Water Meters	\$5,001
Reason: Money available due to previous vacancy					Replacement for stopped residential meters.				
\$310	\$309.86	60080003	51920	Sick Leave BuyBack					
Reason: Anticipated surplus									
\$4,226	\$4,000.00	61090006	54280	Water Billing					
Reason: Anticipated surplus									
	\$7,640	Total			\$7,640	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:					FISCAL YEAR: 2015				
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$44,148.00	\$2,000.00	11920001	50690	Foreman	\$500.00	11920002	50520	Principle Clerk	\$8,406.00
Reason: Suprlus due to vacancy					Anticipated funds to cover remainder of fiscal year				
					\$1,500.00	11920001	50385	Electrician	\$19,648.00
					Anticipated funds to cover remainder of fiscal year				
	\$2,000.00	Total			\$2,000.00	Total			

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Legal				FISCAL YEAR:	2015			
		FROM ACCOUNT:					TO ACCOUNT:			
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$350,783.13	\$156,000.00	60075206	59050	Interest Expense-Sewer	\$136,000.00	11510004	53110	Legal Services	\$15,481.55	
	Reason:	Surplus					Anticipated costs to cover thru year end			
\$11,422.30	\$500.00	11510006	57600	Claims & Judgements	\$20,000.00	11510006	53880	Registry of Deeds	\$175.00	
	Reason:	Anticipated surplus					Anticipated costs to cover thru year end			
					\$500.00	11510006	57100	Instate Travel	\$52.26	
	Reason:						Anticipated costs to cover thru year end			
	\$156,500.00	Total			\$156,500.00	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Fire Department				FISCAL YEAR:	2015			
		FROM ACCOUNT:					TO ACCOUNT:			
Available									Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$1,339,078.66	\$44,380.99	12200001	50450	Firefighter	\$32,389.25	12200001	50130	Fire Chief	\$22,588.51	
	Reason:	Funds available due to vacant new hire position					To fund Fire Chief thru 6/30/15			
					\$11,991.74	12200001	50335	Deputy Chiefs	\$123,113.56	
	Reason:						To fund Deputy Chief thru 6/30/15			
	\$44,380.99	Total			\$44,380.99	Total				

ORDERED: That the Employee Retirements transfer request in the amount of \$58,170.18 which moves funds from and to various accounts as noted in the attached spreadsheets to fund sick leave buyback and unused vacation payouts for retiring employees, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Police				FISCAL YEAR:		2015		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$240,730.90	\$20,165.18	11990006	51500	Fringes	\$20,165.18	12100003	51920	Sick Leave Buy Back	\$8,886.30	
				Sick leave buy back				Retirement		
	\$20,165.18	Total			\$20,165.18	Total				
CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Board of Health				FISCAL YEAR:		2015		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$240,730.90	\$13,375.00	11990006	51500	Fringes	\$12,375.00	15120001	50605	Sanitarian/Admin	\$12,954.06	
				Vacation and sick leave buy back				Retirement		
					\$1,000.00	15120003	51920	Sick Leave Buy Back	\$3.82	
								Retirement		
	\$13,375.00	Total			\$13,375.00	Total				
CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		DPW - Streets Division				FISCAL YEAR:		2015		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$240,730.90	\$24,630.00	11990006	51500	Fringes	\$24,630.00	14001303	51920	Sick Leave Buy Back	\$0.00	
	Reason:	Sick Leave Buy Back						Retirement		
	\$24,630.00	Total			\$24,630.00	Total				

ORDERED: That the Assistant Sanitarian's starting step commence at Step 1, **APPROVED**; adopted.

ORDERED: That the Bond Request for \$3,095,000.00 for the Hudson Street Landfill Redevelopment, **TABLED UNTIL THE APRIL 6, 2015 CITY COUNCIL MEETING**; adopted.

The Finance Committee reviewed the Mayor's letter dated January 22, 2015 for bond request in the amount of \$3,095,000.00 to fund the fields at the Hudson Street Landfill. Councilor Elder abstained from participating. The Finance Committee took the follow actions:

- **15-1006089-1 - The Finance Committee voted 4-0 to approve the communication from the Mayor requesting a vote to permanently dedicate the land, which contains a portion (Lot 2) containing 11.3 acres of Hudson Street Landfill property located on Hudson Street and shown on Marlboro Assessors Maps as Map 30, Parcel 4, as taken by the City of Marlboro on October 5, 1959 for purposes of a public dump and other municipal purposes, to park and recreation purposes under the provisions of MGL c.45, s.3; and further that, as so dedicated, said property is hereby placed under the care, custody, management and control of the City of Marlboro Recreation Commission.**
- **15-1006089-2A - The Finance Committee voted 4 - 0 to approve a 15 year bond for the construction of municipal outdoor recreational facilities in the amount of \$3,095,000.00. The Finance Committee approved recommending the suspension of the rules at the March 9, 2015 City Council meeting to request the advertisement of the bond. Bond was advertised on March 14, 2015.**
- **15-1006089-3 - The Finance Committee voted 4 – 0 to approve the “Proposed resolution to apply for and accept a grant from the Executive Office of Energy and Environmental Affairs, for the Hudson Street Landfill recreation facility.” It is resolved the Mayor be, and hereby is, authorized to apply for and accept a PARC grant from the Executive Office of Energy and Environmental Affairs; and that the Mayor be, and hereby is, authorized to take such other actions as are necessary to carry out the terms, purposes and conditions of the PARC grant to be administered by the Recreation Commission of the City of Marlboro; and that the Resolution shall take effect upon its passage.**

The Finance Committee acknowledged that the Mayor will only move forward with the project if private investment is obtained to offset the cost of the project. The Mayor will update the City Council with the funding sources to offset the cost of the bond prior to any construction activities.

Councilor Elder recused.

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED "PERSONNEL, SECTION 6, ENTITLED COMPENSATION SCHEDULE," AS FOLLOWS:

- A. The title of "Sanitarian" shall be replaced with "Director of Public Health."
- B. This salary schedule shall take effect upon passage.

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7/Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 years. of service</i>	<i>3 years. of service</i>	<i>4 years. of service</i>	<i>5 years. of service</i>
Director of Public Health	\$78,142.00	79,704.84	\$81,298.94	\$82,924.91	\$84,583.41	\$86,275.08	\$88,000.00

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, ACTING UPON A RECOMMENDATION OF THE MAYOR, THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

- A. Section 7-35, entitled "Duties", is hereby amended by deleting the words "City Solicitor" wherever it appears and inserting in place thereof the words "City Auditor;"
- B. Section 7-35, is also hereby amended by deleting in its entirety subparagraph (4) of paragraph B., and by renumbering subparagraph (5) of said paragraph B. so as to become subparagraph (4); and
- C. Section 116-2 is hereby amended by deleting the phrase "as required by § 7-35 B.(4) of this Code" and by placing a period after the word "Officer."

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

ORDERED:

TURF FIELD BOND

That the sum of \$3,855,059.00 (three million eight-hundred fifty-five thousand and fifty-nine) dollars be and is hereby appropriated for the construction of a synthetic turf athletic field, new track and concession stand at the Whitcomb Middle School Field and that to meet said appropriations, the Comptroller-Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,855,059.00.

Pursuant to the provisions of Chapter 44, Section 7 (3) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue.

TABLED UNTIL APRIL 6, 2015 CITY COUNCIL MEETING; adopted.

Councilor Elder recused.

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED "PERSONNEL, SECTION 6, ENTITLED COMPENSATION SCHEDULE," AS FOLLOWS:

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7 / Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 yrs. of service</i>	<i>3 yrs. of service</i>	<i>4 yrs. of service</i>	<i>5 yrs. of service</i>
Fire Chief	-	-	-	-	-	-	\$160,000.00
Building Commissioner	\$87,021.00	\$88,761.42	\$90,536.65	\$92,347.38	\$94,194.33	\$96,078.21	98,000.00

Councilor Irish recused.

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:45 PM.