



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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SEPTEMBER 22, 2014

Regular meeting of the City Council held on Monday, SEPTEMBER 22, 2014 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Pope, Oram, Ossing, Robey, Delano, Page, Elder, Tunnera, Clancy, Irish, and Landers. Meeting adjourned at 8:16 PM.

ORDERED: That the minutes of the City Council meeting SEPTEMBER 8, 2014, **FILE**; adopted.

ORDERED: That the Board of Health transfer request in the amount of \$3,200.00 which moves funds from Part-time Nurse to Medical Supplies to address an increase in the cost of flu vaccinations, specifically the Quadrivalent (four strain) Vaccine, **APPROVED**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --											
	DEPT:	Board of Health					FISCAL YEAR:	2015			
		FROM ACCOUNT:					TO ACCOUNT:				
Available										Available	
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance	
\$25,000.00	\$3,200.00	15120001	50391	Part Time Nurse	\$3,200.00	15120005	55050	Medical Supplies		\$7,093.00	
	Reason:	Position vacant until recently					To cover increased cost of flu vaccine				
	\$3,200.00	Total			\$3,200.00	Total					

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Emergency Management Performance Grant awarded to the City of Marlborough in the amount of \$18,435.00 for fiscal years 2013 & 2014 in which the funds will be used towards the purchase of an all-terrain vehicle and 800 MHZ radio with GPS monitoring; adopted.

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."

Refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

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 (hereinafter, the "City Code"), as amended, be further amended as follows:

- I. Section 67-10, entitled "Comptroller-Treasurer; appointment, term and duties" is hereby amended by deleting paragraph A. in its entirety and inserting in place thereof following:
 - B. The Mayor shall, subject to confirmation of the City Council, appoint a Comptroller-Treasurer for a term of three years to expire the day following his/her approval by the City Council. The Comptroller-Treasurer will be the Chief Financial Officer of the city and shall perform the duties of the Treasurer as set forth in the General Laws of the Commonwealth of Massachusetts, the Code of the City of Marlborough and shall further comply with all other statutes, regulations and ordinances relative to his/her duties as Comptroller-Treasurer.
- II. Paragraph A. of Section 67-11, entitled "Tax Collector; appointment, terms, and duties", is hereby amended by deleting the word "annually" and inserting in place thereof the words "for a three year term to expire the day following his/her approval by the City Council." Said paragraph A. of Section 67-11 is hereby further amended by deleting the word "He" as it appears in the second sentence and inserting in place thereof the words "The Tax Collector."

Refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Application for Site Plan Approval-Marlborough Hills, 200 Forest St. Parking Expansion, refer to the **URBAN AFFAIRS COMMITTEE AND AUTHORIZE THE COMMITTEE TO DECIDE IF ANY CONDITIONS SHOULD BE IMPOSED BY THE CITY COUNCIL (ACTING IN THE CAPACITY OF SITE PLAN REVIEW) FOR THIS PROJECT IN ADDITION TO WHATEVER REQUIREMENTS ARE REQUIRED BY THE PROFESSIONAL SITE PLAN REVIEW COMMITTEE, ALL OF WHICH WILL BECOME REQUIRED CONDITIONS FOR THIS PROJECT. FURTHERMORE; TO DELEGATE TO THE URBAN AFFAIRS COMMITTEE THE AUTHORITY TO VOTE TO ALLOW THE DEVELOPER TO PROCEED IF THE COMMITTEE JUDGES IT PRUDENT, SUBJECT TO THE CONDITIONS HERETOFORE MENTIONED. A COMMITTEE REPORT OUTLINING THE RESULTS OF THEIR WORK WILL BE REPORTED TO THE CITY COUNCIL, HOWEVER, THIS PROJECT WILL STAY WITHIN THE URBAN AFFAIRS COMMITTEE IN THE EVENT THAT FURTHER REQUESTS OR CHANGES ARISE WHICH REQUIRE A TIMELY RESPONSE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, OCTOBER 6, 2014** as date for a **PUBLIC HEARING** Petition of NGrid and Verizon New England Inc. to install new jointly owned P#9 Simarano Dr. This pole is required to provide service to existing building at 2 Results Way. A three phase overhead primary line will be installed from P#9 to private property P9-70.

Refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Minutes, Planning Board, August 18, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Council on Aging, June 10, 2014, **FILE**; adopted.

ORDERED: That the Minutes, Fort Meadow Commission, July 17, 2014, **FILE**; adopted.

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

A. Fredda Bauer, 7A Pondview Way, Northborough, MA, pothole or other road defect

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

Marlboro City Council Finance Committee
Monday September 15, 2014
In Council Chambers

Present: Chairman Ossing; Finance Committee members Councilors Robey, Elder, Oram, and Irish. Councilors Pope, Landers and Clancy were also in attendance. The meeting convened at 7:01 PM.

1. **Order No. 14-1005915 – Transfer \$34,000.00 Master Plan for Future Turf Fields.** The Finance Committee reviewed the Mayor's letter dated August 21, 2014 requesting the transfer of \$34,000.00 from Parks and Field Capital account to Capital Outlay DPW Projects for the preliminary master planning and conceptual designs associated with future turf field projects. The funding is made possible through the local option meals tax adopted by the city earlier this year. **The Finance Committee voted 4-0-1 (Councilor Elder abstained from participating) to approve the transfer.**
2. **Order No. 14-1005919 – Increase the Demand Fees for Past Due Taxes.** The Finance Committee reviewed the Mayor's letter dated August 21, 2014 requesting the Comptroller be authorized to increase the demand fees for past due taxes. **The Finance Committee voted 5 - 0 to authorize the Comptroller to assess a \$15.00 fee for each demand issued by the Collector.**
3. **Order No. 14-1005920 – GE Healthcare Tax Increment Financing (TIF).** The Finance Committee reviewed the Mayor's letter August 21, 2014 requesting the approval of the TIF proposal from GE Healthcare. **The Finance Committee voted 5 - 0 to approve the following:**
 - **The TIF agreement**
 - **Economic Development Incentive Program (EDIP) Local Incentive Only Application**
 - **The City Council Resolution**

The Finance Committee adjourned at 8:27 PM.

Reports of Committees continued:

Councilor Clancy reported the following out of the Legislative and Legal Affairs Committee:

Meeting Name: City Council Legislative & Legal Affairs Committee

Date: September 15, 2014

Time: 5:30 PM

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

Agenda Item(s) addressed:

Convened: 5:33 PM

Adjourned: 6:18 PM

Present: Chairman Clancy; Legislative & Legal Affairs Committee Members Councilors Robey and Delano

Also Present: Michael Berry, Executive Aide, Office of the Mayor; City Solicitor Donald Rider; John Ghiloni, Commissioner of Public Works

Order No. 14-1005921 - Communication from the Mayor re: Building Department Operations & Proposed Order Amending City Code. The committee met to discuss amending the city code for Building Department Operations. Michael Berry, Executive Aide to the Mayor, explains the changes reflect terminology utilized in Chapter 143, Section 3 of Massachusetts General Law. Chairman Clancy and Councilor Robey suggested several minor changes to the language in the proposed order. **Motion made by Councilor Delano, seconded by Chair, to approve the proposed order amending city code for Building Department Operations as amended by Chairman Clancy and further amended by Councilor Robey. Carries 3-0.**

Order No. 14-1005923 - The Communication from City Solicitor, Donald Rider re: Proposed Easements to Massachusetts Electric Company for Senior Center. Department of Public Works Commissioner John Ghiloni appeared before the committee to request approval for proposed easements to a Massachusetts Electric Company. Commissioner Ghiloni states this will bring service to the new senior center from an existing pole on Monument Avenue across the street to the property of the senior center where it would be placed underground to the building. The easement is for necessary pole placement and underground conduit. **Motion made by Councilor Delano, seconded by Chair, to approve the proposed easements to the Massachusetts Electric Company for the Senior Center. Carries 3-0. Motion made by Councilor Delano, seconded by Chair, to request a suspension of the rules at the next City Council meeting to approve the request for the proposed easements. Carries 3-0.**

Order No. 14-1005924 - The Communication from City Solicitor, Donald Rider re: Proposed Acquisition of Indian Hill and Callahan State Park Access Easement. City Solicitor Rider explains to the committee this is a decision of whether or not to recommend acceptance of the deed which includes two parcels of land, twenty acres and the eleven thousand square feet, and a ten foot wide easement located near DiCenzo Boulevard. **Motion made by Councilor Delano, seconded by Chair, to approve the proposed acquisition of Indian Hill and Callahan State Park Access Easement. Carries 3-0.**

Motion made by Councilor Delano, seconded by Chair, to adjourn. Carries 3-0.
Adjourned at 6:18 PM.

*Reported by: Chairman Clancy
September 22, 2014*

Suspension of the Rules requested - granted

ORDERED: That the attached Proposed Easement to Massachusetts Electric Company for Senior Center, **APPROVED**; adopted.

ORDERED: That the Appointment of Ryan Wambolt as youth appointee to the Youth Commission for term of one year from date of approval, **APPROVED**; adopted.

ORDERED: That the Application for Renewal of Junk Dealer's License by Best Buy Stores, LP #820, 769 Donald Lynch Blvd., **APPROVED**; adopted.

ORDERED: That the Application for Renewal of Junk Dealer's License by Best Buy Stores, LP #1966, 601 Donald Lynch Blvd., **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:16 PM.