



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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FEBRUARY 27, 2012

Regular meeting of the City Council held on Monday, FEBRUARY 27, 2012 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Ossing, Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, and Landers. Meeting adjourned at 8:15 PM.

ORDERED: Minutes of the City Council Meeting, FEBRUARY 13, 2012, **FILE AS AMENDED**; adopted.

ORDERED: That the City Council president recognized Boy Scout Troop 303 for the Citizenship and Community Merit Badges and group of Marlborough High School students including alumni ensuring their voices are heard, **FILE**; adopted.

ORDERED: That the PUBLIC HEARING On the Application for Special Permit from Rossella Mercuri, on behalf of Sprint, for modification of a wireless facility located at 115 Onamog St, Order No. 12-1004032A, **CONTINUED UNTIL MARCH 12, 2012**; adopted.

Councilors Present: Ossing, Pope, Oram, Robey, Delano, Jenkins, Elder, Tunnera, Seymour, Clancy & Landers.

ORDERED: That the IT transfer request in the amount of \$180,000.00 which moves funds from Undesignated to Capital Outlay-IT Equipment for the purpose of upgrades throughout the IT network, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 1000-35900 \$180,000.00
Undesignated Fund

TO:

Acct. # 19300006-58618 \$180,000.00
IT Equipment

ORDERED: That Building Department transfer request in the amount of \$4,000.00 which moves funds from Custodian to Gross OT due to a vacancy in the custodial staff, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 11920003-50560 \$4,000.00
Custodian

TO:

Acct. # 11920003-51300 \$4,000.00
Gross OT

ORDERED: That the City Clerk transfer request in the amount of \$659.79 which moves funds from Sick Leave Buy Back to Election Programming associated with programming for the Presidential Primary, **APPROVED**; adopted.

FROM:

Acct. # 11610003-51920

\$659.79

Sick Leave Buy Back

TO:

Acct. # 11620004-53932

\$659.79

Gross Election Programming

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Emergency Management Grant in the amount of \$3,000.00 to support upgrades and/or purchases of equipment on an authorized list provided by Federal Emergency Management Agency (FEMA) as well as related training expenses; adopted.

ORDERED: That the Massachusetts Department of Environmental Protection (Mass DEP) Grants of which the first grant is for \$105,000.00 and the second grant is to provide 80 hours of technical assistance awarded to DPW, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY ADDING TO SECTION 7-13 OF CHAPTER 7 OF ARTICLE II THE FOLLOWING NEW PARAGRAPH:

Any written claim presented to the City of Marlborough alleging that a residential mailbox has been damaged by the operation of a snow plow shall be granted upon written confirmation provided by the Department of Public Works to the Legal Department that City of Marlborough snow plow operations were in effect during the date when, and on the street where, the claimed mailbox damage occurred; provided, however, that such claim must be accompanied both by an auto-dated photograph(s) of the damaged mailbox as well as by a paid receipt showing the actual cost of the mailbox's repair or replacement; and provided, further, the maximum amount of reimbursement shall be set at Seventy-Five and 00/100 (\$75.00) Dollars, except that in the absence of such photograph(s) and/or such paid receipt, the maximum amount of reimbursement shall be set at Thirty and 00/100 (\$30.00) Dollars. This paragraph shall be applicable to only those mailbox claims accruing on or after March 1, 2012.

ADVERTISED; adopted.

ORDERED: That the following notification from the City Clerk re: 2012 Presidential Primary Election Call, **FILE**; adopted.

That the City Clerk be and is herewith directed to have proper notices issued notifying the VOTERS of the City of Marlborough that the **PRESIDENTIAL PRIMARY ELECTION** will be held in the polling locations as noted below on **TUESDAY, MARCH 6, 2012** as follows: President, State Committee Man, State Committee Woman and Ward Committee members.

THE POLLS WILL OPEN AT 7:00 A.M. AND WILL CLOSE AT 8:00 P.M.

POLLING LOCATIONS ARE AS FOLLOWS:

WARD ONE: Prec. 1 and 2

Francis J. Kane School, 520 Farm Rd.

WARD TWO: Prec. 1 and 2

Francis J. Kane School, 520 Farm Rd.

WARD THREE: Prec. 1

Masonic Hall, 8 Newton St. (corner of Main/Newton Sts.), rear

WARD THREE: Prec. 2	Raymond J. Richer School, 80 Foley Rd., Rm. 103
WARD FOUR: Prec. 1 and 2	Boys & Girls Club, 169 Pleasant St.
WARD FIVE: Prec. 1	Senior Center, 250 Main St.
WARD FIVE: Prec. 2	Masonic Hall, 8 Newton St. (corner of Main/Newton Sts.), rear
WARD SIX: Prec. 1 and 2	1LT Charles W. Whitcomb School, 25 Union St., Library
WARD SEVEN: Prec. 1 and 2	Hildreth School Gymnasium, 85 Sawin St.

ORDERED: That there being no objection thereto set **MONDAY, MARCH 26, 2012**, as date for a **PUBLIC HEARING** for the Application for Special Permit from Attorney Sem Aykanian, on behalf of Marlborough Savings Bank, to modify Special Permit, Order No.09-1002152C, to allow operation of the drive-through teller from 8:00 AM to 8:00 PM seven days per week, and operation of the drive-through ATM 24 hours per day, seven days per week, refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

Councilor Delano abstained

ORDERED: That the Communication from Attorney Bergeron on behalf of the Melanson Group, Inc. re: Walker Estate, Open Space Development, **FILE**; adopted.

ORDERED: That the Application for Junk Dealer's License, Thomas Zampini d/b/a Metal Man Recycling LLC, 51 Lacombe St., refer to **PUBLIC SERVICES COMMITTEE**.

ORDERED: That the Application for Taxi License, Asia Rowland, d/b/a Marlborough Taxi, address to be determined if granted license, **REFER TO BACK TO CITY CLERK TO CONTACT APPLICANT AND OBTAIN A BUSINESS ADDRESS**; adopted.

ORDERED: That the Minutes, Planning Board, January 23, 2012, **FILE**; adopted.

ORDERED: That the Minutes, Traffic Commission, December 20, 2011, **FILE**; adopted.

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

A. Kathleen Thompson, 244 Simpson Rd., residential mailbox claim 2(b)

Reports of Committees:

Councilor Tunnera reported the following out of the Personnel Committee:

Order No. 12-1004059 – Appointment of Patricia Carlson and Cheryl Soucy to the Commission on Disabilities for a term of three years from date of approval. Recommendation of the Personnel Committee is to approve the appointments, 3-0.

Order No. 12-1004060 – Appointment of Stephen P. Leduc and Sally Swartz to the Community Development Authority for a term of three years from date of approval. Recommendation of the Personnel Committee is to approve the appointments, 3-0.

ORDERED: That the Police Department transfer request in the amount \$154,000.00 be amended as the \$25,000.00 transfer request which moves funds from Stabilization Public Safety Account to Police Overtime is no longer need at this time; therefore the transfer request in the amount of \$129,000.00 which moves funds from Police Officers to Regular OT, **APPROVED**; adopted.

FROM:

Acct. # 12100001-50420	\$129,000.00
Police Officers	

TO:

Acct. #1210003-51310	\$129,000.00
Regular Overtime	

ORDERED: That the Fire Department transfer request in the amount of \$34,004.00 which moves funds from 2011 Long Term Debt Interest to Fire-Sick Leave Buy Back to fund unbudgeted benefits associated with an employee's retirement, **WITHDRAWN**; adopted.

FROM:

Acct. # 60075106-58964	\$34,004.00
2011 Long Term Debt interest	

TO:

Acct. # 12200003-51920	\$34,004.00
Fire-Sick leave Buy Back	

ORDERED: That the Fire Department transfer requests in the amount of \$3,140.00 which moves funds from Longevity to Sick Leave needed to fund benefits associated with an employee's retirement, \$4,568.00 which moves funds from Longevity to Vehicle Repair associated with vehicle repair and maintenance and \$15,432.00 which moves funds from EMT to Vehicle Repair associated with vehicle repair and maintenance, **APPROVED**; adopted.

FROM:

Acct. # 12200003-51430	\$3,140.00
Longevity	

Acct. # 12200003-51430	\$4,568.00
Longevity	

Acct. # 12200003-51480	\$15,432.00
EMT	

TO:

Acct. # 12200003-51920	\$3,140.00
Sick Leave	

Acct. #12200006-52560	\$4,568.00
Vehicle Repair	

Acct. #12200006-52560	\$15,432.00
Vehicle Repair	

ORDERED: That the Notification from the Massachusetts Division of Conservation Services pertinent to the Memorial Beach project not being selected for funding for FY2012, **FILE**; adopted.

ORDERED: That the transfer request in the amount of \$303,805.00 which moves funds from Long Term Debt Interest to Curb Containers and \$574,240.70 which moves funds from Multi Purpose Bond to Curb Containers for the purpose of purchasing the containers for automated curbside collection of solid waste and recyclables, **TABLED IN COMMITTEE**; adopted.

FROM:

Acct. # 60075106-58964	\$303,805.00
Long Term Debt Interest	
Acct. # 60071106-59963	\$574,240.70
Multi Purpose Bond	

TO:

Acct. # 19300006-58100	\$303,805.00
Curb Containers	
Acct. # 19300006-58100	\$574,240.70
Curb Containers	

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:15 p.m.