



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

**Lisa M. Thomas
140 Main St.**

**Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723**

JUNE 4, 2012

Regular meeting of the City Council held on Monday, JUNE 4, 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 9:40 PM.

ORDERED: That the Minutes of the City Council Meeting, MAY 21, 2012, **FILE**; adopted.

ORDERED: That the PUBLIC HEARING On the proposed City Council Resolution endorsing the application for a Massachusetts Cultural Council District, a designation offered through the Massachusetts Cultural Council, Order No. 12-1005056, hearing recessed at 8:15 p.m.; adopted.

ORDERED: **A resolution by the City of Marlborough to create a state-authorized cultural district for at least (5) years to be named: Marlborough Downtown Cultural District**

WHEREAS, the City of Marlborough wishes to pursue a state-authorized cultural district through the enabling legislation (MGL Chapter 10 Section 5 8A); and

WHEREAS, the City of Marlborough has a mixed-use geographical area that has a concentration of cultural facilities and assets; and

WHEREAS, the City of Marlborough has held a public hearing and adopted a resolution proclaiming its interest in establishing a state-designated cultural district; and

WHEREAS, the City of Marlborough has created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district; and

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Marlborough:

Article 1. Endorses the submission of this application and agrees to foster the development of a cultural district.

Article 2. Endorses the state-sponsored cultural district goals: attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.

Article 3. Will appoint a city official to represent the city within the district partnership of said cultural district.

Article 4. Encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district.

Article 5. Directs city agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

ADOPTED ON THIS 4TH DAY JUNE 2012

ORDERED: That the transfer request in the amount of \$46,385.00 which moves funds from Fringes to various accounts as detailed below to fund retirement benefits of two long time city employees, refer to **FINANCE COMMITTEE**; adopted.

TRANSFER REQUEST									
FROM ACCOUNT					TO ACCOUNT				
AVAILABLE BALANCE	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT AVAIL
General Government					Various Departments				
\$ 136,706.00	\$ 46,385.00	11990006	51500	Fringes	\$ 15,356.00	11440001	50042	Collector	\$ 5,748.45
					\$ 626.00	11440003	51920	Sick Leave	\$ 374.98
					\$ 16,935.00	12410001	50090	Building Inspector	\$ 6,322.00
					\$ 1,000.00	12410003	51920	Sick Leave	\$ -
					\$ 2,052.00	12410003	51430	Longevity	\$ 80.85
					\$ 5,196.00	61090001	50460	Water Meter Rdr	\$ 4,049.00
					\$ 3,857.00	61090003	51920	Sick Leave	\$ -
					\$ 1,363.00	61090003	51430	Longevity	\$ 509.50
					\$ 46,385.00				

Reason: To fund benefits associated with employees retirement.

ORDERED: That, in order to reduce interest costs, the Treasurer, with the approval of the Mayor, is authorized to issue refunding bonds pursuant to Chapter 44, Section 21A of the Massachusetts General Laws, or pursuant to any other enabling authority, to refund all or any portion of the outstanding amounts of the City's General Obligation Bond dated June 15, 2002 and June 15, 2003; that the refunding bonds authorized under this order shall be issued in an amount not to exceed \$6,000,000, in order to pay principal, redemption premium and interest on the bonds of the City to be refunded, and costs of issuance of the refunding bonds; and that the Treasurer is authorized to execute such documents as may be necessary or desirable to carry out this transaction, including one or more refunding trust agreements with a bank or trust company, **APPROVED**; adopted.

Yea: 11- Nay: 0

Yea: Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, Landers, Ossing, Pope, Oram & Robey

ORDERED: That the Gift Acceptance of one LP1000 AED comp/soft shell carrying case (difibulator) from the Board of Directors of Marlborough Babe Ruth Baseball which costs \$2,078.00, refer to **OPERATIONS AND OVERSIGHT COMMITTEE AND LEGAL DEPARTMENT**; adopted.

Councilor Elder abstained

ORDERED: That the Appointments of Patricia Zilembo, Kelly French and Joan D'Onofrio to the Youth Commission of which Patricia will serve as Chair for a term of three years from date of approval and Kelly and Joan will serve a term of two years from date of approval, refer to **PERSONNEL COMMITTEE**; adopted.

- ORDERED: That the Appointment of Richard Collins to the Council on Aging for a term of three years expiring May 1, 2016, refer to **PERSONNEL COMMITTEE**; adopted.
- ORDERED: That the Appointments Mark Vital and Nancy Klein to the Recreation Commission for terms of three years from date of approval, refer to **PERSONNEL COMMITTEE**; adopted.
- ORDERED: That there being no objection thereto set **MONDAY, JULY 9, 2012**, as date for a **PUBLIC HEARING** for the Application for Special Permit from Sprint for modification of a wireless facility located at 75 Donald Lynch Blvd., refer to **WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE**; adopted.
- ORDERED: That there being no objection thereto set **MONDAY, JULY 9, 2012**, as date for a **PUBLIC HEARING** for the Application for Special Permit from Sprint for modification of a wireless facility located at 860 Boston Post Rd., refer to **WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE**; adopted.
- ORDERED: That the Application, Junk Dealer's License, A. Lawrence Doucette, d/b/a Larry the Watch Doctor, 34 Main St., refer to **PUBLIC SERVICES COMMITTEE**; adopted.
- ORDERED: That the Application, Junk Dealer's License, Gerald Dumais, d/b/a Dumais & Sons, 67 Mechanic St., refer to **PUBLIC SERVICES COMMITTEE**.
- ORDERED: That the Minutes, Planning Board, April 23, & May 7, 2012, **FILE**; adopted.
- ORDERED: That the Minutes, Board of Assessors, April 26, 2012, **FILE**; adopted.
- ORDERED: That the Communication from Leone Law offices, P.C. re: Demand and Presentment of Claim Pursuant to MGL, Chapter 258, Section 4, refer to **LEGAL DEPARTMENT**; adopted.

Suspension of the rules requested – granted

ORDERED: *City Council Resolution
Marlborough Public Schools*

Be it resolved that the Marlborough City Council does hereby express its support and appreciation for the Marlborough school system, its dedicated teachers and staff, and especially our students and their families;

And further, the City Council confirms its belief that excellent teaching and learning occurs daily in the Marlborough Public Schools thanks to all involved, and that our city can boast of an excellent educational system;

Therefore, the undersigned members of the Marlborough City Council wish to assure the public that we are united in our goal of continuing to provide a high quality education for our students within a framework of fiscal accountability. We look forward to continuing to work with Mayor Vigeant and the School Committee to provide the high quality services that our residents have come to expect and rightly deserve at a cost they can afford.

Signed this 4th day of June 2012 in City Council Chambers by Council President Pope and a majority of the Councilors.

At Council President Pope's request to recess at 9:24 PM and return to open meeting at 9:28 PM, be and is herewith **APPROVED**.

Suspension of the Rules requested – granted to allow the Mayor to speak.

ORDERED: FY13 MUNICIPAL OPERATING BUDGET

MOTION made by Councilor Robey to reduce the School Department's budget by \$500,000.00. Councilor Robey amended the motion to reduce the School Department's budget by \$250,000.00 which was seconded by Councilor Ossing. MOTION DOES NOT CARRY BY A ROLL CALL VOTE OF 5 YEAS AND 6 NAYS.

Yea: Jenkins, Elder, Seymour, Ossing, & Robey

Nay: Delano, Tunnera, Clancy, Landers, Pope, & Oram

That the City Council held a Public Hearing on May 21, 2012 regarding the Proposed Budget for FY13 as submitted by Mayor Vigeant. The Public Hearing was conducted through its required four stages; In Favor, Questions from the Public, Oppositions from the Public, and Question from the Councilors. The Public Hearing recessed at 8:14 PM.

That the FY13 Budget as recommended by the Finance Committee in the amount of \$126,729,855.00 which represents an increase of 2.6% from the FY12 budget or an increase of \$3,223,701.00, APPROVED; adopted.

ORDERED: That the presentation made by Commissioner LaFreniere and Assistant Commissioner Temple regarding the new containerized trash system which will be implemented commencing Friday, July 13, 2012, **FILE**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:40 PM.