



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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JUNE 18, 2012

Regular meeting of the City Council held on Monday, JUNE 18, 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 10:20 PM.

ORDERED: That the Mayor presented City Scholarships certificates to the following students, **FILE**; adopted.

Lucas Allen
Sarah Symes
Taylor Fearing
Kaitlyn Saunders
Daniel Dilling

ORDERED: That the Minutes of the City Council Meeting, JUNE 4, 2012, **FILE AS AMENDED**; adopted.

ORDERED: That the PUBLIC HEARING On the Application for Special Permit from Cumberland Farms, Inc., 412 & 418 Maple St. and Walker St. to construct a convenience store with gasoline sales on the subject parcels, Order No. 12-1005081, hearing recessed at 9:37 PM.; adopted.

Councilor Seymour abstained

ORDERED: That the PUBLIC HEARING On the Application for Fuel Storage License, Cumberland Farms Inc., 412 & 418 Maple St., Order No. 12-1005083, hearing recessed at 9:50 PM.; adopted.

Councilor Seymour abstained

At Council President Pope's request to recess at 9:48 PM and return to open meeting at 9: 52 PM, **APPROVED**; adopted.

ORDERED: That the Snow and Ice Deficit transfer request in the amount of \$32,000.00 which moves funds from Undesignated to Snow Removal, **APPROVED**; adopted.

FROM:

Acct. # 10000-35900 \$32,000.00
Undesignated Fund

TO:

Acct. # 14001206-52960 \$32,000.00
Snow Removal

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Police Department Grant in the amount of \$5,000.00 from the Executive Office of Public Safety and Security (EOPSS) for replacement of some crosswalk signs that have been damaged as well as for pedestrian safety enforcement patrols; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Police Department Grant in the amount of \$45,000.00 from the Executive Office of Health and Human Services (EOHHS) for the City's Jail Diversion Program which is carried out in conjunction with Advocates, Inc.; adopted.

ORDERED: That, in order to promote, protect and preserve public health, the City Council hereby approves the City of Marlborough's participation with the towns of Hudson and Framingham in the MetroWest Mass-in-Motion Collaborative, whose purpose is to implement policy, systems and environmental change strategies to increase healthy eating and active living of its residents; and further, the City Council hereby authorizes the Mayor, pursuant to M.G.L. c. 40, § 4A, to enter into an Inter-Municipal Agreement with said towns to form said Collaborative, **APPROVED**; adopted.

ORDERED:

**A RESOLUTION
TO APPLY FOR AND ACCEPT GRANT
FROM THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS,
FOR THE RENOVATION AND EXPANSION OF MEMORIAL BEACH**

WHEREAS, Memorial Beach, located at 706 Hosmer Street and shown on the Marlborough Assessor's Maps as Map 7, Parcel49, is a community-wide asset, and the preservation of and improvements to this facility are a priority of the city of Marlborough, as evidenced by the most recent Open Space and Recreation Plan; and

WHEREAS, except for a sub-parcel to be created through the Approval Not Required (ANR) process for the sewer pump station currently located on said Parcel49, Memorial Beach has been permanently dedicated to recreation purposes under M.G.L. c. 45, § 14, and is under the care, custody, management and control of the Recreation Commission of the city of Marlborough; and

WHEREAS, Memorial Beach's ultimate renovation, to be guided by the recently completed Memorial Beach Improvements Master Plan, will greatly enhance this facility with improved and expanded path systems and accessibility, bath house improvements, new children's play area and basketball court, parking area reconfiguration, drainage improvements and planting, new picnic areas, floats, accessible beach access and other site improvements to increase and enhance recreation use; and

WHEREAS, the main focus of said Master Plan is to renovate the facility to improve its functionality and appearance, and to expand its use to an all-season recreational facility; and

WHEREAS, the Commonwealth of Massachusetts' Executive Office of Energy and Environmental Affairs ("EOEEA") is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Parkland Acquisitions and Renovations for Communities ("PARC") grant program (301 CMR 5.00); and

WHEREAS, the project cost as outlined in the Master Plan totals \$1,000,000 (One Million Dollars), and the City Council has voted on June 20, 2011 to authorize the bond funding in the amount of up to \$1,000,000 (One Million Dollars);

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. That the Mayor be, and hereby is, authorized to apply for and accept a PARC grant from EOEEA; and
2. 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; and
3. That this Resolution shall take effect upon its passage; adopted.

ORDERED: That the Communication from City Solicitor, Donald Rider, re: prospective change in the nature of the City's interest in Indian Hill, refer to **URBAN AFFAIRS COMMITTEE**; adopted.

Councilor Jenkins abstained

ORDERED: That there being no objection thereto set **Monday, July 9, 2012** as date for a **PUBLIC HEARING** on the Petition from National Grid to have underground primary cable crossing for D'Angelo Dr. to provide new service to Ken's Food, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **Monday, July 9, 2012** as date for a **PUBLIC HEARING** on the Petition from National Grid to install new intermediate P.4-51 on D'Angelo Dr. to provide new service to Ken's Food, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Minutes, Traffic Commission, April 24, 2012, **FILE**; adopted.

ORDERED: That the Minutes, Council on Aging, May 1, 2012, **FILE**; adopted.

ORDERED: That the Communication from Evans Carter, P.C. Law Offices, re: Notice of Tort Claim, Michelle John-Baptiste and Central West Grille, Inc, refer to **LEGAL DEPARTMENT**; adopted.

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

- A. Joe Delima, 206 Hildreth St., other property damage.
- B. Timothy Ragno, 3 Helen Dr., other property damage

Reports of Committees:

Councilor Tunnera reported the following out of the Personnel Committee:

Order No. 12-1005089 - Communication from Mayor Vigeant with 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 the date of approval and Kelly and Joan will serve a term of two years from the date of approval. **Recommendation of the Personnel Committee is to approve 2-0.**

Order No. 12-1005091 - Communication from Mayor Vigeant with appointments of Mark Vital, replacing Craig Hunt who stepped down, and Nancy Klein to a vacant position, as members of the Recreation Commission for a term of three years from the date of approval. **Recommendation of the Personnel Committee is to approve both appointments 2-0.**

Order No. 12-1005055 - Communication from Mayor Vigeant with appointment of Robert Page, 116 Broadmeadow Street as a Regular Member of the Zoning Board of Appeals (ZBA)(exp.5/5/17) in place of William King of Nashoba Drive and the appointment of William King as an Alternate Member of the ZBA(exp.5/5/14). **Recommendation of the Personnel Committee is to approve the appointment of Robert Page 2-0 as William King was unavailable to attend.**

Order No. 12-1004094 - Communication from Mayor Vigeant with appointment of Councilor Robert Tunnera to the Commission on Disabilities – no expiration date noted. – no action taken.

Councilor Landers reported the following out of the Public Service Committee:

Order No. 12-1005043 - Application for Junk Dealers License, Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair, 107 Main Street. Roman Kimyagarov appeared in connection with his application, d/b/a Arthur & Sons Shoe Repair, to renew his junk dealer's license. The Committee reviewed the renewal application. **Recommendation of the Public Services Committee is to approve 3-0.**

Order No. 11-1002807A - Communication from Atty. Beattie re: Acceptance of Ewald Avenue and Muir Way in the Forest Grove Subdivision. **Recommendation of the Public Services Committee is to accept Ewald Avenue and Muir Way as public ways, and their associated easements as municipal easements, pending the Planning Board's recommendation to be made at its June 18, 2012 meeting, and pending the follow-up with DPW Engineering as to the scope of the municipal easements 3-0.**

Order No. 11-1003095 - Communication from Atty. Michael Norris re: Acceptance of Cleversy Drive, Elm Farm Valley Estates. **Recommendation of the Public Services Committee is to accept Cleversy Drive as a public way and its associated easements as municipal easements, pending the Planning Board's clarification, to be made at its June 18, 2012 meeting, concerning its written recommendation to the City Council dated December 21, 2011, 3-0.**

Suspension of the Rules requested – granted

ORDERED: That the two DPW transfer requests in the amounts of \$3,000.00 and \$3,000.00 which moves funds from Assistant Commissioner to Overtime-W/S Police, **APPROVED**; adopted.

FROM:

Acct. # 60080001-50630 \$3,000.00

Assistant Commissioner

Acct. # 60080001-50630 \$3,000.00

Assistant Commissioner

TO:

Acct. # 60080003-51380 \$3,000.00

Overtime-W/S Police

Acct. # 61090003-51380 \$3,000.00

Overtime-W/S Police

Suspension of the Rules requested – granted

ORDERED: That the OPEB, transfer request in the amount of \$1,000,000.00 which moves funds from Undesignated to Stabilization-OPEB to meet this unfunded obligation, **APPROVED**; adopted.

FROM:

Acct. # 10000-35900 \$1,000,000.00
Undesignated Fund

TO:

Acct. # 83600-32726 \$1,000,000.00
Stabilization-OPEB

Suspension of the Rules requested – granted

ORDERED: That the DPW transfer request in the amount of \$148,000.00 which moves funds from Undesignated to Snow Removal to fund the snow and ice deficit for the remainder of FY12, **APPROVED**; adopted.

FROM:

Acct. # 10000-35900 \$148,000.00
Undesignated Fund

TO:

Acct. # 14001206-52960 \$148,000.00
Snow Removal

Suspension of the Rules requested – granted

ORDERED: That the Year-end Intra-department transfer requests as detailed on the attached spreadsheets to cover remaining expenses and balance FY12 accounts, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
--BUDGET TRANSFERS --										
DEPT:		Comptroller				FISCAL YEAR:				2012
		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$5,000	\$2,000	61019904	53110	Legal Services	\$2,000	61019906	53460	Postage	\$623	
		Reason: Funds available due to reduced bonding in the water dept .				Funds needed for final bill for FY 12 mailings				
\$5,000	\$2,000	61019904	53110	Legal Services	\$2,000	61019904	53080	Audit Services	\$0	
		Reason: Funds available due to reduced bonding in the water dept .				Funds needed to fund extra work associated with audit				
\$30,000	\$2,000	60019906	58890	Bond Issue Expense	\$2,000	60019906	53460	Postage	38	
		Reason: Funds available due to reduced bonding in the Sewer dept .				Funds needed for final bills for FY 12 mailings				
\$30,000	\$2,000	60019906	58890	Bond Issue Expense	\$2,000	60019904	53080	Audit Services	\$0	
		Reason: Funds available due to reduced bonding in the Sewer dept .				Funds needed to fund extra work associated with audit				

CITY OF MARLBOROUGH --BUDGET TRANSFERS --										
DEPT:		Comptroller				FISCAL YEAR:				2012
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$40,000	\$10,000	17520006	59253	Other Interest	\$10,000	11330006	53460	Postage	\$6,774	
		Reason: Funds available due to smaller refunds .				Funds needed for final bill for FY 12 mailings				
\$40,000	\$1,500	17520006	59253	Other Interest	\$1,500	11330005	54220	Office Supplies	\$522	
		Reason: Funds available due to smaller refunds .				Funds needed to purchase envelopes				
\$40,000	\$3,000	17520006	59253	Other Interest	\$3,000	13102006	53080	Audit Services	\$0	
		Reason: Funds available due to smaller refunds .				Funds needed to fund extra work associated with audit				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Police	DATE:		14-May-12	FY:		2012		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$33,064	\$8,500.00	12100003	51450	Night Shift Differential	\$8,500.00	12100003	51490	Holiday	\$19,773	
		Reason: Surplus due to shift changes due to retirements				Holiday cost avgs. higher than anticipated				
\$7,687	\$900.00	12100006	57380	Conference and Training	\$900	12100004	52820	Paging/Telephone	\$47	
		Reason: Able to use some alternate sources for some training				Increases in paging costs				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Public Facilities	DATE:		14-May-12	FY:		2012		
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$45,591	\$15,000.00	11920006	52200	Natural gas	\$15,000.00	11920006	53420	Telephone services	\$26,917	
		Reason: Less gas consumption due to temperatures				Funds required for transfer of service/equipment				

CITY OF MARLBOROUGH BUDGET TRANSFERS										
DEPT:		FIRE	FISCAL YEAR:		2012					
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance
	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		
\$81,652.57	\$25,000.00	12200003	51490	HOLIDAY PAY	\$25,000.00	12200003	51300	OVERTIME	\$40,323.46	
		Reason: Balance available due to unfilled positions, retirements, leave of absence & resignation								
\$60,182.18	\$25,000.00	12200003	51440	EDUCATIONAL	\$25,000.00	12200003	51300	OVERTIME	\$40,323.46	
		Reason: Balance available due to unfilled positions, retirements & fewer than expected obtained college credits								

CITY OF MARLBOROUGH --BUDGET TRANSFERS --										
DEPT:		PUBLIC WORKS				FISCAL YEAR:		2012		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$11,006	\$500	14001101	50705	Assistant Civil Engineer	\$500	14001506	52500	Rep/Maint Equipment	\$61	
		Reason: Money available due to previous vacancy				Funds needed for small engine parts and repairs				
\$29,514	\$3,000	14001101	50710	Junior Civil Engineer	\$3,000	14001506	54650	Maint. Business Distr	\$873	
		Reason: Money available due to previous vacancy				Funds needed to address recent price increase per state bid				
\$11,807	\$2,400	60081001	50910	Head Treatment Plant (East)	\$2,400	60081001	50850	Sewer Tr Plt Operator (East)	\$8,189	
		Reason: Money available due to WC case				Funds needed to cover retroactive increases associated with CBA				
\$11,807	\$2,400	60081001	50910	Head Treatment Plant (East)	\$2,400	60085001	50910	Head Treatment Plant (West)	\$8,721	
		Reason: Money available due to WC case				Funds needed to cover retroactive increases associated with CBA				
\$1,265	\$500	60081003	51940	Clothing Allowance	\$500	60081003	51310	Overtime-regular (East)	\$3,009	
		Reason: Money available due to WC case				Anticipated funds needed to complete FY 12				
\$135,934	\$200	14001303	50740	Equipment Operators	\$200	60081003	51310	Overtime-regular (East)	\$2,594	
		Reason: Money available due to WC case				Anticipated funds needed to complete FY 12				
\$135,934	\$900	14001303	50740	Equipment Operators	\$900	60085003	51315	W Plant Construction	\$962	
		Reason: Money available due to WC case				Anticipated O.T. associated with plant upgrade				

Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$87,092	\$34,100	60085001	50850	Sewer Tr. Plt. Operator (West)	\$34,100	60085006	55980	West Waste Water Treat	\$3,123
		Reason: Money available due to WC case				Funds needed due to increase in chemical costs			
\$87,092	\$25,000	60085001	50850	Sewer Tr. Plt. Operator (West)	\$25,000	61090006	54620	Maintenance-Trench	\$244
		Reason: Money available due to WC case				Funds needed to perform roadway repairs associated with emergency leaks/breaks			
\$14,597	\$7,000	60080001	50630	Assistant Commissioner	\$7,000	61090006	54620	Maintenance-Trench	\$244
		Reason: Money available due to retirement				Funds needed to perform roadway repairs associated with emergency leaks/breaks			
\$124,725	\$6,900	61090001	50740	Equipment Operators (W&S)	\$6,900	60085006	55980	West Waste Water Treat	\$3,123
		Reason: Money available due to WC case				Funds needed due to increase in chemical costs			
\$124,725	\$800	61090001	50740	Equipment Operators (W&S)	\$800	61090003	51990	Meal Allowance	\$22
		Reason: Money available due to WC case				Funds needed to fulfill contract obligation associated with emergency operations			
\$30,496	\$2,440	61090001	50690	Foreman (W&S)	\$2,440	14001503	51470	Interim Foreman	\$836
		Reason: Money available due to previous transfer				Anticipated funds needed to complete FEMA-DR-4051-MA storm-related work and unexpected surgery/recovery			

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Mayor				FISCAL YEAR:		FY2012		
FROM ACCOUNT:						TO ACCOUNT:				
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance		
\$2,000.00	11210006	57200	Out of State Travel	\$2,000.00	11210005	54230	Mayor's Expenses	\$1,326		
		Reason: No out of state travel this year				Needed to fund anticipated expenses for remainder of year				

Suspension of the Rules requested – granted

ORDERED: That the Police Department transfer request in the amount of \$29,693.43 which moves funds from Fringes to the following accounts: Police Officers, Sick Leave, Clothing and Longevity, **APPROVED**; adopted.

FROM:

Acct. # 11990006-51500 \$29,693.43
Fringes

TO:

Acct. # 12100001-50420 \$5,557.11
Police Officers

Acct. # 12100003-51920 \$23,262.00
Sick Leave

Acct. # 12100003-51940 \$659.00
Clothing

Acct. # 12100003-51342 \$215.32
Longevity

Suspension of the Rules requested – granted

ORDERED: That the Year-end Inter-department transfer request as detailed on the attached spreadsheet to cover remaining expenses and balance FY12 accounts, **APPROVED**; adopted.

Various Departments				FISCAL YEAR: 2012				Available
FROM ACCOUNT:				TO ACCOUNT:				Balance
Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$2,879.00	11410003	50177	Certification - Assessor	\$545.00	11510001	50175	Paralegal	\$4,935
\$1,371.00	11410001	50160	Principal Assessor	\$230.00	11520001	50530	Director of Personnel	\$9,815
				\$680.00	11550001	50014	Director of IT	\$6,141
Reason:	Funds available due to vacancy			\$55.00	11920001	50291	Public Facilities Director	\$5,852
				\$180.00	11920001	50300	Asst Director-Pub Fac	\$2,717
				\$860.00	12410002	50770	Bldg - Senior Clerk	\$17,838
				\$1,700.00	12410001	50380	Electrical Inspector	\$23,179
				Reason:	Needed to fund positions until end of fiscal year			
\$4,250.00	total			\$4,250.00	total			

Suspension of the Rules requested – granted

ORDERED: That pursuant to Chapter 44, section 31D of the General Laws of the Commonwealth of Massachusetts, which authorizes the City to incur liability and make expenditures for any fiscal year in excess of appropriation for snow and ice removal, the City Council of the City of Marlborough, upon the recommendation of the Mayor, approves expenditures up to \$750,000 in excess of the fiscal year 13 appropriation for snow and ice removal, **APPROVED**; adopted.

Suspension of the Rules requested – granted

ORDERED: That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does, to be effective during fiscal year 2013, re-authorize the revolving fund utilized by the Public Facilities Department. It is further ordered that:

- (a) departmental receipts credited to the fund shall be limited to lease payments and fees due the City from owners of antennae and related telecommunications equipment on property that is maintained by, or assigned or transferred to be maintained by, the Public Facilities Department, unless otherwise directed by the General Laws; and
- (b) expenditures from said fund shall be limited to the maintenance and related expenses for Sligo Hill and Stevens Park; and
- (c) the Director of Public Facilities shall be the only officer authorized to approve expenditures from the same; and
- (d) no more than three hundred thousand dollars shall be expended during Fiscal Year 2013, unless otherwise authorized by the City Council and Mayor; and
- (e) the Director of Public Facilities shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and
- (f) no provisions of this order shall be changed unless approved by the Mayor and City Council, **APPROVED**; adopted.

Suspension of the Rules requested – granted

ORDERED: That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does hereby authorize a revolving fund during fiscal year 2013 for park and recreational facility maintenance and improvement purposes to be administered through the Department of Public Works. It is further ordered that:

- (a) departmental receipts credited to the fund, unless otherwise directed by the General Laws, shall be limited to: 1) payments, fees and/or rental income due the City from owners of antennae and related telecommunications equipment located or co-located at the wireless communications facility situated on property under the care, custody, management and control of the Department of Public Works at the Easterly Wastewater Treatment Plant at 860 Boston Post Road in Marlborough or any land adjacent thereto; and 2) lease payments and fees due the City from owners of antennae and related telecommunications equipment located on Fairmount Hill; and
- (b) that expenditures from said fund shall be limited to the maintenance and improvement of municipal parks and municipal recreational facilities; and
- (c) that the Commissioner of Public Works shall be the only officer authorized to approve expenditures from the fund; and
- (d) no more than \$50,000.00 shall be expended during fiscal year 2013, unless otherwise authorized by the City Council and Mayor; and
- (e) the Commissioner of Public Works shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and
- (f) no provisions of this order shall be changed unless approved by the Mayor and City Council, **APPROVED**; adopted.

Suspension of the Rules requested – granted

ORDERED: That pursuant to the provisions of § 53E½ of Chapter 44 of the General Laws of the Commonwealth of Massachusetts, the City Council of the City of Marlborough, upon the recommendation of the Mayor, does, to be effective during fiscal year 2013, re-authorize a revolving fund to be utilized by the Mayor. It is further ordered that:

- (a) receipts credited to the fund shall be limited to an emergency dispatch fee due the City pursuant to its contract with Patriot Ambulance, unless otherwise directed by the General Laws; and
- (b) expenditures from said fund shall be limited to public safety training; and
- (c) the Mayor shall be the only officer authorized to approve expenditures from the same; and
- (d) no more than forty-five thousand dollars shall be expended during Fiscal Year 2013, unless otherwise authorized by the City Council and Mayor; and
- (e) the Mayor shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and
- (f) no provisions of this order shall be changed unless approved by the Mayor and City Council, **APPROVED**; adopted.

Suspension of the Rules requested – granted

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, **APPROVED**; 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.									

Suspension of the Rules requested – granted

ORDERED: That pursuant to M.G.L., c.44, § 53A 1/2., the Marlborough City Council, on behalf of the City of Marlborough, gratefully accepts the gift offered by the Marlborough Babe Ruth Baseball ("MBRB") of one LP1000 automated external defibrillator ("AED"), complete with one soft shell carrying case, for use at Stevens Park during the MBRB season and for the City's use elsewhere at its sole discretion and authority during other times of the year, but with no other restrictions on said AED gift; adopted.

Councilor Elder abstained

Suspension of the Rules requested – granted

ORDERED: That the appointment of Captain James M. Fortin of the Marlborough Fire Department to permanent Chief effective 8:00 AM on Tuesday, March 27, 2012, **APPROVED**; adopted.

ORDERED: That the DPW Commissioner appear before the Operations and Oversight Committee to discuss conditions of the city's public cemeteries and concerns expressed by local veterans and other residents regarding regular maintenance and repairs including, but not limited to, a general status update on city owned cemeteries detailing current conditions, and current and future needs, a review of cemetery finances and funding to provide for perpetual care, management of the cemeteries and monies that may be available from non-public sources to make repairs to veterans' gravestones, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 10:20 PM.