



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

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January 25, 2010

Regular meeting of the City Council held on Monday, January 25, 2010 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Levy, Ossing, Pope, Vigeant, Delano, Ferro, Elder, Seymour, Clancy and Landers. Councilor Juaire was absent. Meeting adjourned at 8:22 p.m.

ORDERED: That the minutes of the City Council Meeting January 11, 2010, **FILE**; adopted.

ORDERED: That the transfer request in the amount of \$18,000.00 which moves funds from Undesignated Fund to Veteran's Benefits to meet the increased demand for benefit services, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 10000-35900	\$18,000.00
Undesignated Fund	

TO:

Acct. # 15430006-57710	\$18,000.00
Veteran's Benefits	

ORDERED: That the transfer request in the amount of \$1,230.00 which moves funds from Collector's Sick Leave Buy Back to Library and Health department longevity accounts pertinent to deficits associated with longevity payments, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 1140003-51920	\$1,230.00
SLBB	

TO:

Acct. # 16100003-51430	\$640.00
Longevity	

Acct. # 15120003-51430	\$590.00
Longevity	

ORDERED: That the following transfer requests from the Police Chief which are detailed in the transfer, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:	Police			DATE:	20-Jan-10			FY2010	
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$1,094,228	\$108,208.00	12100001	50420	Police Officers	\$108,208.00	12100003	51310	Regular OT	\$45,776
	Reason:	Will have surplus in this account due to workers comp payments to several officers and one officer on a leave				Overtime due to officer injuries			
\$285,201	\$11,480.00	12100001	50820	Sergeants	\$11,480	12100003	51310	Regular OT	\$45,776
	Reason:	Will have surplus in this account due to workers comp payment to one sergeant				Overtime due to sergeant on injured leave			
\$14,009	\$1,091.00	12100003	51120	Crossing Guards	\$1,091	12100003	51920	Sick Leave Buy Back	-\$11,091
	Reason:	Available due to partially unfilled position				Unanticipated requests for sick leave buy back			
\$6,758	\$3,000.00	12100003	51395	In Service Training	\$3,000.00	12100003	51920	Sick Leave Buy Back	-\$11,091
	Reason:	Will not conduct training as planned				Same as above			
\$2,000	\$1,000.00	12100005	54221	Parking Officer Supplies	\$1,000	12100003	51920	Sick Leave Buy Back	-\$11,091
	Reason:	Parking tickets not needed yet				Same as above			
\$12,812	\$6,000.00	12100006	57380	Conference and Training	\$6,000	12100003	51920	Sick Leave Buy back	-\$11,091
	Reason:	Will not conduct training as planned				Same as above			

ORDERED: That the transfer request in the amount of \$31,381.20 which moves funds from Fringes to Sick Leave Buy Back pertinent to budgeted expenses associated with an employee's retirement, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 11990006-51500

\$31,381.20

Fringes

TO:

Acct. # 12200003-51920

\$31,381.20

SLBB

ORDERED: That an Energy Efficiency and Conservation Block Grant in the amount of \$178,000.00 awarded to the City of Marlborough which will be used to replace an inefficient oil fired heating system as outlined in MGL, Chapter 44, Section 53A to be used for purposes outlined, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the MA Renewable Energy Trust Grant in the amount of \$9,086.54 awarded to the City of Marlborough for the purpose of purchasing two Big Belly Solar Trash Compactors as outlined in MGL, Chapter 44, Section 53A to be used for purposes outlined, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the FY10 Mass Decontamination Unit Grant in the amount of \$2,000.00 awarded to the Fire Department which will facilitate the field deployment, training and operational readiness of a mobile Mass Decontamination Unit as outlined in MGL, Chapter 44, Section 53A to be used for purposes outlined, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the FY2010 Student Awareness Fire Education Grant (S.A.F.E.) in the amount of \$5,900.00 awarded to the Fire Department which provides student awareness of fire education programs as outlined in MGL, Chapter 44, Section 53A to be used for purposes outlined, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the appointment of Mr. Ricky Plummer to the position of Fire Chief, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the reappointment of Police Chief Leonard as Keeper of the Lock for a term of one year expiring the 1st Monday of February, 2011, **APPROVED**; adopted.

ORDERED: That the reappointments of Barbara Fenby and Edward Coveney as members of the Planning Board for a term of five years expiring the 1st Monday in February, 2015, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the reappointment of Anthony Arruda to the Board of Assessors for a term of three years expiring February 4, 2013, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the appointment of Robyn Ripley and reappointments of Nena Bloomquist and Susan Laufer to the Library Board of Trustees for terms of three years expiring February 4, 2013, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the appointments of Christine Seymour and Penny Aber-Kahn to the City Scholarship Committee for a term of three years from date of confirmation, refer to **PERSONNEL COMMITTEE**; adopted.

Councilors Vigeant and Seymour abstained.

ORDERED: That the communication from the Mayor re: Council Order 09-1002406; Determination on Plowing Sidewalks Adjacent to City Property, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

ORDERED: That the communication from the Mayor re: Invitation to Join the Sustainability Action Plan Taskforce, **FILE**; adopted.

ORDERED: That the minutes, Planning Board, December 21, 2009, **FILE**; adopted.

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

- A. Lorna Rousseau, 140 Donahue Dr., residential mailbox claim (2a)
- B. Coleen Logomasini, 141 Raymond Rd., residential mailbox claim (2a)
- C. Karen Campbell, 324 Williams St., residential mailbox claim (2a)

Reports of Committees:

Councilor Clancy reported the following out of Wireless Communications Committee:

Order No. 09-1002330B - Application for Special Permit from Attorney Hoyt by Clear Wireless, LLC for modification of a wireless communications facility located at 460 Boston Post Rd., East (Countryside Village). Evidence was heard concerning the addition of new wireless communications equipment on the roof of a building at 460 Boston Post Rd. East. Modification of language presented in the "Finding of Facts and Conditions" was made, discussed and agreed upon by all parties present.

Recommendation of the Wireless Communication Committee is to recommend approval of the project, and under Suspension of the Rules, to refer to City Solicitor to be put in proper form, as amended, and place item on the February 8, 2010 agenda, 2-0. Councilor Pope was absent.

Order No. 09-1002290B - Application for Special Permit from Attorney Hoyt by Clear Wireless, LLC for modification of a wireless communications facility located at 157 Union St. (Marlborough Hospital). Evidence was heard concerning the addition of new wireless communications and modification of existing equipment and penthouse area on the roof of a building at 157 Union St. Modification of language presented in the "Finding of Facts and Conditions" was made, discussed and agreed upon by all parties present.

Recommendation of the Wireless Communication Committee is to recommend approval of the project, and under Suspension of the Rules, to refer to City Solicitor to be put in proper form, as amended, and place item on the February 8, 2010 agenda, 2-0. Councilor Pope was absent.

Order No. 09-1002329B - Application for a Special Permit from Attorney Hoyt by Clear Wireless, LLC for modification of a wireless communications facility located at 2 Mt. Royal Ave. Decision to Act extended until: March 31, 2010. Draft Decision submitted by Atty. Hoyt distributed to all members. Evidence was heard concerning the addition of new wireless communications equipment, 3 panel antennas, 3 back haul antennas and 1 GPS antenna and associated equipment cabinets, on the roof a building at 2 Mt. Royal Ave. It was agreed that the name for the project will be change from Sligo Hill to 2 Mt. Royal Ave. This was done to prevent any confusion in the future, as to its location, due to the fact that there was an already wireless communications facility on the Sligo Hill water tower. A new plan dated 01/19/10 was introduced into the record, which showed a new design for the "sled" support base for the antennas. The change was deemed minor. Modification of the language presented in the "Finding of Facts and Conditions" was made, discussed and agreed upon by all parties present.

Recommendation of the Wireless Communication Committee is to recommend approval of the project, and under Suspension of the Rules, to refer to City Solicitor to be put in proper form, as amended, and place item on the February 8, 2010 agenda, 3-0.

Suspension of Rules requested-granted

ORDERED: That the Application for Special Permit from Attorney Hoyt, on behalf of Clear Wireless LLC, for modification of a wireless communication facility located at 460 Boston Post Rd. East, refer to **CITY SOLICITOR TO BE PUT IN PROPER FORM, AS AMENDED, FOR FEBRUARY 8, 2010 CITY COUNCIL MEETING**; adopted.

Suspension of Rules requested-granted

ORDERED: That the Application for Special Permit from Attorney Hoyt, on behalf of Clear Wireless LLC, for modification of a wireless communications facility located at 157 Union St., refer to **CITY SOLICITOR TO BE PUT IN PROPER FORM, AS AMENDED, FOR FEBRUARY 8, 2010 CITY COUNCIL MEETING**; adopted.

Suspension of Rules requested-granted

ORDERED: That the Application for Special Permit from Attorney Hoyt, on behalf of Clear Wireless LLC, for modification of a wireless communication facility located at 2 Mount Royal Ave., refer to **CITY SOLICITOR TO BE PUT IN PROPER FORM, AS AMENDED, FOR FEBRUARY 8, 2010 CITY COUNCIL MEETING**; adopted.

ORDERED: That, notwithstanding MGL Chapter 54 Section 76B, any person asserting a right to vote within the City of Marlborough in any municipal, state or federal election shall be requested to present suitable written identification to the City Clerk or other duly appointed election official prior to receiving a ballot, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:22 p.m.; adopted.