



**CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK**

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

**Marlborough, MA 01752  
(508) 460-3775 FAX (508) 460-3723  
JUNE 28, 2010**

Regular meeting of the City Council held on Monday, JUNE 28, 2010 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Levy, Ossing, Pope, Vigeant, Delano, Ferro, Elder, Juaire, Seymour, Clancy, and Landers. Meeting adjourned at 9:35 p.m.

**ORDERED:** That the minutes of the City Council Meeting June 14, 2010, **FILE**; adopted.

**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 2011 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 2011, 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.

**ORDERED:** That the transfer requests in the amount of \$29,501.90 which moves funds from East WWTP Antennae Lease to Park and Recreational Antennae Lease and \$124,170.13 from Fairmount Hill Antennae Lease to Park and Recreational Antennae Lease in anticipation of establishing the new Parks and Recreational Facilities revolving account, **APPROVED**; adopted.

## FROM:

Acct. # 26213601-52415 \$29,501.90  
East WWTP Antennae Lease

Acct. # 26240001-52415 \$124,170.13  
Fairmount Hill Antennae Lease

## TO:

Acct. # 26244401-52415 \$153,672.03  
Parks and Recreation Antennae Lease

ORDERED: That the transfer request in the amount of \$500,000.00 which moves funds from Undesignated to IS Equipment to allow necessary upgrades, **DENIED**; adopted.

## FROM:

Acct. # 10000-35900 \$500,000.00  
Undesignated Fund

## TO:

Acct. # 19300006-58618 \$500,000.00  
IS Equipment

ORDERED: That the transfer request in the amount of \$3,400.00 which moves funds from Equipment Operators to Overtime-Regular to meet the City's payroll obligation for emergency services rendered, **APPROVED**; adopted.

## FROM:

Acct. # 61090001-50740 \$3,400.00  
Equipment Operators

## TO:

Acct. # 61090003-51310 \$3,400.00  
OT Regular

ORDERED: That the reappointments of Diane Halper, Larry Wenzell, Cheryl Desautels, Jackie DiBuono and Ruth Crowell & appointment of Joan Toohey to the Arts Lottery Council with a three year term upon approval, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the appointment of Edward Hutchinson to the Community Development Authority with a three year term upon approval, refer to **PERSONNEL 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 PARAGRAPHS:

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 November 1, 2010.

The foregoing amendment to Section 7-13 of Chapter 7 of Article II of the Code of the City of Marlborough, as amended, shall expire on June 30, 2011 unless prior to expiration the City Council determines it is appropriate to extend this amendment beyond June 30, 2011, **APPROVED**; adopted.

ORDERED: That the following notification from the City Clerk re: Special Ward Four Election Call, **FILE**; adopted.

CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK

That the City Clerk be and is herewith directed to have proper notices issued notifying the VOTERS of the City of Marlborough that the **SPECIAL MUNICIPAL WARD FOUR ELECTION** will be held in the polling locations as noted below on **TUESDAY, JULY 13, 2010**.

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

POLLING LOCATIONS ARE AS FOLLOWS:

WARD FOUR: Prec. 1                      Boys and Girls Club, 169 Pleasant Street

WARD FOUR: Prec. 2                      Boys and Girls Club, 169 Pleasant Street

ORDERED: That the Junk Dealer's License for Bernard Novitch d/b/a Collector's Paradise at 771 Boston Post Rd. East, **REVOKED**; adopted.

ORDERED: That the Junk Dealer's License for Steven Weener d/b/a Thritboro for 344 Boston Post Rd. East, refer to **PUBLIC SERVICE COMMITTEE**; adopted.

ORDERED: That the Public Facilities Director be, and hereby is, authorized to issue a Notice of Award of a contract to the lowest eligible bidder in the amount of \$818,000.00 for the completion of the Sligo Tower Rehabilitation Project; and, further, that the Mayor be, and hereby is, authorized to negotiate and sign said contract, **MOVED TO REPORTS OF COMMITTEES**; adopted.

ORDERED: That the communication from Christopher White re: Disclosure of Financial Interest by Special Municipal Employee and Approval, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JULY 26, 2010** as date for a **PUBLIC HEARING** on the Application for Wireless Special Permit from Attorney Valeriani, on behalf of Verizon Wireless, to permit, construct, operate and maintain a Wireless Communication Facility consisting of a 130' antenna-monopole-tower at 800 Bolton St., refer to **WIRELESS COMMUNICATION COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, JULY 26, 2010** as date for a **PUBLIC HEARING** on the Application for Wireless Special Permit from Attorney Valeriani, on behalf of Verizon Wireless, to construct a Wireless Communications Facility at 303 Boundary St. as it is located within the Water Supply District, refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That the Communication from Attorney Bergeron, on behalf of Moss Development, requesting to withdraw without prejudice amendment to Chapter 650 of the Code of the City of Marlborough, by adding, in the Table of Lot Area and Yard Requirements for Open Space Development that is part of section 650-28.E(3), after the words "Lot area (square feet)", a Note to read as follows:

"For Open Space Developments of more than 50 acres, the required Lot area may be reduced by as much as 50%, but not below 8,000 square feet per lot, provided that, in that case, the Common Open Space required pursuant to Sec. 650-28.F(6) shall be not less than 50% of the total site.", Order No. 10-1002515A, be **WITHDRAWN WITHOUT PREJUDICE, APPROVED**; adopted.

ORDERED: That the communication from Central Massachusetts Mosquito Control Project re: annual Report 2009, **FILE**; adopted.

ORDERED: That the following CLAIMS, be and is herewith refer to the **LEGAL DEPARTMENT**; adopted.

- A. Thomas Baldelli, 250 Stevens St., other property damage
- B. Mr. & Mrs. Nowakowski, 30 Fowler St., residential mailbox claim

Reports of Committees:

Councilor Delano reported the following out of the Personnel Committee:

**Order No.10-1002434A - Reappointment of Dianne Plummer to the City Scholarship Committee for a term expiring three years from date of confirmation. Recommendation of the Personnel Committee is to approve the reappointment of Dianne Plummer to the City Scholarship Committee for a term of three years from the date of confirmation 2-0 with Councilor Juaire absent.**

**Order No.10-1002495 - Reappointments of Edward Clancy and Dennis Demers to the Conservation Commission for three years expiring March 5, 2013. Recommendation of the Personnel Committee is to approve the reappointments of Edward Clancy and Dennis Demers to the Conservation Commission for a term of three years expiring March 5, 2013 2-0 with Councilor Juaire absent.**

**Order No.10-1002496 - Reappointment of Linda Clark as Registrar of Voters for a term expiring April 1, 2013. Recommendation of the Personnel Committee is to approve the reappointment of Linda Clark as Registrar of Voters for a term expiring April 1, 2013 2-0 with Councilor Juaire absent.**

**Suspension of the Rules requested - granted**

ORDERED: That the following transfer requests totaling \$18,000 necessary to fund emergency callouts associated with recent water main breaks, **APPROVED**; adopted.

FROM:

Acct. # 61090001-50740

\$14,000.00

Equipment Operators

Acct. # 61090003-51430	\$1,000.00
Longevity	
Acct. # 61090003-51920	\$3,000.00
Sick Leave Buy Back	
TO:	
Acct. # 61090003-51310	\$14,000.00
Overtime Regular	
Acct. # 61090003-51310	\$ 1,000.00
Overtime Regular	
Acct. # 61090003-51310	\$ 3,000.00
Overtime Regular	

**Suspension of the Rules requested – granted**

ORDERED: That the transfer request in the amount of \$687.85 which moves funds from Undesignated to Sick Leave associated with an employee's termination, **APPROVED**; adopted.

FROM:

Acct. # 10000-35900	\$687.85
Undesignated Fund	

TO:

Acct. # 11740003-51920	\$687.85
Sick Leave	

**Suspension of the Rules requested – granted TO REMOVE ITEM FROM THE REPORTS OF THE FINANCE COMMITTEE WITH NO RECOMMENDATION.**

**Suspension of the Rules requested – granted TO ADDRESS ITEM WHICH HAS BEEN REMOVED FROM THE REPORTS OF THE FINANCE COMMITTEE.**

ORDERED: That pursuant to the provisions of § 53E1/2 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 2011, reauthorize 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. that expenditures from said fund shall be limited to public safety training; and
- C. that 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 2011, 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.

**Councilor Ferro requested to be recorded in opposition.**

**Suspension of the Rules Requested – granted**

ORDERED: That pursuant to the provisions of § 53E<sup>1/2</sup> 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 2011, 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 2011, 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 TO INCLUDE THE \$9,800.00 DPW TRANSFER REQUEST AS PART OF THE APPROVAL FOR THIS ORDER.**

ORDERED: That the following various year-end intra-departmental transfer requests totaling \$124,882.97 necessary to balance FY10 accounts, **APPROVED**; adopted.

CITY OF MARLBOROUGH											
BUDGET TRANSFERS --											
DEPT:		Library				FISCAL YEAR:		2010			
Available Balance		FROM ACCOUNT:				TO ACCOUNT:		Available Balance			
Amount	Org Code	Object	Account Description:			Amount	Org Code	Object	Account Description:		
\$427.25	\$169.00	16100001	50471	YOUNG ADULT LIBRARIAN			\$169.00	16100003	51920	SICK LEAVE BUY BACK	\$821
Reason:		YOUNG ADULT LIBRARIAN HAS RESIGNED. NO ACTIVITY IS EXPECTED IN THIS ACCOUNT FOR THE REST OF THE FISCAL YEAR.				EXTRA FUNDING REQUIRED TO PAY EARNED SICK LEAVE FOR AN EMPLOYEE WHO HAS JUST RESIGNED.					

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		PUBLIC WORKS				FISCAL YEAR:		2010		
		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$5,765	\$1,000.00	60085006	54340	WWTP - Maintain Machinery	\$1,000.00	60085003	51310	WWTP - Overtime	\$2,570	
								Anticipated amount needed for emergency callouts		
\$400	\$200.00	60081003	51940	EWTP - Clothing Allowance	\$200	60081003	51310	EWTP - Overtime	\$2,594	
								Anticipated amount needed for emergency callouts		
\$14,328	\$8,600.00	61090001	50460	Water meter reader	\$8,600	61090003	51310	Water - Overtime	\$5,165	

CITY OF MARLBOROUGH BUDGET TRANSFERS MONTH OF MAY 2010									
DEPT: FIRE						FISCAL YEAR:		2010	
		FROM ACCOUNT:				TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
14,816.53	\$474.00	12200001	50130	FIRE CHIEF	\$474.00	12200001	50335	DEPUTY CHIEF	34,344.00
				Reason: Balance available due to new hire at a lower rate				Reason: deficit due to employee working as Acting Chief	
14,816.53	\$406.90	12200001	50130	FIRE CHIEF	\$406.90	12200001	50810	FIRE LIEUTENANT	55,889.60
				Reason: Balance available due to new hire at a lower rate				Reason: anticipated deficit based on FY09 payroll	
14,816.53	\$514.97	12200001	50130	FIRE CHIEF	\$514.97	12200003	51226	FIRST RESPONDER	\$3,174.55
				Reason: Balance available due to new hire at a lower rate				Reason: account not properly funded	
14,816.53	\$52.82	12200001	50130	FIRE CHIEF	\$52.82	12200003	51430	LONGEVITY	\$5,609.74
				Reason: Balance available due to new hire at a lower rate				Reason: account not properly funded	
14,816.53	\$2,794.03	12200001	50130	FIRE CHIEF	\$2,794.03	12200003	51450	NIGHT SHIFT	\$2,794.03
				Reason: Balance available due to new hire at a lower rate				Reason: account not properly funded	

CITY OF MARLBOROUGH BUDGET TRANSFERS MONTH OF MAY 2010										
DEPT: FIRE										FISCAL YEAR: 2010
		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
14,816.53	\$710.23	12200001	50130	FIRE CHIEF	\$710.23	12200003	51300	GROSS OVERTIME	\$469.46	
Reason: Balance available due to new hire at a lower rate					Reason: anticipated deficit based on FY09 payroll					
3521.63	\$3,266.63	12200003	51440	EDUCATION INCENTIVE	\$3,266.63	12200003	51300	GROSS OVERTIME	\$469.46	
Reason: anticipated increased educational credits did not occur					Reason: anticipated deficit based on FY09 payroll					
8,370.42	\$8,370.42	12200003	51480	EMT	\$8,370.42	12200003	51300	GROSS OVERTIME	\$469.46	
Reason: anticipated new EMT's not certified					Reason: anticipated deficit based on FY09 payroll					
9,477.43	\$9,477.43	12200003	51490	HOLIDAY	\$9,477.43	12200003	51300	GROSS OVERTIME	\$469.46	
Reason: estimated surplus based on one remaining FY10 holiday					Reason: anticipated deficit based on FY09 payroll					
366,405.84	\$5,915.54	12200001	50450	FIREFIGHTER	\$5,915.54	12200003	51300	GROSS OVERTIME	\$469.46	
Reason: unused salaries due to employees out on IOD					Reason: replenish overtime used for coverage of IOD					

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:										FISCAL YEAR:
		FROM ACCOUNT:				TO ACCOUNT:				
Amount	Org Code	Object	Account Description:		Amount	Org Code	Object	Account Description:	Available Balance	
\$368.00	11510006	53880	Registry of Deeds		\$368.00	11510006	57100	Instate Travel	\$132	
Reason: Fewer recordings than expected					Reason: More in-state travel than expected					

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT: Inspectional Services 2410										FISCAL YEAR: 10
		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$375	\$285.00	12410003	51430	Longevity	\$285.00	12410002	51050	Board Secretary	\$58	
Reason: Excess available in acct					Reason: Coverage remainder of Planning Board and Zoning Board meetings					
\$3,261	\$250.00	12410004	53180	Professional & Tech Services	\$250	12410002	51050	Board Secretary	\$58	
Reason: Excess available in acct					Reason: Coverage remainder of Planning Board and Zoning Board meetings					

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
DEPT:	Police			DATE:	17-May-10		FY:	2010	
FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance
\$73,369	\$20,000.00	1210003	51310	Overtime - Regular	\$20,000.00	12100001	50420	Police Officers	\$223,067
	Reason:	Will have surplus due to return of injured officers				Will have deficit due to Fairfield officer's salaries			
\$73,369	\$2,905.00	12100003	51310	Overtime - Regular	\$2,905.00	12100003	51410	First Responder	\$3,219
	Reason:	Same as above				Had to pay 2 officers retro pay			
\$28,159	\$11,540.00	12100003	51360	Overtime - Training	\$11,540	12100003	51490	Holiday	\$13,600
	Reason:	Reduced training due to earlier budget concerns				Anticipated funds needed for final holiday of FY2010			
\$28,159	\$10,000.00	12100003	51360	Overtime - Training	\$10,000.00	12100001	50420	Police Officers	\$223,067
	Reason:	Same as above				Will have deficit due to Fairfield's officers salaries			
\$70,992	\$32,300.00	12100003	51320	Overtime - Court Time	\$32,300	12100001	50420	Police Officers	\$223,067
	Reason:	Unexpected surplus in account				Same as above			
\$783	\$783.00	12100003	51370	Overtime - Celebration	\$783	12100001	50420	Police Officers	\$223,067
	Reason:	Unused funds from Labor Day parade				Same as above			
<b>TRANSFER REQUEST</b>									
FROM ACCOUNT					TO ACCOUNT				
AVAILABLE BALANCE	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT AVAIL
<b>Water Legal Services</b>					<b>Water Audit</b>				
\$	5,000.00	\$	4,500.00	61019904 53110 Legal Svs	\$	4,500.00	61019904 53080 Audit Svs	\$	1,000.00
Reason: To fund short fall in budgeted item									

**Councilors Delano and Ferro requested to be recorded in opposition to the \$27,740.25 Fire Department Transfers.**

**Suspension of the Rules requested – granted TO REMOVE ITEM FROM THE REPORTS OF THE FINANCE COMMITTEE WITH NO RECOMMENDATION.**

**Suspension of the Rules requested – granted TO ADDRESS ITEM WHICH HAS BEEN REMOVED FROM THE REPORTS OF THE FINANCE COMMITTEE.**

**ORDERED:** That the following transfer requests totaling \$70,809.00 which moves funds from Undesignated to various accounts for the purpose of funding FY10 step increase, **APPROVED**; adopted.

TRANSFER REQUEST									
FROM ACCOUNT					TO ACCOUNT				
AVAILABLE BALANCE	AMOUNT	ORG C	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT AVAIL
			<b>Undesignated Fund</b>				<b>VARIOUS DEPARTMENTS</b>		
\$ 2,430,483.30	\$ 70,809.00	10000	35900	Undesignated Fund	\$ 2,768.00	14001101	50700	GR 2 ENG	\$ -
					\$ 100.00	14001103	51310	OT	
					\$ 4,017.00	14001301	50660	GEN FOREMAN	
					\$ 240.00	14001303	51920	SICK BB	
					\$ 201.00	14001303	51430	LONG	
					\$ 1,190.00	14001303	50790	DISPATCHER	
					\$ 180.00	14001303	51310	OT	
					\$ 6,209.00	14001503	50740	EQUIP OP	
					\$ 572.00	14001503	51310	OT	
					\$ 1,252.00	14001101	50710	JR ENG	
					\$ 3,420.00	14001403	50745	EQUIP OP	
					\$ 309.00	14001403	51310	OT	
					\$ 999.00	14001002	50520	PRINC CLK	
					\$ 471.00	14001002	50550	HEAD CLK	
					\$ 137.00	14001003	51920	SICK BB	
					\$ 73.00	14001003	51430	LONG	
					\$ 14,056.00	12200001	50450	FIREFIGHTER	
					\$ 965.00	12200003	51480	EMT	
					\$ 395.00	12200003	51226	RESPONDER	
					\$ 575.00	12200003	51450	NIGHT DIF	
					\$ 1,406.00	12200003	51300	OT	
					\$ 879.00	11920001	50292	CRAFTSMAN	
					\$ 605.00	11920003	50560	CUSTODIAN	
					\$ 1,234.00	16100001	50470	CHILD. LIB.	
					\$ 1,270.00	16100002	50520	PRINC CLK	
					\$ 2,651.00	16100001	50230	LIB DIR	
					\$ 495.00	16100003	51261	PT CLK	
					\$ 155.00	16100003	51262	PAGE	
					\$ 378.00	16100003	51259	REL F PT	
					\$ 230.00	16100003	50860	LIB CLK	
					\$ 1,511.00	11350002	50062	FIN ASST.	
					\$ 432.00	12410001	50370	PLUMB INSPC	
					\$ 151.00	12410002	50770	SR CLK	
					\$ 447.00	11610002	50770	SR CLK	
					\$ 60.00	11610003	51920	SICK BB	
					\$ 23.00	11610003	51430	LONG	
					\$ 1,076.00	11620002	50770	SR CLK	
					\$ 1,080.00	11210002	50590	EXEC SCTRY	
					\$ 1,809.00	11520001	50530	PERSONNEL DIR	
					\$ 720.00	11520002	50401	PT SR CLK	
					\$ 7,420.00	12100001	50420	POLICE OFFICER	
					\$ 1,725.00	12100003	51213	PUB SAF DISP	
					\$ 288.00	12100003	51410	FIRST RESP	
					\$ 720.00	12100003	51450	NIGHT DIF	
					\$ 5,000.00	12100003	51440	EDU	
					\$ 915.00	12100003	51310	OT	
					\$ 70,809.00				

Reason: To fund city wide step increases

ORDERED: That the Public Facilities Director be, and hereby is, authorized to issue a Notice of Award of a contract to the lowest eligible bidder in the amount of \$818,000.00 for the completion of the Sligo Tower Rehabilitation Project; and, further, that the Mayor be, and hereby is, authorized to negotiate and sign said contract, refer to **OPERATIONS AND OVERSIGHT COMMITTEE**; adopted.

**Suspension of the Rules requested - granted**

ORDERED: That the Marlborough City Council **APPROVE** the attached letter to State Representative Gregoire in opposition to Section 127 of House Bill 4820; adopted.

**Suspension of the Rules requested – granted to allow the Mayor to speak and to introduce an Order pertinent to the Main St. Fire which occurred on June 26, 2010.**

ORDERED: That the transfer request in the amount of \$80,000.00 which moves funds from Undesignated to Main St. Fire (special account for expenses associated with June 26, 2010 Main St. fire) in order to meet immediate expenses associated with same, be and is herewith **APPROVED AND REQUEST THAT THE AUDITOR SUBMIT TO CITY COUNCIL AN ITEMIZED LIST OF EXPENSES/COSTS ON A WEEKLY BASIS PERTINENT TO THIS FIRE**; adopted.

ORDERED: At President Vigeant's request to recess at 9:15 PM and returned to open meeting at 9:23 PM, **APPROVED**; adopted.

ORDERED: The Library transfer requests in the amount of \$4,000.00 as follows to meet payroll requirements for part-time library clerks:  
 \$2,000.00 from Pages to Part-time Library Clerks,  
 \$2,000.00 from Full-time Library Clerk to Part-time Library Clerks, **APPROVED**; adopted.

FROM:

Acct. # 16100003-51262 \$2,000.00  
 Pages

Acct. # 16100003-50860 \$2,000.00  
 Full-time Library Clerk

TO:

Acct. # 16100003-51261 \$2,000.00  
 Part-time Library Clerks

Acct. # 16100003-51261 \$2,000.00  
 Part-time Library Clerks

ORDERED: That the following various year-end inter-departmental transfer requests necessary to balance FY10 accounts, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT: Council on Aging							FISCAL YEAR: 2010			
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$9,628.79	\$2,913.00	11210002	50590	Excutive Secretary	\$1,913.00	15410001	50190	Director of Ederly Affairs	\$1,980.37	
Reason:		Available funds due to no step increases in FY10				Funds needed for vacation buy-out due to employee's departure				
					\$1,000.00	15410003	51920	Sick Leave BuyBack	\$0.00	
Reason:						Due to employee upon departure				

TRANSFER REQUEST									
FROM ACCOUNT					TO ACCOUNT				
AVAILABLE BALANCE	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT AVAIL
				<b>Interest on Ban</b>				<b>School Support</b>	
\$ 55,000.00	\$ 23,152.00	13860006	59254	Int BAN	\$ 23,152.00	13100003	51753	Medicare Insurance	\$ 53,207.51
	\$ 4,127.00	13860006	59254	Int BAN	\$ 4,127.00	13100003	57406	Life Insurance	\$ 3,227.58
	\$ 27,279.00				\$ 27,279.00				
Reason: To fund shortfall in budgeted items									

TRANSFER REQUEST									
FROM ACCOUNT					TO ACCOUNT				
AVAILABLE BALANCE	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT AVAIL
				<b>Interest on Ban</b>				<b>Unemployment</b>	
\$ 55,000.00	\$ 4,624.00	13860006	59254	Int BAN	\$ 4,624.00	11970006	51730	Unemployment	\$ 2,620.00
Reason: To fund shortfall in budgeted item									

TRANSFER REQUEST									
FROM ACCOUNT					TO ACCOUNT				
AVAILABLE BALANCE	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DESCRIP	AMOUNT AVAIL
				<b>Interest on Ban</b>				<b>Comptroller</b>	
\$ 55,000.00	\$ 11,500.00	13860006	59254	Int BAN	\$ 11,500.00	11330006	53460	Postage	\$ 2,649.00

**Councilor Delano requested to be recorded in opposition.**

ORDERED: That the transfer request in the amount of \$13,896.00 which moves funds from Fringes to Sick Leave Buy Back to fund benefits associated with an employee's retirement, **APPROVED**; adopted.

FROM:

Acct. # 11990006-51500 \$13,896.00  
 Fringes

TO:

Acct. # 14001303-51920 \$13,896.00  
 Sick Leave Buy Back

ORDERED: That the transfer request in the amount of \$7,500.00 which moves funds from Junior Civil Engineer to Foreman to fund benefits associated with an employee's retirement, **APPROVED**; adopted.

FROM:

Acct. # 14001101-50710

\$7,500.00

Junior Civil Engineer

TO:

Acct. # 14001301-50690

\$7,500.00

Foreman

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 2011, authorize the establishment of a revolving fund to be utilized by the Department of Public Works. It is further ordered that:

(a) departmental receipts credited to the fund shall be limited to 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 ("WCF") situated on property under the care, custody, management and control of the Department of Public Works at the Easterly Wastewater Treatment Plant ("EWTP") at 860 Boston Post Road in Marlborough or any land adjacent thereto and unless otherwise directed by the General Laws; and

(b) expenditures from said fund shall be limited to the maintenance and improvement of municipal parks and playgrounds; and,

(c) the Commissioner of Public Works shall be the only officer authorized to approve expenditures from the fund; and,

(d) no more than \$75,000.00 shall be expended during Fiscal Year 2011, unless otherwise authorized by the City Council and Mayor; and,

(e) priority for expenditure of said payments, fees and/or rental income from the WCF at the EWTP shall, through Fiscal Year 2011, be utilized for the maintenance and improvement of Byrne Field; and,

(f) the Commissioner of Public Works shall prepare a year-end report identifying funds received, funds expended, description of expenditures and year-end balance; and,

(g) no provisions of this order shall be changed unless approved by the Mayor and City Council, **DENIED**; adopted.

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 re-authorize a revolving fund during fiscal year 2011 for parks and playground improvement purposes to be administered through the Department of Public Works. 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 located on Fairmount Hill; and

(b) expenditures from said fund shall be limited to the maintenance and improvement of neighborhood parks and playgrounds, and that priority for such expenditures shall, through fiscal year 2011, be utilized for the maintenance and improvement of Artemus Ward Park; and

- (c) the Commissioner of Public Works shall be the only officer authorized to approve expenditures from the fund; and
- (d) no more than \$100,000.00 shall be expended during fiscal year 2011, 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, **DENIED**; adopted.

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 re-authorize a revolving fund during fiscal year 2011 for Geographical Information System (GIS) purposes to be administered by the Department of Public Works. It is further ordered that:

- (a) departmental receipts credited to the fund shall be limited to payments and fees due the City from those who purchase data and related copy-written material that has been created by the City of Marlborough Geographical Information System, unless otherwise directed by the General Laws; and
- (b) expenditures from said fund shall be limited to the maintenance, improvement and related expenses for the maintenance and improvement of the City of Marlborough Geographical Information System; and
- (c) the Commissioner of Public Works shall be the only officer authorized to approve expenditures from the fund; and
- (d) no more than \$10,000.00 shall be expended during fiscal year 2011, 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, **DENIED AND RETURN THE BALANCE OF \$2,467.02 TO THE GENERAL FUND**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:35 p.m.; adopted.