



**CITY OF MARLBOROUGH**  
**OFFICE OF CITY CLERK**  
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FEBRUARY 11, 2008

Regular meeting of the City Council held on Monday FEBRUARY 11, 2008 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Levy, Ossing, Pope, Vigeant, Delano, Ferro, Schafer, Juairé, Clancy and Landers. Meeting adjourned at 8:42 p.m.

ORDERED: Minutes, City Council meeting, January 28, 2008, **FILE**; adopted.

ORDERED: That the request to increase the salary of Officer Brian Cox from the minimum contractual amount of \$41,009.37 to a step III figure of \$51,041.72, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the following budget transfer in the amount of \$6,657.60 which would move funds from Undesignated to Senior Clerk to provide for proposed Senior Clerk position to assist the Code Enforcement Officer to fund through the remainder of FY08, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 100-35900 \$6,657.60  
Undesignated Funds

TO:

Acct. # 12410002-50770 \$6,657.60  
Sr. Clerk

ORDERED: That a transfer request in the amount of \$58,490.03 from Undesignated Funds to various other accounts as noted below, in order to address costs associated with the City's taking of Corbin plaza, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 100-35900 \$58,490.03  
Undesignated Funds

TO:

Acct. # 11930006-57415 \$26,255.83  
Legal-Corbin Plaza

Acct# 11930006-57416 \$10,400.00

Building Insurance-Corbin Plaza  
Acct # 11930006-57417 \$2,834.20

Liability Insurance-Corbin Plaza  
Acct # 11920006-52445 \$10,000.00

Maintenance-Corbin Plaza  
Acct # 11920006-52121 \$9,000.00

Electricity-Corbin Plaza

ORDERED: That that the communication from the Mayor re: FY08 Capital Bond request totaling **\$12,076,463.62**, refer to the **FINANCE COMMITTEE**; adopted.

**Suspension of the Rules requested – granted**, to allow the Assistant City Solicitor to speak.

ORDERED: That the City Council of the City of Marlborough confirms the transfer of \$405,000.00 from the Robin Hill Stabilization account to the Robin Hill Water Line account, Order No. 07-1001657, of which \$9,000.00 shall be used to provide funds for the eminent domain taking of land needed for the purpose of constructing and maintaining improvements to Robin Hill Street and Robin Hill Street bridge and for other municipal purposes including the extension and maintenance of municipal utilities, **APPROVED**; adopted.

Yea 9 Nay 1

Yea: Delano, Ferro, Schafer, Juairé, Clancy, Landers, Ossing, Pope, Levy

Nay: Vigeant

Ward 5 seat is vacant.

ORDERED: That the City Council of the City of Marlborough confirms the eminent Domain Order of Taking approved by Order No. 07-1001743A, attached hereto, **APPROVED**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, MARCH 10, 2008** as date for a **PUBLIC HEARING** on the application for Special permit by Bell Atlantic Mobile of Massachusetts Corp, Ltd. for co-location of antennas and equipment at an existing wireless communication facility at 75 Donald J. Lunch Blvd., refer to **WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That the Minutes, Planning Board, January 14, 2008, **FILE**; adopted.

ORDERED: That the following **CLAIMS**, refer to the **LEGAL DEPARTMENT AND DPW COMMISSIONER TO PROVIDE A REPORT REGARDING THE LOCATION OF WHERE THE INCIDENTS OCCURRED**; adopted.

- A. Kevin Dauphinais, 45 Woodruff Rd., Clinton, MA, vehicle damage
- B. Angela Doherty, 127 Donahue Dr., property damage
- C. Ping Huang, 53 Lancaster Rd., Unit 9, Clinton, MA, vehicle damage
- D. Matthew Langlois, 14 McDermot Way, property damage
- E. John MacDonald, 20 Donahue Dr., property damage
- F. Thelma Balsler, 125 Framingham Rd., property damage
- G. Louis Turieo, Sr., 15 West St., vehicle damage
- H. Ann Marie Kett-O'Doherty, 99 St. Nicholas Ave., Worcester, MA, vehicle damage
- I. Nicole Fallon, 35 Evelina Dr., vehicle damage
- J. Nicholas Mbogo, 218 Providence St., Putnam, CT, vehicle damage

#### **REPORTS OF COMMITTEES:**

Councilor Clancy reported the following out of the Personnel Committee:

**Order No. 08-1001765** – Reappointment of Dr. Kevin Cozzi to the Board of Health for three years commencing on February 4, 2008 and terminating on February 7, 2011. **Recommendation of the Personnel Committee is to approve 3-0.**

**Order No. 08-1001764** – Reappointment of Daniel C. Brogie to the Board of Assessors for a term of three years expiring on February 1, 2011. **Recommendation of the Personnel Committee is to approve 3-0.**

**Order No. 08-1001760** – Reappointment of Mark Gibbs as Information Systems Director for a term of three years expiring January 1, 2011. **Recommendation of the Personnel Committee is to approve 3-0.**

**Order No. 08-1001762** – Reappointment of Stephen F Reid as Building Inspector for a term of three years expiring February 1, 2011. **Recommendation of the Personnel Committee is to approve 3-0.**

**Order No. 08-1001759** – Reappointment of Jean Peters to the Library of Trustees for a term of three years expiring February 1, 2011. **Recommendation of the Personnel Committee is to approve 3-0.**

Councilor Juaire reported the following out of the Public Services Committee:

**Order No. 08-1001782** - Communication from the Commissioner of Public Works, Ronald LaFreniere, requesting that the Department of Public Works be authorized to remove snow and ice from the following private ways in accordance with the provisions of Chapter 225 of the Acts of 1943:

DuFresne Drive  
Goodwin St.  
Joseph North Rd.  
Blake Cir.

**Recommendation of the Public Services Committee is to approve 3-0.**

**Order No. 08-1001789** – Application from Benjamin Smith of Tunison Smith Co. regarding sewer connection permit for Mauro Farm. **Recommendation of the Public Services Committee is to approve with the conditions as recommended by Assistant Commissioner Doran Crouse:**

- 1. The Sewer Connection Permit is limited to 11,880 gpd;**
- 2. The Sewer Connection Permit shall lapse if the connection is not made within 18 months after the date of final approval;**
- 3. If the total volume is not needed, the surplus shall be returned to the City of Marlborough.**

Councilor Ossing reported the following out of the Finance Committee:

**Order No. 08-1001768** – Transfer \$4,285.00 from Undesignated Funds to Elections Printing. The Finance Committee reviewed the Mayor's letter dated January 24, 2008 requesting a transfer of \$4,285.00 from Undesignated Funds to the Elections Printing account to cover the cost associated with programming the voting machines for the Presidential Primary election. The City Clerk informed the Finance Committee that an additional transfer will be required to cover the two Ward 5 elections. **Recommendation of the Finance Committee is to approve 5-0.**

**Order No. 08-1001777** – Transfer \$6,000.00 from Undesignated Funds to Reverse 911 Support. The Finance Committee reviewed the Mayor’s letter dated January 9, 2008 requesting a transfer of \$6,000.00 from Undesignated Funds to Reverse 911 account to accommodate an expansion of 12 additional service ports (3,500.00) and payment for the balance of the MassCall requirements from August (\$2,500.00) **Recommendation of the Finance Committee is to approve 5-0.**

**Order No. 08-1001767** – Transfer \$130,649.98 from Reserve for Salaries to fund the FY08 Municipal Employee Association Contract. The Finance Committee reviewed the Mayor’s letter dated January 24, 2008 to fund the FY08 Marlborough Municipal Employee Association contract in the amount of \$130,649.98. This money will be transferred from Reserve for Salaries to various salary account line items. **Recommendation of the Finance Committee is to approve 5-0.**

**Suspension of the Rules requested – granted**

ORDERED: That Deborah A. Puleo’s reappointment as City Collector effective February 1, 2008, **APPROVED**; adopted.

**Suspension of the Rules requested – granted**

ORDERED: That City Council Order No. 06100-1337A, as adopted on November 6, 2006, and as amended on March 12, 2007, is hereby further amended by authorizing the Mayor, after having conferred collectively with two City Councilors appointed by the Council President, the Chief Procurement Officer and the Public Facilities Director, to have the exclusive authority to execute a binding agreement, for a period not to exceed a 5-year maximum term inclusive of any renewals or extensions of said agreement, with the selected supplier once pricing bids have been received and reviewed, as well as the exclusive authority to amend such agreement with regard to non-substantive issues and to report same to the Council, **APPROVED; adopted.**

(Councilor Ossing and Councilor Schafer abstained)

ORDERED: That an oversight was made in the closing of the FY2007 books regarding funds in the amount of \$1,451,150.50 were not encumbered for the June 30<sup>th</sup> retirement fund payment and these funds were closed out at year end and became part of the free cash calculation, be and is herewith **REFER BACK TO MAYOR, COMPTROLLER AND AUDITOR AND TO BE PLACED ON THE FEBRUARY 11, 2008 AGENDA.**

**SINCE THE COMPTROLLER WAS NOT PRESENT AT THE FEBRUARY 11, 2008 MEETING, THIS ITEM IS TO BE PLACED ON THE FEBRUARY 25, 2008 AGENDA;** adopted.

ORDERED: That a part-time Senior clerk be dedicated to the Code Enforcement Office, **FILE**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:46 p.m.