



**CITY OF MARLBOROUGH**  
**OFFICE OF CITY CLERK**  
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FEBRUARY 25, 2008

Regular meeting of the City Council held on Monday FEBRUARY 25, 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 9:15 p.m.

ORDERED: Minutes, City Council meeting, February 11, 2008, **FILE**; adopted as amended.

ORDERED: That the reappointments of John Peltier and Kevin Boyle as Fence Viewers for a period of one year concluding the Monday, February 2, 2009, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the following budget transfer in the amount of \$27,851.00 from various Police Payroll accounts to Court OT, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 12100003-51920	\$6,522.00
Sick Leave Buy Back	
Acct. # 12100003-51410	\$15,000.00
First Responder	
Acct. # 12100003-50435	\$5,000.00
Police Specialists	
Acct. # 12100003-51370	\$1,059.00
Celebrations OT	

TO:

Acct. # 12100003-51320	\$27,851.00
Court OT	

ORDERED: That the Marlborough Fire Department has an opportunity to replace the 24-year old vehicle currently serving as a fire investigation and rehabilitation unit with a model year 2000 ambulance offered as donation by Patriot Ambulance, **APPROVED**; adopted.

(Councilor Juairé abstained)

ORDERED: That the communication from Margaret Shea, Director of the Marlborough Retirement Board, regarding consideration to grant an increased cost-of-living adjustment, **FILE**; adopted.

ORDERED: That the communication from Ron LaFreniere, regarding proposed Council order to create a Municipal Charges Lien ordinance that would allow the Department of Public Works to establish a lien for the cost of work the department may perform on private property under specific circumstances, **FILE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, MARCH 24, 2008** as date for a **PUBLIC HEARING** on the application for Special Permit from Ming Wang for conversion of former State Armory Building into twelve residential condominiums in a Business B/Residence C zoned lot at 358-364 Lincoln St., refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted..

ORDERED: That there being no objection thereto set **APRIL 7, 2008** as date for a **PUBLIC HEARING** on the application for Special Permit by Arthur Bergeron, on behalf of Boston Post 355, LLC for permission to construct and operate a car wash at 355 Boston Post Rd. West, refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

(Councilor Juaire read a disclosure statement)

ORDERED: That the Minutes, Planning Board, January 28, 2008, **FILE**; adopted.

ORDERED: That the Minutes, Conservation Commission, January 3, 2008, **FILE**; adopted.

ORDERED: That the TransReport, February, 2008, **FILE**; adopted.

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

- A. Andrew Day, 99 Jimney Dr., Westford, MA, vehicle damage
- B. Navnit Desas, 119 Bracken Dr., property damage
- C. Barbara Sher, 182 Vega Rd., vehicle damage
- D. Susan Bent, 64 Simpson Rd., vehicle damage
- E. Clawdio Oliveira, 135 Mechanic St., #2., property damage
- F. Kim Morgan, 655 Boston Post Rd. #1311., Sudbury, MA, vehicle damage
- G. Maureen Hopkins, 13 Birch Dr., Sterling, MA, vehicle damage
- H. Vinnie Rizzelli, 14 Clinton St., vehicle damage
- I. Tucker MacGregor, 4 Barrows Ct., Norton, MA, vehicle damage
- J. Earl Geary, 46 Sidney St., property damage
- K. Regina M. Davis, 24 Garabed Blvd., vehicle damage
- L. Ann Cross, 26 James Ave., property damage

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, refer to **FINANCE COMMITTEE**; adopted.

**MOTION:**

**Councilor Ossing requested the Mayor provide a report to the Finance Committee which outlines changes that need to be made, what lessons were learned, and how to amend the processes. Councilor Ossing stated that the Finance Committee would work closely with the Finance team to eliminate errors of this magnitude from occurring again. He also stated that this would be kept this as an open item in the Finance Committee so that the Committee can monitor the closing of the next fiscal year end books.**

**Councilor Schafer amended the motion to request that the Mayor's report divulge whether or not the Department of Revenue has recertified the Free Cash and if the DOR has made any comments or suggestions to remedy future practices.**

ORDERED: That the reappointment of Dr. Kevin Cozzi to the Board of Health for three years commencing on February 4, 2008 and terminating on February 7, 2011, **APPROVED**; adopted..

ORDERED: That the reappointment of Daniel C. Brogie to the Board of Assessors for a term of three years expiring on February 1, 2011, **APPROVED**; adopted.

ORDERED: That the reappointment of Mark Gibbs as Information Systems Director for a term of three years expiring January 1, 2011, **APPROVED** adopted.

ORDERED: That the reappointment of Stephen F. Reid as Building Inspector for a term of three years expiring February 1, 2011, **APPROVED**; adopted.

ORDERED: That the reappointment of Jean Peters to the Library of Trustees for a term of three years expiring February 1, 2011, **APPROVED**; adopted.

ORDERED: That the 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, **APPROVED**; adopted.

DuFresne Drive

Goodwin St.

Joseph North Rd.

Blake Cir.

ORDERED: That the Application from Benjamin Smith of Tunison Smith Co. regarding sewer connection permit for Mauro Farm, **APPROVED** with the following conditions:

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;** adopted.

ORDERED: That the following budget transfer in the amount of \$4,285.00 which would move funds from Undesignated Funds to Printing to cover the cost of programming voting machines for the upcoming Presidential Primary and Ward 5 elections, **APPROVED**; adopted.

FROM:

Acct. # 100-35900

\$4,285.00

Undesignated Fund

TO:

Acct. # 11620004-53930

\$4,285.00

Printing

ORDERED: That the following budget transfer in the amount of \$6,000.00 which would move funds from Undesignated Funds to R911 support to accommodate an expansion of 12 additional voice ports (\$3,500.00) and payment for the balance of the MassCall requirements from August (\$2,500.00), **APPROVED**; adopted.

FROM:

Acct. # 100-35900 \$6,000.00  
 Undesignated Fund

TO:

Acct. # 11210002-53182 \$6,000.00  
 R911 Support

ORDERED: That the following transfer of \$130,649.98 from Reserve for Salaries to Various Accounts, **APPROVED**; adopted.

REQUEST TO FUND MARLBORO MUNICIPAL EMPLOYEE ASSOC CONTRACT

FROM : ACCOUNT 11990006-57820 RESERVE FOR SALARIES

**\$130,649.98**

TO: THE FOLLOWING ACCOUNTS

**COMPTROLLER**

11330002 -50062 FIN ASST \$5,928.14  
 0.00  
 11330003 -51430 LONGEV 0.00  
 -51920 SICK BB 209.97

**INSPECTION**

12410001 -50260 AST BLD IN \$5,788.43  
 -50370 PLUMB INS 3,227.78  
 -50380 ELEC INSP 2,196.00  
 12410002 -50770 SR CLK 6,123.50  
 12410003 -51430 LONGEV 0.00  
 -51920 SICK BB 200.60

**AUDITOR**

11350002 -50550 HEAD CLK \$ 2,703.10  
 -50770 SR CLK 1,054.28  
 11350003 -51430 LONGEV. 185.14  
 -51920 SICK BB 103.95

**DPW ADMIN**

14001002 -50550 HEAD CL \$2,702.71  
 -50770 SR. CLK 1,035.42  
 -50520 PRIN CLK 2,447.66  
 14001003 -51430 LONGEV 250.00  
 -51920 SICK BB 0.00  
 61090002 -50520 PRIN CLK 3,381.68  
 -51430 LONGEV 1,085.00  
 -51920 SICK BB 1,547.82

**ASSESSORS**

11410002 -50520 PRIN CLK \$2,401.70  
 11410001 -50170 SR ASSR 3,469.34  
 11410002 -50550 HEAD CL 2,702.71  
 11410003 -51430 LONGEV 222.60  
 -51920 SICK BB 195.93

**RECREATION**

14920001 -50166 PRG MR \$6,277.97  
 14920002 -50770 SR. CLK 2,058.87  
 14920003 -51430 LONGEV 0.00  
 -51920 SICK BB 189.03

**COLLECTOR**

11440002 -50770 SR CLK \$4,117.74  
 11440003 -51430 LONGEV 38.00  
 -51920 SICK BB 40.20

**HEALTH & LICENSE**

15120001 -50611 ASST SAN \$1,566.38  
 15120002 -50770 SR. CLK 2,058.95  
 15120003 -51430 LONGEV 0.00  
 -51920 SICK BB 0.00

**INFO SYSTEMS**

11550001 -50210 SYS ANYL \$3,078.09  
 -50213 NET ENG 4,043.53

**CITY CLERK**

11610002 -50770 SR. CLK \$2,058.87  
 11610003 -51430 LONGEV 0  
 -51920 SICK BB 0

**COUNCIL ON AGING**

15410001 -50312 OUTREACH \$2,199.91  
 15410002 -50520 PRIN CLK 2,401.70  
 15410003 -51430 LONGEV 0.00  
 -51920 SICK BB 91.70

**ELECTION/REG**

11620002 -50550 HEAD CL \$2,702.88  
 -50770 SR. CLK 0.00  
 11620003 -51430 LONGEV 0.00  
 -51920 SICK BB 1,803.22

**LIBRARY**

16100001 -50470 CHILD LIB 0.00  
 YNG  
 -50471 ADULT 913.09  
 -50480 CATALOG 2,402.05  
 -50656 HD CIRCL 1,565.90  
 16100002 -50520 PRIN CLK 2,308.49  
 16100003 -50490 LIB STAFF 4,118.13  
 51261 PT CLKS 0.00  
 51262 PAGES 0.00  
 51263 SUN STAFF 5,057.07  
 -51430 LONGEV 236.63  
 -51920 SICK BB 148.39

**PROPERTY & BUILD**

11920001 -50292 CRAFTMN \$10,089.43  
 -50385 ELECTRIC 5,506.57  
 11920002 -50520 PRIN CLK 1,255.09  
 11920003 -50560 CUSTOD 0.00  
 11920003 -51430 LONGEV 0.00  
 -51920 SICK BB 0.00

**FIRE**

12200002 -51214 PUB AST \$2,864.13  
 12200003 -51430 LONGV 50.00

**POLICE**

12100002 -50520 PRIN CLK \$3,458.91  
 12100003 -50540 CHF DISP 2,622.22  
 -51213 PBL DISP 0.00  
 -51214 PUB ASST 2,863.38  
 -51430 LONGV 1,000.00  
 -51920 SICK BB 300.00

COLUMN SUB TOT = \$ 66,494.99

COLUMN SUB TOT = \$64,154.99

**TOTAL TRANSFER REQUEST = \$130,649.98**

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:15 p.m.