



CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
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MARCH 10, 2008

Regular meeting of the City Council held on Monday MARCH 10, 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 8:50 p.m.

ORDERED: Minutes, City Council meeting, February 25, 2008, **FILE**; adopted.

ORDERED: Now being the time set for the PUBLIC HEARING on the application of Bell Atlantic Mobile of Massachusetts, d/b/a Verizon Wireless for co-location of antennas and equipment at an existing wireless communication facility located at 75 Donald Lynch Blvd., all were heard who wish to be heard, hearing adjourned at 8:07 p.m., **IN WIRELESS COMMUNICATION COMMITTEE**; adopted.

ORDERED: That the recommendation to appoint David McCabe to the Community Development Authority, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the following budget transfer in the amount of \$500.00 from Councilor's Salary to Office Supplier/Expenses account, **APPROVED**; adopted.

FROM:

Acct. # 11110003-50070	\$500.00
Councilor's Salary	

TO:

Acct. # 11110005-54220	\$500.00
Office Supply	

ORDERED: That the following budget transfer in the amount of \$485,171.77 from Reserve for Salaries and Fringe Benefits accounts to fund year two employee contract obligations for the Police, Fire, Department of Public Works, Library, Auditor, City Clerk, Board of Health and Public Facilities, refer to **FINANCE COMMITTEE**; adopted.

TRANSFER REQUEST

FROM ACCOUNT

TO ACCOUNT

AVAILABLE BALANCE	AMOUNT	ORG CODE	OBJECT	ACCOUNT DISCRIP	AMOUNT	ORG CODE	OBJECT	ACCOUNT DISCRIP	AMOUNT AVAIL
\$ 590,320.57	\$ 376,355.02	11990006	57820	Reserve Salaries	Police				
\$ 211,007.75	\$ 108,816.75	11990006	51500	Fringes	\$ 33,677.00	12100003	50420	Police Officers	\$ 618,404.48
					\$ 15,735.00	12100003	50500	Captains	\$ 32,985.83
	\$ 485,171.77				\$ 99,680.00	12100002	50820	Sergeants Pub. Safety	\$ 64,991.50
					\$ 20,813.00	12100003	51213	Dispa.	\$ 66,937.27
					\$ 8,677.00	12100003	51430	LONG	\$ 28,548.49
					\$ 497.00		50520	Princ Clk	\$ 17,698.45
					\$ 179,079.00				
					Fire				
					\$ 3,191.00	12200001	50130	Chief	\$ 25,258.02
					\$ 16,355.00		50335	Deputy Chief	\$ 72,922.48
					\$ 147,159.00		50450	Firefighter	\$ 769,641.98
					\$ 14,543.23		50800	Captain	\$ 64,458.37
					\$ 16,468.00		50810	Lieutenant First	\$ 127,038.69
					\$ 1,713.00	12200003	51226	Responder	\$ 7,198.42
					\$ 1,611.00		51450	Night Shift	\$ 10,565.56
					\$ 26,881.00		51490	Holiday	\$ 40,902.55
					\$ 28,953.08		51920	Sick Leave	\$ (28,953.08)
					\$ 256,874.31				
					DPW				
					\$ 4,100.00	14001003	51430	Longevity	\$ (3,940.06)
					\$ 800.00	60080003	51430	Longevity	\$ (799.65)
					\$ 750.00	14001103	51920	Sick Leave	\$ 2,134.12
					\$ 5,286.00	14001303	51430	Longevity	\$ (5,286.00)
					\$ 21,926.00	14001303	51920	Sick Leave	\$ (21,926.00)
					\$ 903.00	14001403	51430	Longevity	\$ (902.62)
					\$ 4,599.00	14001503	51430	Longevity	\$ (4,599.00)
					\$ 38,364.00				
					Library				
					\$ 887.00	16100001	50471	Yg Adlt Lib	\$ 11,495.41
					\$ 851.00		50656	Head Circl	\$ 13,081.58
					\$ 340.00	16100003	51920	Sick Leave	\$ (339.14)
					\$ 2,078.00				
					Auditor				
					\$ 380.41	11350001	50020	Auditor	\$ 19,819.27
					\$ 380.41				
					City Clerk				
					\$ 1,309.86	11610001	50050	City Clerk	\$ 18,209.32
					\$ 1,309.86				
					Board of Health				
					\$ 897.55	15120001	50611	Asst Sanitarian	\$ 12,621.33
					\$ 17.64	15120003	51430	Sick Leave	\$ (17.64)
					\$ 915.19				

Build Maintenance

\$ 6,649.00	11920001	50292	Craftsman	\$ 45,925.93
\$ 530.00		50385	Electrician	\$ 14,541.04
\$ 1,070.00	11920002	50520	Principal Clk	\$ 5,367.51
\$ 8,249.00				

Reason: To fund second year contractual obligations \$ 485,171.77
 (Councilor Juaire abstained)

ORDERED: That the City’s Emergency Management Department has received an additional grant in the amount of \$333.19 to offset expenses incurred relative to the May 2006 flood from the Massachusetts Emergency Management Agency, which when added to monies received previously, will total \$2,745.43, **APPROVED**; adopted.

ORDERED: That the Council on Aging received a Service Incentive Grant (FY08) from the Executive Office of Elder Affairs in the amount of \$4,528.00 which is expressly identified for use in the purchase of a software database management system that is planned for use in completing required state/municipal reports and grant applications, **APPROVED**; adopted.

ORDERED: That the City’s public library has been selected to receive a cash distribution in connection with the 2002 settlement of an antitrust case brought by the Commonwealth and other states against certain music retailers and companies for the express purpose of furthering music related programs or projects, with an estimated legal award value at no less than \$300.00, **APPROVED**; adopted.
 (Councilor Schafer abstained)

Suspension of the Rules requested – granted, to allow the Mayor and her Executive Aide, Karen Kisty to speak. Mayor stated that her office is working toward making the transition from WRTA to MetroWest as smooth as possible so as not to interrupt service for riders.

ORDERED: That pursuant to Mass. General Laws C. 161B, §3, the City of Marlborough join as a member of the MetroWest Regional Transit Authority, effective July 1, 2008, **APPROVE**; adopted.

ORDERED: That the communication from the Mayor regarding the March 14, 2008 meeting in which the Mayor, Assabet Valley Regional Technical High School personnel and representatives from the towns of Hudson, Southborough and Maynard met to address issues brought forth in the Inspector General’s report of February 2008, in which the primary focus was pertinent to accounting practices and surplus funds, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That a consideration and acceptance of a Grant of Easement to the City of Marlborough from George T. Voyiatizis, Trustee of the Bolton Granger Realty Trust, to provide more efficient access and egress to and from South Bolton St. and Weed St. Extension, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Grant of Easement, Termination of Sewer Easement and Operation and Maintenance agreement from Kimco Realty Corp., on behalf of Shops at the Pond LLC, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That the request from Old Marlborough Inc. to make a presentation on a “Public Art Program” for the Downtown/Central Business Area, refer to **URBAN AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Minutes, Local Emergency Planning Committee, September 19, October 17, December 19, 2007 and February 20, 2008, **FILE**; adopted.

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

- A. Denise Murphy, 19 Tassi Dr., vehicle damage
- B. Rebecca Meskunas, 46 Park Ave., Stoneham, vehicle damage
- C. Howard Chaput, 224 Chestnut St., Gardner, vehicle damage
- D. Norman Cole, 457 Pleasant St., property damage
- E. Jeffrey Cosette, 411 Avalon Dr., Acton, vehicle damage
- F. Scott Smith, 56 Sunshine Dr., property damage
- G. Amy Markarian, 39 Tower St. Worcester, vehicle damage
- H. Sem Aykanian, 74 Main St., property damage
- I. Kevin Smith, 128 Old Charter Rd., vehicle damage
- J. Kate Peregrim, 37 Gibbs Pl., vehicle damage
- K. Lori Bradway, 10 Ames Place, Apt 2, vehicle damage
- L. Joseph Desimone, 33 Cheyene Rd., Worcester, MA, vehicle damage
- M. Dennis McCumber, 540 Williams St., property damage
- N. Thomas Ruggins, 122 Taylor Rd., vehicle damage
- O. Owen Boyd, 52 Willow Gate Rise, Holliston, MA, vehicle damage

Reports of Committees:

Councilor Ossing reported the following out of the Finance Committee:

Order No. 08-1001792 – Adjust Police Officer Brian Cox Salary to Step 3 – The Finance Committee reviewed the Mayor’s letter dated February 6, 2008 requesting to increase the salary of Officer Brian Cox from a minimum contractual amount of \$41,009.37 to a Step 3 amount of \$51,041.72. The Mayor and Police Chief spoke in favor of the salary adjustment. Information from the Personnel Director indicated that the Step 3 salary in Marlboro was less than the amount Officer Cox was receiving from the City of Woburn. A statement from Councilor Pope was read into the record in opposition to the proposed salary increase for Officer Cox. **Recommendation of the Finance Committee is to approve 5-0.**

Order No. 08-1001801 – Transfer \$27,851.00 from Various Police Payroll Accounts to Court Overtime - The Finance Committee reviewed the Mayor’s letter dated February 20, 2008 requesting a transfer \$27,851.00 from various Police payroll accounts to Court Overtime. **Recommendation of the Finance Committee is to approve 5-0.**

Order No. 08-1001793 – Transfer \$58,490.03 from Undesignated Funds to Various Accounts to Address Cost Associated with the Corbin Plaza - The Finance Committee reviewed the Mayor’s letter dated February 6, 2008 to fund legal, insurance, maintenance and utilities for the Corbin Plaza building. The Mayor informed the Finance Committee that the liability and building insurance funds cover the period from January 1, 2008 to January 1, 2009. Funding will be required for maintenance and utilities in the FY09 budget if the building is not sold. **Recommendation of the Finance Committee is to approve 5-0.**

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

Order No. 08-1001800 – Reappointment of John Peltier and Kevin Boyle as Fence Viewers for a period of one year, concluding Monday, February 2, 2009.
Recommendation of the Personnel Committee is to approve 3-0.

Suspension of the Rules requested – granted

That the 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,
APPROVED; adopted.

FROM:

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

TO:

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

ORDERED: That the CDA meet with the Urban Affairs and Affordable Housing Committee to discuss the status of the City' affordable housing stock and current future plans to maintain and expand those numbers, refer to **URBAN AFFAIRS AND AFFORDABLE HOUSING COMMITTEE**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:50 p.m.