



CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK  
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APRIL 7, 2008

Regular meeting of the City Council held on Monday APRIL 7, 2008 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Levy, Ossing, Pope, Vigeant, Delano, Ferro, Schafer, Juaire, Clancy and Landers. Meeting adjourned at 9:00 p.m.

ORDERED: Minutes, City Council meeting, March 24, 2008, **FILE** as amended; adopted.

ORDERED: Now being the time set for the PUBLIC HEARING on the application of Boston Post 355 LLC requesting construction and operation of a car wash at 355 Boston Post Rd. West, all were heard who wish to be heard, hearing adjourned at 8:35 p.m., **IN URBAN AFFAIRS COMMITTEE**; adopted.

ORDERED: That the following final transfer request in the amount of \$826,950.00 relative to repayment of the loan previously made to the Healthcare Trust, **APPROVED**; adopted.

FROM:

Acct. # 870-59610 \$826,950.00  
Health Insurance Trust

TO:

Acct. # 836000-11515 \$826,950.00  
Stabilization

ORDERED: That the following budget transfer request in the amount of \$56,250.00 which would move funds from Undesignated Funds to Stabilization-Route 20 Pedestrian, Stabilization-Route 20 Beautification and Police Cruiser accounts, due to monies received as part of Special Permit 04-100565D/Condition 13-B and Special Permit 06-1001025B/condition 19-A & B, **APPROVED**; adopted.

FROM:

Acct. # 100-35900 \$56,250.00  
Undesignated Funds

TO:

Acct. # 83600-32719 \$25,000.00  
Stabilization-Route 20 Pedestrian

Acct. # 83600-32720 \$6,250.00  
Stabilization-Route 20 Beautification

Acct. # 19300006-58508 \$25,000.00  
Police Cruiser

ORDERED: That the following budget transfer requests in the amount of \$402,000.00 **AND/OR** \$50,000.00 which would move funds from Stabilization to Computer Hardware **AND/OR** DPW Projects, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 836000-11515	\$50,000.00
Stabilization	

**AND/OR**

FROM:

Acct. # 836000-11515	\$402,000.00
Stabilization	

TO:

Acct. # 19300006-58514	\$50,000.00
DPW Projects	

**AND/OR**

TO:

Acct. # 19300006-58618	\$402,000.00
Computer Hardware	

ORDERED: That the following budget transfer request in the amount of \$9,500.00 re: costs associated with inspections and supplies for "Leavitt" parcel which would move funds from Inspectional Stabilization to Professional Technical, Assistant Plumbing Inspector, and Office Supply accounts, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 836000-32717	\$9,500.00
Inspectional Stabilization	

TO:

Acct. # 1241004-53180	\$8,200.00
Professional & Technical	

Acct. # 1241001-50960	\$1,000.00
Assistant Plumbing Inspector	

Acct. # 1241004-55422	\$300.00
Office Supplies	

ORDERED: That the Marlborough Police Department was awarded a \$15,000.00 Traffic Enforcement and Equipment Grant for the purpose of Traffic Enforcement Patrols (\$10,000.00) and Lidar/Radar Equipment purchases (\$5,000.00) from the Commonwealth's Executive Office of Public Safety-Highway Safety Division, **APPROVED**; adopted.

ORDERED: That the appointment of Albert R. Desimone to the position of Plumbing Inspector whose term expires on February 11, 2011, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the appointment of Sem Aykanian to the Zoning Board of Appeals, refer to **BACK TO THE MAYOR**; adopted.

ORDERED: That the appointment of Attorney Gregory Mitrakas to the License Commission whose term expires on May 31, 2012, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the reappointments of Robert Lazaros and Karl Vigeant to positions on the Recreation Commission whose terms expire on May 6, 2013, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the reappointments of David Williams and John Skarin to the Conservation Commission whose terms expire on March 5, 2011, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the reappointment of Varoojian Aykanian as Voter Registrar whose term expires on April 1, 2011, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the reappointments of George Whapham and Diane Halper to the Arts Lottery Council whose terms expire on May 1, 2010 and appointments of Cheryl Desautels, Nena Bloomquist, Jackie DiBuono and Ruth Crowell to the Arts Lottery Council, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the alternate appointment of Richard Towle on the Council on Disabilities whose term is three years commencing upon confirmation, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, MAY 12, 2008** as the date for a **PUBLIC HEARING** on the application for Special Permit from MetroPCS Massachusetts, LLC for proposed installation of a Telecommunication Facility onto existing building located at 450 Boston Post Rd., refer to **WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, MAY 12, 2008** as the date for a **PUBLIC HEARING** on the application for Special Permit from MetroPCS Massachusetts, LLC for proposed installation of a Telecommunication Facility onto the existing Telecommunications Tower located at 75 Donald Lynch Blvd., refer to **WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That the Minutes, Board of Assessors, March 28, 2008, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, March 10, 2008, **FILE**; adopted.

ORDERED: That the TransReport, March/April, 2008, **FILE**; adopted.

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

- A. Bill Delguzzo, 92 Bracken Dr., vehicle damage
- B. Michael Jaworek, 36 Berlin Rd., property damage
- C. Gene Egizi, 46 Berlin Rd., property damage
- D. Lilien Realty, LLC, 342 Lincoln St., property damage

Reports of Committees:

Councilor Clancy reported the following out of the Personnel Committee:

**Order No. 08-1001830 - Appointment of Ray Hale and Janice Merk to the Board of Library Trustees whose terms expire on the First Monday in February 2011 - Mr. Hale and Ms. Merk will be replacing Linda Ossing and Kristin Macina whose terms expired on February 5, 2008. Recommendation of the Personnel Committee is to approve 3-0.**

Councilor Levy reported the following out of the Legislative and Legal Affairs Committee:

**Order No. 08-1001819 – Grant of Easement to City from George T. Voyiatzis. -** Communication from the Commissioner of Public Works re: Grant of Easement to the City of Marlborough from Gorge T. Voyiatzis, Trustee of the Bolton Granger Realty Trust, to provide more efficient access and egress to and from South Bolton St. and Weed St. Ext. **Recommendation of the Legislative and Legal Affairs Committee is to approve 3-0.**

**Order No. 08-1001831 – Temporary Easement to NSTAR for 215 Maple St. -** Communication from the Mayor requesting that the City of Marlborough grant a temporary utility easement to NSTAR for equipment and appurtenances for 215 Maple St. **Recommendation of the Legislative and Legal Affairs Committee is to approve 3-0.**

**Order No. 08-1001832 - Temporary Easement to Massachusetts Electric Co. across Assabet Rail Trail and beneath Crowley Dr. -** Communication from the Mayor requesting that the City of Marlborough grant a temporary utility easement to Massachusetts Electric Co. for equipment and appurtenances across Assabet Rail Trail and beneath Crowley Dr. **Recommendation of the Legislative and Legal Affairs Committee is to approve 3-0.**

**Order No. 08-100841 - Communication from State Lottery Commission re: Keno-to-go. -** The Committee received an update that this was a matter regarding the issuance of a lottery license. The Licensing Board was the appropriate body to address the communication. The City Solicitor provided a copy of the communication to the Licensing Board prior to their March 26th meeting. **Recommendation of the Legislative and Legal Affairs Committee is to accept and place on file 3-0.**

Councilor Ossing reported the following out of the Finance Committee:

**Order No. 08-1001827 - Police and Fire Department Transfers to Cover Overtime for \$146,120.90 –** The Finance Committee reviewed the Mayor's letter dated March 19, 2008 requesting a budget transfer in the amount of \$146,120.96 to fund a deficit in the overtime line items for both the police and fire departments as a result of injuries. **Recommendation of the Finance Committee is to approve 5-0.**

**Order No. 08-1001829 - Transfer \$180,000 from Undesignated Funds to DPW Fuels Account -** The Finance Committee reviewed the Mayor's letter dated March 19, 2008 requesting a transfer of \$180,000 from Undesignated Funds to DPW Fuels account to cover the increased cost of fuel. The Finance Committee reduced the requested amount by \$30,000 requesting that the departments implement fuel consumption reduction measures. **Recommendation of the Finance Committee is to reduce the requested transfer by \$30,000 and approve the transfer of \$150,000 by a vote of 4-1. Councilors Ossing, Ferro, Levy and Delano in favor and Councilor Landers opposed.**

**Order No. 08-1001794 - Mayor's 2008 Capital Bond Request** - The Finance Committee reviewed the Mayor's letter dated February 5, 2008 that contained 11 capital bonds totaling \$12,076,463.62. The Finance Committee met with the Mayor and Department Heads and discussed the following:

- Review the financial impact of the proposed bonds on future budgets
- Review the status of existing bonds that have been approved to ensure appropriated funds are being expended
- Review the proposed bonds before the council

The Mayor reported that there is \$1,648,687.97 remaining in existing bonds that is available for future bond requests. The Finance Committee agreed to meet again on Monday April 14, 2008 at 6 PM to continue discussion of the capital bonds. **Recommendation of the Finance Committee is to table 5 – 0.**

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, **APPROVED;** adopted.

FROM ACCOUNT				TRANSFER REQUEST					
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	<b>Police</b>				
								Police	
\$ 211,007.75	\$108,816.75	11990006	51500	Fringes	\$ 33,677.00	12100003	50420	Officers	\$ 618,404.48
					\$ 15,735.00	12100003	50500	Captains	\$ 32,985.83
	\$ 485,171.77				\$ 99,680.00	12100002	50820	Sergeants	\$ 64,991.50
								Pub. Safety	
					\$ 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				
					<b>Fire</b>				
					\$ 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	\$127,038.69
								First	
					\$ 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**

			Asst	
\$ 897.55	15120001	50611	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 recommendation to appoint David McCabe to the Community Development Authority, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:00 p.m.