



CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
Lisa M. Thomas
140 MAIN STREET
MARLBOROUGH, MASSACHUSETTS 01752
(508)460-3775 FAX (508)624-6504
MAY 12, 2008

Regular meeting of the City Council held on Monday MAY 12, 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 8:53 p.m.

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

Suspension of the Rules requested – granted, to allow the Mayor to speak.

ORDERED: That the Mayor presented a plaque to Councilor Clancy for his forty years of dedicated service as a member of the Conservation Commission, **FILE**; adopted.

ORDERED: Now being the time set for the 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., all were heard who wish to be heard, hearing adjourned at 8:19 p.m., **IN WIRELESS COMMUNICATIONS COMMITTEE**; adopted.

ORDERED: Now being the time set for the 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, **CONTINUED UNTIL JUNE 9, 2008, IN WIRELESS COMMUNICATIONS COMMITTEE**; adopted.

ORDERED: That the FY09 budget, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the following budget transfer requests in the amount of \$940,378.00 which would move funds from Stabilization to DPW Projects, Public Facilities, Police Vehicle, Police Equipment, Recreation Equipment and City Hall Equipment to fund appropriate capital outlay accounts, **TABLED UNTIL JUNE 9, 2008**; adopted.

FROM:

Acct. # 836000-11515 \$940,378.00
Stabilization

TO:

Acct. # 19300006-58514 \$505,000.00
DPW Projects

Acct. # 19300006-58467 \$230,000.00
Public Facilities

Acct. # 19300006-58508 \$89,000.00
 Police Vehicles
 Acct. # 19300006-58593 \$70,000.00
 Police Equipment
 Acct. # 19300006-58718 \$27,878.00
 Recreation Equipment
 Acct. # 19300006-58595 \$18,500.00
 City Hall Equipment

ORDERED: That the following interdepartmental salary transfer requests in the amount of **\$9,154.00** which moves funds from Council on Aging, Auditor and Inspectional Services to Plumbing Inspections, Electrical Inspector and In-State Travel for Inspectional Services and **90,243.55** which would move funds from Reserve for Salaries and Fringes to cover contractual salary increases for the Library, Public Facilities, Inspectional Services and Police Department, refer to **FINANCE COMMITTEE**; adopted.

BUDGET TRANSFERS --

DEPT: FISCAL YEAR:2008

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Org Code | Object | Account Description: | Amount | Org Code | Object | Account Description: |
|-------------------|---|--------|-----------------------------|-------------------|--|--------|-------------------------|
| \$6,650.00 | 11350004 | 53180 | Auditor/professional & tech | \$3,363.00 | 12410001 | 50370 | Inspect/plumbing inspec |
| Reason: | Finance assistant hired. Funds no longer needed | | | Reason: | Unexpected retirement of Henry Pacific | | |
| \$447.00 | 15410001 | 50392 | COA/part-time nurse | \$4,882.00 | 12410001 | 50380 | Inspece/elec inspector |
| Reason: | Position never filled | | | Reason: | Greater number of "per inspections" than anticipated | | |
| \$425.00 | 12410001 | 50970 | Inspece/asst wiring | \$909.00 | 12410006 | 57100 | Inspece/instate travel |
| Reason: | excess funds | | | Reason: | Travel costs at the updated per mile cost | | |
| \$554.00 | 12410003-51430 | | Inspece/longevity | | | | |
| Reason: | excess funds | | | | | | |
| \$1,078.00 | 12410003-51180 | | Inspece/zoning board | | | | |
| Reason: | less meetings held | | | | | | |
| total | | | | total | | | |
| \$9,154.00 | | | | \$9,154.00 | | | |

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: FISCAL YEAR: 2008

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Org Code | Object | Account Description: | Amount | Org Code | Object | Account Description: |
|--------------------|----------|--------|----------------------|--------------------|-----------------------|--------|---------------------------|
| \$84,581.00 | 11990006 | 57820 | Reserve for salaries | \$887.00 | 16100001 | 50471 | Young adult librarian |
| Reason: | | | | | Contractual agreement | | |
| \$5,662.55 | 11990006 | 51500 | Fringes | \$851.00 | 16100001 | 50656 | Head of circulation |
| Reason: | | | | | Contractual agreement | | |
| | | | | \$340.00 | 16100003 | 51920 | Library/sick leave buy |
| Reason: | | | | | Contractual agreement | | |
| | | | | \$71.00 | 11920001 | 51385 | Facilities/Electrician |
| Reason: | | | | | Contractual agreement | | |
| | | | | \$2,322.55 | 11920003 | 51920 | Facilities/sick leave buy |
| Reason: | | | | | Contractual agreement | | |
| | | | | \$3,000.00 | 12410003 | 51920 | Inspections/sick leave |
| Reason: | | | | | Contractual agreement | | |
| | | | | \$25,000.00 | 12100003 | 51490 | Police/holiday |
| Reason: | | | | | Contractual agreement | | |
| | | | | \$20,000.00 | 12100003 | 51310 | Police/regular o.t. |
| Reason: | | | | | Contractual agreement | | |
| | | | | \$35,000.00 | 12100003 | 51320 | Police/court o.t. |
| Reason: | | | | | Contractual agreement | | |
| | | | | \$2,772.00 | 12100003 | 51213 | Police/public safety disp |
| Reason: | | | | | Contractual agreement | | |
| total | | | | total | | | |
| \$90,243.55 | | | | \$90,243.55 | | | |

ORDERED: That the following budget transfer requests on behalf of DPW in the amount of \$214, 916.71 which would move funds from currently available salary-related items (the result of Worker's Comp injuries or vacancies within positions) to other salary and operating expense lines, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFER REQUEST

DEPT: Department of Public Works DATE: 5/7/2008 FY: 08

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------|----------|--------|----------------------|----------|--------|----------------------|
| \$11,230.00 | 61090001 | 50460 | Meter reader | 60081003 | 51310 | Overtime-Regular |

Reason: Available funds caused by W/C injury
\$11,230 needed to cover remaining holidays, weekends and emergencies. Additional money spent on necessary sludge dewatering and operational issues caused by snow storms and holiday time off.

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|------------|----------|--------|----------------------|----------|--------|----------------------|
| \$2,000.00 | 61090001 | 50740 | Equip. Operator | 61090003 | 51310 | Overtime-Regular |

Reason: Available funds caused by W/C injury
Anticipate needing \$45,000 to cover normal overtime needs, which are running exceptionally high. Numerous water main breaks and sewer main blockages have caused this situation.

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------|----------|--------|----------------------|----------|--------|----------------------|
| \$40,000.00 | 11990006 | 57820 | Reserve for salaries | 61090003 | 51310 | Overtime-Regular |

Reason: Remaining funds after all contractual agreements have been accounted for
Anticipate needing \$45,000 to cover normal overtime needs, which are running exceptionally high. Numerous water main breaks and sewer main blockages have caused this situation.

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|------------|----------|--------|----------------------|----------|--------|----------------------|
| \$3,000.00 | 61090001 | 50460 | Meter reader | 61090003 | 51310 | Overtime-Regular |

Reason: Available funds caused by W/C injury
Anticipate needing \$45,000 to cover normal overtime needs, which are running exceptionally high. Numerous water main breaks and sewer main blockages have caused this situation.

DEPT: Department of Public Works

DATE: 5/7/2008

F' 08

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------------|---|--------------|----------------------|--|--------------|------------------------------------|
| <u>\$2,500.00</u> | <u>61090001</u> | <u>50460</u> | <u>Meter reader</u> | <u>61090003</u> | <u>51380</u> | <u>Overtime Water/Sewer Police</u> |
| Reason: | <u>Available funds caused by W/C injury</u> | | | <u>Monies needed to cover police detail during water emergencies, which are running higher than normal</u> | | |

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------------|------------------------------------|--------------|----------------------|-----------------------------|--------------|----------------------|
| <u>\$4,220.00</u> | <u>14001103</u> | <u>51430</u> | <u>Longevity</u> | <u>61090003</u> | <u>51430</u> | <u>Longevity</u> |
| Reason: | <u>Sufficient funds in account</u> | | | <u>Contractual increase</u> | | |

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------------|---|--------------|----------------------|--|--------------|----------------------------|
| <u>\$1,054.00</u> | <u>61090001</u> | <u>50460</u> | <u>Meter Reader</u> | <u>61090003</u> | <u>51920</u> | <u>Sick Leave Buy Back</u> |
| Reason: | <u>Available funds caused by W/C injury</u> | | | <u>Contractual obligation has increased demand on this line item</u> | | |

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-----------------|---|--------------|----------------------|---|--------------|-----------------------|
| <u>\$200.00</u> | <u>61090001</u> | <u>50460</u> | <u>Meter Reader</u> | <u>61090003</u> | <u>51990</u> | <u>Meal Allowance</u> |
| Reason: | <u>Available funds caused by W/C injury</u> | | | <u>Extra meal obligation due to numerous emergencies.</u> | | |

DEPT: Department of Public Works

DATE: 5/7/2008

FY: 08

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|--------------------|----------------------------------|--------------|-----------------------------|--|--------------|----------------------|
| <u>\$10,600.00</u> | <u>11990006</u> | <u>57820</u> | <u>Reserve for salaries</u> | <u>61090001</u> | <u>50690</u> | <u>Foremen</u> |
| Reason: | <u>For contractual agreement</u> | | | <u>Contractual obligation has increased demand on this line item</u> | | |

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------------|----------------------------------|--------------|-----------------------------|--|--------------|----------------------------|
| <u>\$5,260.00</u> | <u>11990006</u> | <u>57820</u> | <u>Reserve for salaries</u> | <u>61090001</u> | <u>50780</u> | <u>Chief P.S. Operator</u> |
| Reason: | <u>For contractual agreement</u> | | | <u>Contractual obligation has increased demand on this line item</u> | | |

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------------|----------------------------------|--------------|-----------------------------|--|--------------|---------------------------|
| <u>\$2,733.00</u> | <u>11990006</u> | <u>57820</u> | <u>Reserve for salaries</u> | <u>60085001</u> | <u>50750</u> | <u>Equipment Operator</u> |
| Reason: | <u>For contractual agreement</u> | | | <u>Contractual obligation has increased demand on this line item</u> | | |

IN CITY COUNCIL

6

MAY 12, 2008

DEPT: Department of Public Works

DATE: 5/7/2008

FY: 08

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|----------|----------|--------|----------------------|----------|--------|-----------------------------|
| \$900.00 | 14001001 | 50630 | Assis. Comm.-Admin. | 14001003 | 51920 | Sick Leave Buyback - Admin. |

Reason: Position was vacant during a period Employee receives this benefit

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|------------|----------|--------|----------------------|----------|--------|-----------------------------|
| \$2,800.00 | 14001103 | 51920 | Sick Leave Buyback | 14001003 | 51920 | Sick Leave Buyback - Admin. |

Reason: Surplus funds in account Employee receives this benefit

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|---------|----------|--------|----------------------|----------|--------|----------------------|
| \$67.00 | 14001103 | 51430 | Longevity | 14001003 | 51430 | Longevity |

Surplus funds in account Needed to cover retirement

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|----------|----------|--------|----------------------|----------|--------|----------------------|
| \$711.00 | 11990006 | 57820 | Reserve for salaries | 14001002 | 50520 | Principle Clerk |

Contractual agreement Insufficient funds to meet demand

DEPT: Department of Public Works

DATE: 5/7/2008

F' 08

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|------------|----------|--------|-------------------------|----------|--------|--------------------------------|
| \$1,000.00 | 14001101 | 50660 | Assistant City Engineer | 14001103 | 51310 | Overtime-Regular - Engineering |

Reason: Position has been vacant for a period Multiple roadway and water replacement contracts are active during Spring 2008 - \$1,000 equates to 24 working hours

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|----------|----------|--------|-------------------------|----------|--------|---------------------------|
| \$160.00 | 14001101 | 50660 | Assistant City Engineer | 14001104 | 53150 | Advertising - Engineering |

Reason: Position has been vacant for a period Remaining Budget = \$57. Advertising is approximately \$70 per which will equate to three advertisements.

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|------------|----------|--------|-------------------------|----------|--------|----------------------------------|
| \$2,500.00 | 14001101 | 50660 | Assistant City Engineer | 14001106 | 52560 | Vehicle Repair & Maint. - Engin. |

Position has been vacant for a period Budget amount expended. One vehicle currently off the road.

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|------------|----------|--------|-------------------------|----------|--------|----------------------------------|
| \$2,000.00 | 14001101 | 50660 | Assistant City Engineer | 14001106 | 59570 | Chapter 90 Construction - Engin. |

Position has been vacant for a period Based on current burn rate and Spring 2008 contracts.

CITY OF MARLBOROUGH
BUDGET TRANSFER REQUEST

DEPT: Department of Public Works

DATE: 5/7/2008

FY 08

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------------|-----------------|--------------|--------------------------------------|-----------------|--------------|------------------------|
| <u>\$4,200.00</u> | <u>14001403</u> | <u>50745</u> | <u>Motor Equipment Repairman</u> | <u>14001403</u> | <u>50760</u> | <u>Working Foreman</u> |

Reason: Funds available due to injury Funds anticipated to complete FY 2008

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|--------------------|-----------------|--------------|--------------------------------------|-----------------|--------------|----------------------------|
| <u>\$10,100.00</u> | <u>14001403</u> | <u>50745</u> | <u>Motor Equipment Repairman</u> | <u>14001403</u> | <u>51240</u> | <u>Temporary Part-Time</u> |

Reason: Funds available due to injury Funds anticipated to complete FY 2008

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|--------------------|-----------------|--------------|--------------------------------|-----------------|--------------|----------------------------|
| <u>\$14,000.00</u> | <u>14001101</u> | <u>50660</u> | <u>Assistant City Engineer</u> | <u>14001406</u> | <u>54810</u> | <u>Rep./Maint Supplies</u> |

Reason: Position has been vacant for a period Funds anticipated to complete FY 2008

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------------|-----------------|--------------|-----------------------|-----------------|--------------|------------------------|
| <u>\$3,238.00</u> | <u>14001301</u> | <u>50690</u> | <u>Foremen Street</u> | <u>14001403</u> | <u>50760</u> | <u>Working Foreman</u> |

Surplus funds in account Contractual obligation has increased demand on this line item

CITY OF MARLBOROUGH
BUDGET TRANSFER REQUEST

DEPT: Department of Public Works

DATE: 5/7/2008

FY 08

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|--------------------|-----------------|--------------|-----------------------------|-----------------|--------------|----------------------------|
| <u>\$64,207.71</u> | <u>11990006</u> | <u>57820</u> | <u>Reserve for salaries</u> | <u>14001303</u> | <u>50740</u> | <u>Equipment Operators</u> |

Reason: Contractual agreement Contractual Increases

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------------|-----------------|--------------|----------------------|-----------------|--------------|--------------------------------------|
| <u>\$8,100.00</u> | <u>14001303</u> | <u>50790</u> | <u>Dispatcher</u> | <u>14001305</u> | <u>55310</u> | <u>Highway Construction Material</u> |

Reason: Funds available due to vacancy Funds anticipated to complete FY 2008

| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: |
|-------------------|-----------------|--------------|----------------------|-----------------|-------------|-----------------------|
| <u>\$3,000.00</u> | <u>14001303</u> | <u>50790</u> | <u>Dispatcher</u> | <u>14001305</u> | <u>5532</u> | <u>Sign Materials</u> |

Reason: Funds available due to vacancy Funds anticipated to complete FY 2008

CITY OF MARLBOROUGH
BUDGET TRANSFER REQUEST

| | | | | | | | |
|--------------------|---|--------------|--------------------------------|--|-----------------|---------------------------------|--------------|
| DEPT: | <u>Department of Public Works</u> | | | DATE: | <u>5/7/2008</u> | | FY <u>08</u> |
| | FROM ACCOUNT: | | | TO ACCOUNT: | | | |
| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: | |
| <u>\$11,000.00</u> | <u>14001101</u> | <u>50660</u> | <u>Assistant City Engineer</u> | <u>14001503</u> | <u>51310</u> | <u>Overtime-Regular</u> | |
| Reason: | <u>Position has been vacant for a period</u> | | | <u>Funds anticipated to complete FY 2008</u> | | | |
| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: | |
| <u>\$1,000.00</u> | <u>14001503</u> | <u>50740</u> | <u>Equipment Operators</u> | <u>14001503</u> | <u>51470</u> | <u>Interim Foreman</u> | |
| Reason: | <u>Funds available due to vacancies in division</u> | | | <u>Funds anticipated to complete FY 2008</u> | | | |
| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: | |
| <u>\$2,000.00</u> | <u>14001503</u> | <u>50740</u> | <u>Equipment Operators</u> | <u>14001504</u> | <u>53150</u> | <u>Advertising</u> | |
| Reason: | <u>Funds available due to vacancies in division</u> | | | <u>Funds anticipated to complete FY 2008</u> | | | |
| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: | |
| <u>\$120.00</u> | <u>14001503</u> | <u>50740</u> | <u>Equipment Operators</u> | <u>14001506</u> | <u>54240</u> | <u>License & Inspection</u> | |
| | <u>Funds available due to vacancies in division</u> | | | <u>Funds anticipated to complete FY 2008</u> | | | |
| Amount | Fund | Object | Account Description: | Fund | Object | Account Description: | |
| <u>\$1,016.00</u> | <u>14001103</u> | <u>51430</u> | <u>Longevity</u> | <u>14001503</u> | <u>51430</u> | <u>Longevity</u> | |
| Reason: | <u>Sufficient funds in account</u> | | | <u>Contractual increase</u> | | | |

ORDERED: That the following intra-departmental transfer requests in the amount of **\$112.93** for the City Clerk's Office which would move funds from Senior Clerk to Printing to cover additional charges relative to the programming of the two AutoMark voting machines for the Ward Five election, **4,000.00** for Public Facilities which would move funds from custodial to Gross Overtime to provide for overtime required to cover for employee out on Worker's Compensation, and **\$20,252.00** for Police which would move between various salary accounts for contract increases, retirements and training., refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: CLERK

FISCAL YEAR: 2008

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Org Code | Object | Account Description: | Amount | Org Code | Object | Account Description: |
|--------|----------|--------|----------------------|----------|----------|--------|----------------------|
| 112.93 | 11620002 | 50770 | SENIOR CLERK | \$112.93 | 11620004 | 53930 | PRINTING |

Reason: EXCESS FUNDS DUE TO A RETIREMENT AND A NEW HIRE STARTING AT A LOWER STEP ADDITIONAL FUNDS NEEDED FOR WARD FIVE PRELIMINARY ELECTION

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DEPT: PUBLIC FACILITIES

FISCAL YEAR: 2008

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Org Code | Object | Account Description: | Amount | Org Code | Object | Account Description: |
|------------|----------|--------|----------------------|------------|----------|--------|----------------------|
| \$4,000.00 | 11920003 | 50560 | Custodial | \$4,000.00 | 11920003 | 51300 | Gross Overtime |

Reason: Employee has been out on workers comp since July Additional funds required to cover overtime

CITY OF MARLBOROUGH
BUDGET TRANSFERS --

DATE: May 5, 2008

FY: 2008

FROM ACCOUNT:

TO ACCOUNT:

| Amount | Org Code | Object | Account Description: | Amount | Org Code | Object | Account Description: |
|------------|----------|--------|----------------------|------------|----------|--------|----------------------|
| \$7,352.00 | 12100001 | 50510 | Police Lieutenants | \$7,352.00 | 12100001 | 50420 | Police Officers |

Reason: Surplus in account New contract, increases not budgeted for, and retirement

| | | | | | | | |
|------------|----------|-------|---------------------|---------|----------|-------|-----------------|
| \$4,927.00 | 12100003 | 51395 | In-Service Training | \$4,927 | 12100001 | 50420 | Police Officers |
|------------|----------|-------|---------------------|---------|----------|-------|-----------------|

Reason: Funds needed elsewhere Same as above

| | | | | | | | |
|------------|----------|-------|--------------------------|---------|----------|-------|-----------------|
| \$5,100.00 | 12100003 | 51450 | Night Shift Differential | \$5,100 | 12100001 | 50420 | Police Officers |
|------------|----------|-------|--------------------------|---------|----------|-------|-----------------|

Reason: Unable to fill positions timely Same as above

| | | | | | | | |
|----------|----------|-------|--------------------|----------|----------|-------|-----------------|
| \$200.00 | 12100001 | 50435 | Police Specialists | \$200.00 | 12100001 | 50420 | Police Officers |
|----------|----------|-------|--------------------|----------|----------|-------|-----------------|

Reason: Unable to fill specialist position Same as above

| | | | | | | | |
|----------|----------|-------|--------------------|-------|----------|-------|-----------------|
| \$600.00 | 12100001 | 50435 | Police Specialists | \$600 | 12100001 | 50420 | Police Officers |
|----------|----------|-------|--------------------|-------|----------|-------|-----------------|

Reason: Unable to fill specialist position Same as above

| | | | | | | | |
|------------|----------|-------|---------------------|---------|----------|-------|---------------------|
| \$2,073.00 | 12100003 | 51395 | In-Service Training | \$2,073 | 12100003 | 51360 | Overtime - Training |
|------------|----------|-------|---------------------|---------|----------|-------|---------------------|

Reason: Funds needed elsewhere High FTO costs

ORDERED: That Council Order No. 07-1001543 **noted below**, which provides for an abbreviated budget authorization format as recommended by the Massachusetts Department of Revenue Financial Review and adopted for FY08 which is due to expire on June 30, 2008 per its "Sunset Clause" provision, be extended for one-year to provide for the continuation of Order No. 07-1001543 through FY09, **APPROVED**; adopted.

That the City Council **APPROVE** the Massachusetts Department of Revenue Financial Review Recommendation for adopting an abbreviated budget authorization format for all departments for the FY08 budget process.

Background: The Mass DOR report recommended that the city adopt the best financial practices by approving the FY08 budget as salary and expenditure line items for each department as opposed to the current practice of approving each line item. Department heads would be able to authorize transfers within their department for expenditure line items only. The Auditor will provide a summary of these transfers each month to the City Council. All salary transfers and transfers between departments would require City Council approval. This is for the FY08 budget only, with the provision of a "**Sunset Clause**" that the City Council will assess the results at the end of FY08 to determine if the practice will continue.

ORDERED: That the appointments of Soren Levenson and Heather Manning as permanent police officers which would be effective late September 2008 subject to confirmation, contingent upon success completion of training and evaluations, **FILE**; adopted.

ORDERED: That City Assessor, Tony Trodella has recently completed the necessary course of study to be named a Massachusetts assessor by the Association of Massachusetts Assessors and is entitled to receive additional compensation equal to 10% of his regular compensation via adoption of MGL chapter 59, Section 21A ½, refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

ORDERED: That **\$33,700,000** (thirty three million seven hundred thousand) dollars is appropriated for the purpose of financing the construction and upgrade to the Westerly Wastewater Treatment Plant including without limitation all cost thereof as defined in Section I of Chapter 29C of the General Laws, as most recently amended by ST. 1998, c.78; to meet this appropriation the Treasurer with the approval of the Mayor and the Auditor is authorized to borrow **\$33,700,000** dollars, and issue bonds or notes therefore under Chapter 44 Section 8 (15) and/or Chapter 29 of the General Laws, as most recently amended by ST. 1998, c.78; that such bonds or note shall be general obligations of the City unless the Treasurer with the approval of the Mayor and the Auditor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section I of Chapter 29C, as most recently amended by ST. 1998, e.78; that the Treasurer with the approval of the Mayor and the Auditor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, e.78; and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any action necessary to carry out the project, refer to **FINANCE COMMITTEE** and **ADVERTISE**; adopted.

ORDERED: That the Agreement to Extend Time Limitations on the application for Special Permit from Ming Wang for conversion of former State Armory building into 12 residential condominium units in a Business B/Residence C zoned lot at 358-364 Lincoln St , until 5:00 PM on July 21, 2008, **APPROVED**; adopted.

ORDERED: That the Agreement to Extend Time Limitations on the application for Special Permit from Bell Atlantic Mobil of Massachusetts Corp., Ltd. for co-location of antennas and equipment on an existing wireless communications facility at 75 Donald Lynch Blvd. until 5;00 Pm on June 30, 2008, **APPROVED**; adopted.

ORDERED: That the application for a Fuel Storage License, Ayoub Engineering on behalf of ExxonMobile corp., 260 West Main St., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the application of Marlboro Cozy Café for renewal of their Pool Table (2) licenses, refer to the **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Minutes, MetroWest Regional Transit Authority Board, March 17, 2008, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, April 7, 2008, **FILE**; adopted.

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

- A. Theresa Grieco, 17 Royal Crest Dr., Apt 4, vehicle damage
- B. Mark Leavitt, 74 Woodland Dr., vehicle damage
- C. Paul Ramsay, 48 Foley Rd., property damage

Suspension of the Rules requested – granted

ORDERED: *Marlborough City Council, Resolution*

Opposition to the elimination of the sales tax exemption on aircraft and airplane parts

Be it Resolved:

Whereas: Outside Section 17 of Governor Patrick's proposed FY09 Budget would eliminate an aircraft and aircraft parts sales tax exemption created in 2001; and,

Whereas: There are 38 public and private use airports in the Commonwealth that have benefitted from the exemption, resulting in the creation of high paying, skilled jobs to the Commonwealth which could be lost with the proposed aviation tax re-instatement; and,

Whereas: The Massachusetts Aeronautics Commission files annual reports with the Joint Committees on Ways and Means documenting the resulting positive impact of the exemption on revenue to the Commonwealth including revenue from income and property taxes paid by employees working at aviation-related businesses, property taxes paid by the businesses and fuel taxes paid by the pilots; and,

Whereas: The repeal of this exemption will have a devastating impact on small airports, more specifically the Marlboro Airport, a privately owned local airport that has operated in the City of Marlborough since 1922; and,

Whereas: Although it is estimated that the repeal of the tax exemption will create additional revenue at the outset, it is expected that pilots and airplane owners will move out of Massachusetts to neighboring states that continue to offer the sales tax exemption including Connecticut, New Hampshire, Rhode Island, Vermont, Maine, New York and Delaware; and,

Therefore, the Marlborough City Council goes on record in opposition to the proposed aviation tax re-instatement and respectfully forwards this Resolution in Opposition to the Honorable Governor Deval Patrick; State Senator Pamela Resor and requests that a copy be forwarded to the Senate House Conference Committee and the Aviation Caucus, **APPROVE**; adopted.

Councilor Clancy reported the following out of the Personnel Committee:

Order No. 08-1001853 - Reappointments of David Williams and John Skarin to the Conservation Commission whose terms expire on March 5, 2011. - The reappointments of David Williams and John Skarin would be for a period of three years. **Recommendation of the Personnel Committee is to approve 3-0.**

Order No. 08-1001852 – Reappointments of Robert Lazaros and Karl Vigeant to the Recreation Commission whose terms expire on March 5, 2011. – The reappointments of Robert Lazaros and Karl Vigeant would be for a period of five years. **Recommendation of the Personnel Committee is to approve the reappointment of Robert Lazaros 3-0 and to refer the reappointment of Karl Vigeant back to the Mayor as he will not be seeking reappointment.**

Order No. 08-1001854 – Reappointment of Varoojan Ayakanian as Voter Registrar whose term expires on April 1, 2011. – The reappointment would be for a period of three years. **Recommendation of the Personnel Committee is to approve 3-0.**

Order No. 08-1001856 – Appointment of Richard Towle as an alternate on the Commission on Disabilities for a period of three years. – The appointment would commence upon confirmation. **Recommendation of the Personnel Committee is to approve 3-0.**

Councilor Ossing reported the following out of the Finance Committee:

Order No. 08-1001794 - Mayor's 2008 Capital Bond Request - The Finance Committee continued the reviewed the Mayor's letter dated February 5, 2008 that contained 11 capital bonds totaling \$12,076,464 (\$13,286,000 total request). The Chairman read a letter from Councilor Schafer indicating he would not support any new drainage or street reconstruction projects until there is a full accounting of the status of all prior year projects. The Finance Committee's recommendations for each bond are as follows after the summary below:

- Approved bonds totaling \$8,506,958
- Denied \$1,050,000 bond request
- Approved the use of \$1,577,128 in existing unused bonds to offset the FY08 bond request
- Referred a \$75,000 bond back to the Mayor
- Approved Order 08-100-1846 that transferred \$452,000 from stabilization for computer hardware and vehicle GPS
- Request the Mayor to submit a transfer from stabilization in the amount of \$940,378

Recommendation of the Finance Committee is to approve advertising of Bonds 1, 2, 3, 5 and 6.

1. The sum of \$2,635,500.00 (two million six hundred thirty five thousand five hundred) dollars be appropriated for departmental equipment. **Recommendation of the Finance Committee is to approve \$2,302,848.00 (two million three hundred and two thousand eight hundred and forty eight) dollars 5-0.**

2. The sum of \$4,355,000.00 (four million three hundred fifty-five thousand) dollars be appropriated for street construction. **Recommendation of the Finance Committee is to approve \$3,923,613.00 (three million nine hundred twenty three thousand six hundred thirteen) dollars 5-0.**
3. The sum of \$327,000.00 (three hundred twenty seven thousand) dollars be appropriated for sidewalk construction. **Recommendation of the Finance Committee is to approve \$327,000.00 (three hundred twenty seven thousand) dollars 5-0.**
4. The sum of \$728,000.00 (seven hundred twenty eight thousand) dollars be appropriated for sewer construction. **Recommendation of the Finance Committee is to deny the bond 5-0.**
5. The sum of \$810,464.00 (eight hundred ten thousand four hundred sixty four) dollars be appropriated for fire department equipment. **Recommendation of the Finance Committee is to approve \$810,464.00 (eight hundred ten thousand four hundred sixty four) dollars 5-0.**
6. The sum of \$1,356,000.00 (one million three hundred fifty six thousand) dollars be appropriated for building renovations. **Recommendation of the Finance Committee is to approve \$1,143,033.00 (one million one hundred forty three thousand thirty three) dollars 5-0.**
7. The sum of \$200,000.00 (two hundred thousand) dollars be appropriated for energy improvements to buildings. **Recommendation of the Finance Committee is to deny the bond 5-0.**
8. The sum of \$95,000.00 (ninety five thousand) dollars be appropriated for developing cemetery roads and paths. **Recommendation of the Finance Committee is to deny the bond 5-0.**
9. The sum of \$75,000.00 (seventy five thousand) dollars be appropriated for engineering and architectural design. **Recommendation of the Finance Committee is to refer the bond back to the Mayor 5-0 as there was not enough information on the scope of the project.**
10. The sum of \$1,092,500.00 (one million ninety two thousand five hundred) dollars be appropriated for park reconstruction. **Recommendation of the Finance Committee is to deny the bond 5-0.**
11. The sum of \$402,000.00 (four hundred two thousand) dollars be appropriated for computer hardware. **Recommendation of the Finance Committee is to deny the bond 5-0.**

Order No. 08-1001846 - Transfer \$452,000 from Stabilization Account to Computer Hardware (\$402,000) and DPW Projects (\$50,000 for Vehicle GPS) - The Finance Committee reviewed the Mayor's letter dated April 2, 2008 requesting a transfer of \$452,000 from the Stabilization Account to fund the purchase of Computer Hardware (\$402,000) and Vehicle GPS (\$50,000) identified in the Mayor's bond request dated February 5, 2008. The Finance Committee approved the transfer of \$402,000 to purchase the computer hardware on April 14, 2008 (subsequently approved by the City Council on April 28, 2008). **Recommendation of the Finance Committee is to approve the transfer of \$50,000 from the Stabilization Account to fund the purchase of the Vehicle GPS system 5-0.**

Suspension of Rules requested – granted

ORDERED: That the appointment of Gregory Mitrakas to the License Commission whose term expires on May 31, 2012, **APPROVED** adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:53 pm.