

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2016 APR 21 P 4: 06

1. Minutes, City Council Meeting, April 4, 2016.
2. PUBLIC HEARING On the Petition from NGrid and Verizon New England, Inc. to install new intermediate pole P4-150 between existing P4-1 and P4-2 St. Martin Dr. A capacitor bank will be installed P4-150 to provide voltage support for customers located on St. Martin Dr, Order No. 16-1006500.
3. CONTINUED PUBLIC HEARING On the Application for Amended Special Permit, Q Café d/b/a Firefly's, 350 East Main St., to expand outdoor patio/deck area; add small bar; add serving cooking kitchen; add acoustic music; add televisions; add games; add fire pit; and add outdoor heating. The capacity is to remain the same, Order No. 16-1006482A, X02-9505, 99-7884B.
 - 3A. Certification from Councilor-at-Large Mark Oram, as required under Chapter 79 of the Acts of 2006, re: Special Permit, Q Café d/b/a Firefly's, 350 East Main St.
 - 3B. Certification from Councilor David Docuette, as required under Chapter 79 of the Acts of 2006, re: Special Permit, Q Café d/b/a Firefly's, 350 East Main St.
4. PUBLIC HEARING On the Application for LED Sign Permit, Discount Gas, 50 Main St, Order No. 16-1006517.
5. PUBLIC HEARING On the Application for Special Permit, Quad Rink Limited Partnership, New England Sports Management Corp., to amend existing special permits, to add Rinks 7 & 8 and Restaurants, 121 Donald Lynch Blvd., X11-1002790B, 10-1002448B, 04-100359B and 94-5460B, Order No. 16-1006516.
 - 5A. Letters of Support from: Massachusetts Interscholastic Athletic Association, Inc., Residence Inn, Holiday Inn, Best Western Royal Plaza, Hilton Garden Inn, Hampton Inn, Olive Garden Restaurant & Holiday Inn Express.
6. Certification from Councilor-at-Large Mark Oram as required under Chapter 79 of the Acts of 2006, Marlborough Savings Bank, re: LED Sign Permit, 71 Boston Post Rd. East, Order No. 16-1006483A.
7. Certification from Councilor David Docuette as required under Chapter 79 of the Acts of 2006, Marlborough Savings Bank, re: LED Sign Permit, 71 Boston Post Rd. East, Order No. 16-1006483A.
8. Communication from the Mayor re: Downtown Economic Development transfer requests in the amount \$650,000.00 each which moves funds from Undesignated to Capital Outlay-Downtown and Stabilization-Downtown for downtown economic development.
9. Communication from the Mayor re: transfer request in the amount of \$43,500.00 which moves funds from Undesignated to Stabilization-Open Space to shift revenues from Wireless Antenna receipts from FY15.
10. Communication from the Mayor re: Miscellaneous Salary Item transfer requests in the amount of \$20,714.00 which moves funds from City Collector to various salary line items as indicated on the attached spreadsheet to balance salary accounts for the remainder of this fiscal year.
11. Communication from the Mayor re: Recreation Department transfer request in the amount of \$10,480.00 which moves funds from Events Coordinator to Director and Sick Leave Buy Back accounts due to a retirement in the Recreation Department.
12. Communication from the Mayor re: Rescinding Various Bonds totaling more than \$13,000,000.00 as they are no longer available to be bonded for the associated projects and will further strengthen the City's position financially.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

13. Communication from the Mayor re: Legislative Earmark Grant in the amount of \$250,000.00 awarded to DPW in which the funds will be used for various park projects.-
14. Communication from the Mayor re: The City's Apportionment of FY17, Chapter 90 Funds in the amount of \$1,119,210.00 in which the funds will be used for road infrastructure projects.
15. Application for LED Sign, GE Healthcare, 200 Forest St. to mount a white LED illuminated channel letter wall sign on their building.
16. Application for Renewal of Junk Dealer's License, TVI, Inc. d/b/a Savers, 222A East Main St.
17. Application for Renewal of Junk Dealer's License, EcoATM, Inc., 601 Donald Lynch Blvd.
18. Minutes, Board of Assessor's, March 2 & 30, 2016.
19. Minutes, Library Board of Trustees, March 1, 2016.
20. Minutes, Planning Board, March 21, 2016.
21. Minutes, Zoning Board of Appeals, March 8 & April 5 & 7, 2016.
22. Minutes, Council on Aging, March 8, 2016.
23. Minutes, Marlborough Community Development Authority (MCDA), October 29, 2015 & February 4, 2016.
24. CLAIMS:
 - a. M. Ernest Glickman, 136 Taylor Rd., residential mailbox claim 2(a).
 - b. Mark Fung-A-Fat, 204 Raymond Rd., residential mailbox claim 2(a).
 - c. Maureen McCook, 44 Elm St., Shrewsbury, pothole or other road defect.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

25. **Order No. 16-1006496 – Transfer \$1,000,000.00 from Undesignated Account to Richer Elementary Feasibility Study.** The Finance Committee reviewed the Mayor's letter dated March 17, 2016 requesting the transfer of \$1,000,000.00 from the Undesignated account to fund the Richer School feasibility study. The Mayor also submitted an order to reflect the Council approval of the transfer to support the feasibility study. **The Finance Committee voted 4 – 0 (Councilor Oram was not present but wanted the record to reflect he was in favor of the order and transfer) to approve the order and the transfer.**

From Operations and Oversight Committee

26. **Order No. 15/16-1006380 - Communication from Mayor Vigeant, together with letter from MEDC Executive Director Cummings, regarding Walker Building Use Feasibility Study, with cost ranging from \$75,000.00 to \$100,000.00.** The Operations and Oversight Committee met with Tim Cummings, Executive Director of Marlborough Economic Development Corporation, and Mayor Arthur Vigeant for a discussion of funding a feasibility study for the future use of the Walker Building. Mr. Cummings explained about exploring the Walker Building's highest and best use for the benefit of the downtown. Councilors provided input with their ideas for the space and several Councilors wished to participate in a walkthrough of the building as it currently stands. The committee decided that no future use should be eliminated until they received the results of the feasibility study. **Motion made by Councilor Robey, seconded by Councilor Landers, to request the Mayor send a transfer request to the City Council in the amount of \$75,000 to fund the feasibility study. The motion carried 3-0.**

From City Council

27. **Order No. 16-1006466-2A – Salary Ordinance for the Assistant Building Inspector:** This was a joint meeting with Legislative and Legal. The Finance Committee reviewed the Mayor's letter dated February 18, 2016 for a salary ordinance for the new Assistant Building Commissioner position. The Finance Committee voted 5 - 0 to approve the salary ordinance and advertise the ordinance. **LEGAL AD WAS ORDERED ADVERTISED UNDER SUSPENSION OF THE RULES AT THE MARCH 21, 2016 CITY COUNCIL MEETING. LEGAL AD WAS PUBLISHED ON SATURDAY, MARCH 26, 2016, THEREFORE CAN NOT BE FURTHER ADDRESSED UNTIL THE APRIL 25, 2016 CITY COUNCIL MEETING TO COMPLY WITH THE TEN DAY PERIOD.**
28. **Order No. 16-1006467A – Salary Ordinance for Poll Workers.** The Finance Committee reviewed the Council President's letter dated February 16, 2016 requesting the stipend for poll workers be adjusted as follows:
- Increase Warden stipends from \$125.00 per election day to \$250.00
 - Increase Clerks stipends from \$90.00 per election day to \$200.00.
- The Finance Committee voted 5 - 0 to approve the changes to the poll workers salary ordinance and advertise the ordinance.**
LEGAL AD WAS ORDERED ADVERTISED UNDER SUSPENSION OF THE RULES AT THE APRIL 4, 2016 CITY COUNCIL MEETING. LEGAL AD WAS PUBLISHED ON SATURDAY, APRIL 9, 2016, AND CAN NOT BE FURTHER ADDRESSED UNTIL THE APRIL 25, CITY COUNCIL MEETING TO COMPLY WITH THE TEN DAY PERIOD.
29. **Order No. 16-1006466-1A - Communication from Mayor regarding Assistant Building Commissioner position.** The Mayor's letter dated February 18, 2016 was read into the record. He is asking for a reorganization of the Building Dept. to be comprised of 3 full time inspectors – Building Commissioner, Assistant Building Commissioner and Local Inspector. Also the Job Description for Assistant Building Commissioner was discussed. Councilor Delano moved to recommend approval of Order No. 16-1006466, Amending Code of City of Marlborough, Chapter 7, Article XIV Building Department by deleting section 7-76 in its entirety and replacing with new language with one change to add in language from the job description to the code change. Proposed language is "The Assistant Building Commissioner shall be certified as a Building Commissioner or a Local Inspector, and shall meet the requirements and qualifications established by the..." Amended language would read, "At the time of appointment, the Assistant Building Commissioner shall be certified as a Building Commissioner or shall be certified and working as a Local Inspector for at least two years prior to appointment and become a certified Building Commissioner within 18 months of appointment, the requirements and qualifications of said certifications being governed by the..." as well as to refer to Legal to be put in proper legal form and to ask for Suspension of Rules to Advertise the Code Change. In addition, he moved approval of the Job Description with one change to add in "excellent" in front of "customer service skills" in paragraph entitled Related Qualifications. The motion was seconded and carried 3-0. **LEGAL AD WAS ORDERED ADVERTISED UNDER SUSPENSION OF THE RULES AT THE MARCH 21, 2016 CITY COUNCIL MEETING. LEGAL AD WAS PUBLISHED ON SATURDAY, MARCH 26, 2016, THEREFORE CAN NOT BE FURTHER ADDRESSED UNTIL THE APRIL 25, 2016 CITY COUNCIL MEETING TO COMPLY WITH THE TEN DAY PERIOD.**