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CITY OF MARLBOROUGH

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1. Minutes of the City Council Meeting, March 12, 2012.
2. CONTINUED PUBLIC HEARING On the Petition from National Grid to replace and relocate existing utility P.61 24' south east of present location toward property line of house 522 on Pleasant St. Along with this pole, P. 61-89 will be relocated to new location on private property, Order No. 12-1004065A. ***Please see e-mail from NGrid requesting to withdraw petitions.**
3. PUBLIC HEARING On the Application for Special Permit from Attorney Sem Aykanian, on behalf of Marlborough Savings Bank, to modify Special Permit, Order No.09-1002152C, to allow operation of the drive-through teller from 8:00 AM to 8:00 PM seven days per week, and operation of the drive-through ATM 24 hours per day, seven days per week, Order No. 12-1004081.
4. Communication from the Mayor re: Fire Department transfer request in the amount of \$238,322.84 which moves funds from Reserve for Salaries to various Firefighter accounts to fund Firefighters' Contract as noted on the spreadsheet.
5. Communication from the Mayor re: Public Works transfer request from and to various accounts as noted on the spreadsheets to cover several expenses related to contractual obligations, equipment repair and upgrades, building maintenance, and higher than anticipated disposal costs due to weather related events.
6. Communication from the Mayor re: Public Facilities transfer request in the amount of \$100,000.00 which moves funds from Multi-Purpose Bond to Electricity and \$50,000.00 which moves funds from Natural Gas to Electricity to fund higher than anticipated electricity costs.
7. Communication from the Mayor re: Fire Department transfer request in the amount of \$2,500.00 which moves funds from Educational Incentive to Meal Allowance to fund unexpected expenses in meal allowances.
8. Communication from the Mayor re: Marlborough Economic Development Corporation transfer request in the amount of \$200,000.00 which moves fund from Economic development to MEDC funding to fund operations and special projects for the remainder of the calendar year.
9. Communication from the Mayor re: Service Incentive Grant in the amount of \$2,000.00 awarded to the Council on Aging to increase transportation access to programs and services for Latino and Brazilian senior citizens.
10. Communication from the Mayor re: Summer Jobs/Internship Initiative.
11. Communication from the Assistant City Solicitor Cynthia Panagore-Griffin re: Special Permit, Marlborough Nissan, in proper legal form, Order No. 12-1004033B.
12. Application for Special Permit from Xcellerex Inc., 150-170 Locke Dr., as a requirement to operate in compliance with specific Zoning Ordinance (Water Supply Protection District).
13. Communication from Maguerite Sawyer re: damages occurring at her property, 33 Teller St.
14. Application for Junk Dealer's License, Sergey Yeghiyan, d/b/a C.T.C. Gold & Diamond Refinery, 149 Main St.
15. Minutes, Planning Board, February 27, 2012.
16. Minutes, Conservation Commission, October 6 & 20, November 3, December 1, 2011, & January 5, 2012.
17. Minutes, Community Development Authority, January 5, 26 & February 23, 2012.
18. CLAIMS:
 - A. John Mahan, 21 O'Malley Rd., residential mailbox claim 2(a)
 - B. Fernanda Tavares, 45 Highgate Rd., residential mailbox claim 2(a)
 - C. Scott Garner, 32 Forbes Ave., residential mailbox claim 2(a)

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

19. **Order No. 11/12-1003016 – Capital Bond Request for FY12 for \$16,508,995.00.** The Finance Committee reviewed the Mayor's letter dated September 7, 2011 requesting the approval of 10 bonds totaling \$16,508,995.00. The Finance Committee took the following actions:
- Bond #1 - \$1,980,000.00 Department Equipment 5 Year Bond – The Finance Committee voted 5 – 0 to deny the bond because \$1,480,000.00 was approved from the Undesignated funds (City Council Meeting 11/21/11 approved \$298,000 for two bombardiers and City Council Meeting 12/5/11 approved \$1,182,000 for the balance of the Department equipment) and the \$500,000 for the Fire Department Pumper Truck was not approved.
 - Bond #2 - \$3,043,833.00 Street Construction 10 Year Bond – The Finance Committee voted 4 - 1 (Councilor Ossing opposed) to approve the bond.
 - Bond #3 - \$200,000.00 Sidewalk Construction 5 Year Bond – The Finance Committee voted 5 – 0 to deny the bond.
 - Bond #4 - \$5,205,000 Sewer Construction 30 Year Bond – The Finance Committee reduced the bond amount per the recommendation of the DPW Commissioner by \$175,000 for the Primary Clarifies for the EWWTP. The Finance Committee voted 3 -2 (Councilor's Seymour and Ossing opposed) to approve the revised bond amount of \$5,030,000.
 - Bond #5 - \$1,835,000.00 Water Meter 10 Year Bond – This bond will install water meters in the 497 industrial/commercial facilities by the end of 2012 and expected to increase city revenue by over \$500,000 per year. The Finance Committee approved the bond 5 – 0.
 - Bond #6 - \$3,172,600 Water Project 40 Year Bond – The Finance Committee took up two votes. First, the Finance Committee approved \$720,000 for upgrades to the Millham Water Treatment Plant 5 – 0. Second, the Finance Committee approved the various water projects in the amount of \$2,452,600.00 3 – 2 (Councilors Seymour and Ossing opposed).
 - Bond #7 - \$492,562 Building Renovations 20 Year Bond – The Finance Committee voted 5 – 0 to deny the bond and request the Mayor send a \$492,562.00 transfer from the Undesignated Fund to cover the building renovations. The Finance Committee recommended suspending the rules at the next meeting to approve the transfer. The Public facilities Director noted that the School Department will be supplying \$150,000 to supplement the renovations to the Whitcomb school auditorium.
 - Bond #8 - \$100,000 Design 5 Year Bond - The Finance Committee voted 5 – 0 to deny the bond and request the Mayor send a \$100,000.00 transfer from the Undesignated Fund to cover design activities.
 - Bond #9 - \$300,000.00 Land Cap and Drainage System 30 Year Bond - The Finance Committee voted 5 – 0 to deny the bond and request the Mayor send a \$300,000.00 transfer from the Undesignated Fund to cover land cap and drainage system repairs.
 - Bond #10 - \$180,000.00 Computer Hardware 10 Year Bond – The Finance Committee voted 5 – 0 to deny the bond. The Finance Committee approved the Mayor's letter dated February 22, 2012 requesting a \$180,000.00 transfer from Undesignated Funds to purchase computer hardware. The Finance Committee voted 5 – 0 to approve the transfer and recommend suspending the rules at the next City Council meeting.

Attachment 1 summarizes the Finance Committee recommendations. **The Finance Committee voted 5 – 0 recommend suspending the rules to request Bonds #2, 4, 5 and 6 be advertised. Bonds were advertised on Friday, March 16, 2012.**

**Attachment 1: FY12 Capital Bonds
Summary of Finance Committee Recommendation**

Bond Number Description	Bond Amount (\$)	Finance Committee Recommendation (\$)	Reduction (\$)	Comments
1. Department Equipment	1,980,000	0 Denied 5 - 0	1,980,000	Used undesignated funds to purchase \$1,480,000 of equipment. The pumper truck for \$500,000 was not approved
2. Street Construction	3,043,833	\$3,043,833 4 - 1(Councilor Ossing opposed)	0	
3. Sidewalk Construction	200,000	0 Denied 5 - 0	200,000	\$180,000 funds still available from previous bonds
4. Sewer Construction	5,205,000	5,030,000 Approved 3 – 2 (Councilors Seymour and Ossing opposed)	175,000	Eliminated the Primary Clarifier per the DPW Commissioner
5. Water Meters	1,835,000	1,835,000 Approved 5 - 0		Installation for industrial facilities
6. Water	3,172,600	\$720,000 – Approved 5 – 0 \$2,452,600 Approved 3 – 2 (Councilors Seymour and Ossing opposed)	0	The \$720,000 is for the Millham treatment plant upgrades. The \$2,452,600 is for the water projects in various locations.
7. Buildings	492,562	0 Denied 5 - 0	492,562	Recommend the Mayor fund these renovations using the Undesignated Funds
8. Design	100,000	0 Denied 5 - 0	100,000	Recommend the Mayor fund these renovations using the Undesignated Funds
9. Landfill Cap	300,000	0 Denied 5 - 0	300,000	Recommend the Mayor fund these renovations using the Undesignated Funds
10. Computers	180,000	0 Denied 5 - 0	180,000	Approved 5 – 0 the transfer from Undesignated in the mayor letter dated 2/22/12.
Total	16,508,995	13,081,433	3,427,562	

From Urban Affairs Committee

20. **Order No. 12-100403 - Special Permit, Marlborough Nissan.** Urban Affairs met on Tuesday, February 8th to discuss Order # 12-1004033, Special Permit of Marlborough Nissan to expand their showroom. Attorney Sandra Austin and Jeff Batta, owner of Marlborough Nissan, spoke to the Committee to address the reason for the additional floor as well as where they stood regarding the neighbors' concerns. The abutters had a few concerns.

-Mr. Batta informed the Committee they addressed lighting concerns by shutting off the lights at night
-He also showed the Committee Nissan's plans regarding snow storage, which was essentially storing it in the parking lot so it won't impact the neighbors.

-Marlborough Nissan will close the shop doors while they paint

-Regarding the driveway, Marlborough Nissan proposed expanding the driveway on the western side of the property, which will essentially give the neighbor's one driveway and Marlborough Nissan the other.

-Attorney Austin is working with the owners of the property and the legal department to finalize the driveway plan before our next meeting. The conservation commission will review the plan at its Thursday meeting.

Councilor Clancy made a motion to approve the permit, which was seconded by the chair, and the committee voted to approve the permit 5-0.

Urban Affairs Committee recommended a Suspension of the Rules at the March 12, 2012 City Council meeting to refer to the City Solicitor to place in proper legal form.

From City Council

21. **Order No. 12-1004089 - Evergreen Cemetery transfer request in the amount of \$50,000.00 which moves funds from Undesignated to Evergreen Cemetery to fund expansion design for the cemetery. Recommendation of the City Council is to table until the March 26, 2012 City Council Meeting.**