

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Legislative and Legal Affairs Committee

Date: March 3, 2015

Time: 5:30 PM

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

Agenda Items to be addressed:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2015 FEB 24 A 10:30

11-17-2014 – **Order No. 14-1006005C**: Amendment to the City of Marlborough General Code Relative to Nonunion Employee Benefits and Updates to Department and Employee Titles.

- REFER TO LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE

02-09-2015 – **Order No. 15-1006090**: Authorization Request for Possible Purchase of a Parcel of Land on New Street.

- REFER TO LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.

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.



IN CITY COUNCIL

NOVEMBER 17, 2014

Marlborough, Mass.,

ORDERED:

Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough (hereinafter, the "City Code"), as amended, be further amended as follows:

- A. The City Code is hereby amended in its entirety by deleting the words "Personnel Director" wherever they appear throughout the City Code, and inserting in place thereof the words "Human Resources Director."
- B. The City Code is hereby amended in its entirety by deleting the words "Personnel Department" wherever they appear throughout the City Code, and inserting in place thereof the words "Human Resources Department."
- C. Paragraph F of Section 125-3, is hereby amended by deleting the words "Executive Aide" and, in its place, inserting "Chief of Staff."
- D. The City Code is hereby amended in its entirety by deleting the words "Secretary/Research Assistant to the City Council" wherever they appear throughout the City Code, and inserting in place thereof the words "Legislative Aide to the City Council."

Be and is herewith refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 14-1006005C



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

NOV 13 A 11:54

City of Marlborough Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

11

November 13, 2014

City Council President Patricia Pope
Marlborough City Council
140 Main Street
Marlborough, MA 01752

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title changes
to
for*

Re: Amendment to the City of Marlborough General Code Relative to Nonunion Employee Benefits and Updates to Department and Employee Titles

Honorable President Pope and Councilors:

As part of my effort to address the city's competitive standing as it relates to Department Heads and nonunion staff compensation, I am enclosing for your approval, an amendment to the city's General Code relative to the payout of accrued sick time to nonunion employees. Our current system caps sick leave payouts to departing and/or retiring nonunion employees at \$1,000.00. In my opinion, our current policy encourages the use of sick days when they may not necessarily be warranted due to the fact that, for many employees, \$1,000.00 represents as little as one week of sick time or less. As sick time is accrued at 1.25 days per month, time can accumulate rather quickly.

My proposal increases this cap to \$5,000.00 which I believe represents a fair deal for both sides and establishes a better employer / employee balance. By comparison, as you have seen from past transfer requests, union employees are entitled to receive a substantially higher sick time payout.

Additionally, this correspondence includes a proposal to update several job titles that I believe are necessary to reflect a contemporary, progressive thinking municipal organization. Those are:

- Current title: Personnel Director → New title: Human Resources Director
- Current title: Personnel Department → New title: Human Resources Department
- Current title: Executive Aide to the Mayor → New title: Chief of Staff to the Mayor
- Current title: Executive Secretary to the Mayor → New title: Executive Assistant to the Mayor
- Current title: City Council Research Assistant → New title: Legislative Aide to the City Council

I believe these titles more accurately reflect the roles and responsibilities of these positions. As is often done in the private sector, I believe it is important for the city to periodically assess itself so as to ensure it is competitively situated when it comes to attracting and retaining employees and providing a professional environment for talented professionals to grow and thrive in.

I want to thank you in advance for your consideration and I look forward to discussing this with you in greater detail.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur G. Vigeant". The signature is fluid and cursive, with a large initial "A" and a long horizontal stroke at the end.

Arthur G. Vigeant
Mayor

Enclosures: Proposed amendment to the sick leave payout ordinance
Proposed Job / Department title ordinance

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ADOPTED
In City Council
Order No. 14-

Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



IN CITY COUNCIL

Marlborough, Mass., FEBRUARY 9, 2015

ORDERED:

Pursuant to MGL c. 30B, § 16(e)(2), the City Council of the City of Marlborough hereby determines that advertising for the proposed purchase of a certain parcel of land containing 1,750 s.f., more or less, on New Street, Marlborough, MA 01752, will not benefit the City's interest because of the unique qualities and location of the property as hereinafter defined.

The parcel is identified as Map 69, Parcel 194 of the Assessors Map of the City of Marlborough.

The parcel is further identified in a deed recorded in the Middlesex South District Registry of Deeds at Book 59049, Page 525.

The property satisfies the requirements of said MGL c. 30B, § 16(e)(2), because the property: (a) is directly adjacent to the new Marlborough Senior Center; (b) provides a small structure that can house maintenance equipment needed at the adjacent Artemus Ward Park; and (c) is located in a residential neighborhood in which the City wishes to eliminate this parcel's future use as a commercial property.

It is further ordered that the Mayor is authorized to enter into negotiations for the purchase of the property so identified, subject to the availability of sufficient funds or an appropriation as required, and an affirmative two-thirds vote of the City Council prior to a binding agreement of sale.

The price of any purchase that may ensue from this Order shall not exceed Thirty-Five Thousand Dollars (\$35,000.00).

Pursuant to MGL c. 7C, § 38, the persons having a beneficial interest in this parcel, as set forth in said Book 59049, Page 525, are Joseph P. McMahon, Sr. and Cindy A. McStay, Trustees of the Joseph P. McMahon Revocable Living Trust dated November 6, 2003 and any amendments thereto, of 34 Ocean Boulevard, Hampton, NH 03842. The maximum proposed purchase price is \$35,000.00, subject to such conditions as may be negotiated.

Be and is herewith refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE.**

ADOPTED

ORDER NO. 15-1006090



RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
15 JAN 22 A 11:41

City of Marlborough

Office of the Mayor

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3770 Facsimile (508) 460-3698 TDD (508) 460-3610
www.marlborough-ma.gov

Arthur G. Vigeant
MAYOR

Michael C. Berry
EXECUTIVE AIDE

Patricia Bernard
EXECUTIVE SECRETARY

AK
17

January 22, 2015

City Council President Patricia Pope
Marlborough City Council
140 Main Street
Marlborough, MA 01752

frh

Re: Authorization Request for Possible Purchase of a Parcel of Land on New Street

Honorable President Pope and Councilors:

A small parcel of land at the entranceway to our new Senior Center is being offered for purchase to the City. With the addition of the new senior center facility on New Street as well as the significant renovations underway at Ward Park, I believe this purchase would be a wise investment.

The parcel in question, located at 11 New Street and identified as Map 69, Parcel 194 on the Assessors Map of the City of Marlborough, provides a unique opportunity to serve the interests of the City as well as the surrounding residential neighborhood. The current use of the property houses a small garage-like structure used by a property management company. The parcel frequently houses a commercial-size garbage collection bin on its premises as well. The accumulation of construction debris and trash has yielded a fair amount of complaints and code violations over the past several years.

Were the City to purchase the property, one option we would have available to us is the possibility of using the structure to house equipment needed for the ongoing landscape maintenance needs of the Senior Center and Ward Park. Other options include using the space for additional public parking, razing the structure and landscaping the parcel or using the building for storage only with some additional parking. My own belief is that municipal storage by the City provides the best strategic option, while also eliminating the disruption and blight to the neighborhood.

The purchase I am proposing is governed, in part, by MGL c. 30B, the Uniform Procurement Act, which ordinarily would require that the City advertise a solicitation for proposals at least once a week for two consecutive weeks in a local newspaper. However, where, as here, the parcel in question has unique qualities or location, this advertising requirement can be waived, as permitted by §16(e)(2) of Chapter 30B. I have enclosed with this letter an order providing for that waiver.

The order would also authorize me to enter into negotiations for the purchase. The order **does not** commit the City Council to a purchase, but it will allow a notice to be placed in the Central Register, a process that will take nearly six weeks.

The parcel is currently owned by the Joseph P. McMahon Revocable Living Trust.

As always, if you have any questions or concerns about this issue, please feel free to contact me anytime.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arthur G. Vigeant', with a large, sweeping initial 'A'.

Arthur G. Vigeant
Mayor

Enclosure

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ADOPTED
In City Council
Order No. 15-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:



84 Monument Ave
Marlborough, Massachusetts
Street View - Aug 2011

Image courtesy of Google - 2015

