

REGULAR MEETING
SEPTEMBER 26, 2011

IN CITY COUNCIL
ABSENT:

CONVENED:
ADJOURNED:

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2011 SEP 22 P 2:50

1. Minutes of the City Council Meeting, September 12, 2011.
2. PUBLIC HEARING On the Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 99-8311B)) to accommodate three additional panel antennae for Long Term Evolution (LTE) wireless network, along with associated cabling and equipment at 175 Maple St., Order No. 11-1003004.
3. PUBLIC HEARING On the Application for Special Permit from Marlborough/Northborough Land Realty Trust to construct a development consisting of 5 multi-family residential buildings, with clubhouse, containing a total of 290 units on Rt. 20, Map 78, Lots 12, 14, 38 and 39, Order No. 11-1002986.
4. Communication from the Mayor re: Fire Department intra-departmental transfer requests in the amount of \$79,329.43 which moves funds from various accounts to OT to fund shift coverage as indicated on the attached spreadsheet.
5. Communication from the Mayor re: Fire Department transfer request in the amount of \$34,397.58 which moves funds from Fringes to Sick Leave for budgeted expenses associated with an employee's retirement.
6. Communication from the Mayor re: Legal Services transfer request in the amount of \$30,000.00 which moves funds from Short-Term Debt Interest to Legal Services to fund a variety of legal services.
7. Communication from the Mayor re: FY11 End of Year Close Timeline.
8. Communication from the Mayor re: Discontinuance and Abandonment of a Portion of Granger Boulevard.
9. Communication from the Mayor re: Japanese Exchange Visitors.
10. Communication from the Mayor re: Youth Commission Appointments/Reappointments of Peggy Schwarz Ayres, Rosalind Baker, John Nicholson, Jean Peters, Marylou Vanzini, Rick Lacina, Patty Zilembo, Deb Foster Smith and Danielle Gregoire.
11. Communication from the Assistant City Solicitor, Cynthia Panagore-Griffin re: Order of Acceptance-Jaworek School Driveway Layout As A Public Way Pursuant To State And Federal Requirements Of The Safe Routes To School Infrastructure Program.
12. Communication from the City Clerk re: Preliminary Municipal Election Call.
13. Application of Frederick Kenney, Jr. d/b/a The Carousel, for Junk Dealer's license at 266 Main St.
14. Minutes, Planning Board, August 1, 2011.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

15. **Order No. 11-1002997 – Transfer \$179,973.09 to Fund DPW Engineers' Union Contract.** The Finance Committee reviewed the Mayor's letter dated August 17, 2011 requesting the transfer of \$179,973.09 to fund the DPW Engineers' Union contract. **Recommendation of the Finance Committee is to send transfer back to the Mayor 5-0.**

16. **Order No. 11-1002982 – Transfer \$37,186.22 to Fund Fire Fighter Overtime.** The Finance Committee reviewed the Mayor's letter dated July 27, 2011 requesting the following two transfer for firefighter overtime:

- Transfer \$7,547.42 from Firefighter to Firefighter Overtime
- Transfer \$29,638.80 from Firefighter to Firefighter Overtime

Recommendation of the Finance Committee is to approve both transfers 5-0.

17. **Order No. 11-1002995 – Transfer \$100,000 to Fund Fire Fighter Overtime.** The Finance Committee reviewed the Mayor's letter dated August 23, 2011 requesting the following three transfers from short term interest accounts to firefighter overtime:

- Transfer \$60,000 from City short term interest to Firefighter overtime
- Transfer \$20,000 from Sewer short term interest to Firefighter overtime
- Transfer \$20,000 from Water short term interest to Firefighter overtime

The Finance Committee noted that as of August 31, 2011, the Fire Department had spent \$125,000 in overtime in the first two months of the year. The balance in the overtime account is \$41,000 (including a \$17,000 transfer last month). If the \$37,000 transfer above is approved, the Fire Department will have \$78,000 for overtime. The Chief noted that overtime spending decreases after vacation season is over. Past performance indicates that this funding should last into 2012. Based on the unfilled positions (3) and individuals out on sick leave, the Chief will monitor overtime spending.

Recommendation of the Finance Committee is to deny the transfers 4-1 (Councilor Pope opposed)

18. **Order No. 11-1002999 – Grant for \$95,091 to cover Dispatch Center Salary and Overtime.** The Finance Committee reviewed the Mayor's letter dated August 24, 2011 requesting the approval of a \$95,901.00 reimbursement grant to cover salary and overtime costs in the 911 Dispatch Center. **Recommendation of the Finance Committee is to approve the grant 5-0.**

From City Council

19. **Order No. 11-1002954C** - Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 03-100112B) to accommodate three additional panel antennae for 4G wireless network, associated cabling and equipment at 445 Simarano Dr. **Recommendation of the City Council is to table to September 26, 2011.**

20. **Order No. 11-1002955C** - Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 97-6754F) to accommodate three additional panel antennae for 4G wireless network, associated cabling and equipment at 75 Donald Lynch Blvd. **Recommendation of the City Council is to table to September 26, 2011.**

21. **Order No. 11-1002956C** - Application for Special Permit from AT & T Wireless PCS, LLC to modify an existing Special Permit (Order No. 08/09-1002083B) to accommodate three additional panel antennae for 4G wireless network, associated cabling and equipment at 860 Boston Post Rd. **Recommendation of the City Council is to table to September 26, 2011.**