



**CITY OF MARLBOROUGH  
OFFICE OF CITY CLERK**

**Lisa M. Thomas  
140 Main St.  
Marlborough, MA 01752  
(508) 460-3775 FAX (508) 460-3723**

**SEPTEMBER 10, 2018**

Regular meeting of the City Council held on Monday, September 10, 2018 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Delano, Juaire, Oram, Ossing, Robey, Doucette, Dumais, Tunnera, Irish and Landers. Meeting adjourned at 8:48 PM.

ORDERED: That the Minutes of the City Council meeting August 27, 2018, **TABLED**; adopted.

ORDERED: That the PUBLIC HEARING On the Application for Special Permit from Ninja Twins LLC, to renovate a building to build a gym for children, 19 Brigham Street, #8, Order No. 18-1007339, all were heard who wish to be heard, hearing closed at 8:05 PM.

**Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juaire, Oram, Ossing & Robey.**

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Amendment, to Chapter 650 §7, §17, §41 and create a new §39, as it pertains to a Neighborhood Business District, Order No. 18-1007337, all were heard who wish to be heard, hearing closed at 8:12 PM; adopted.

**Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juaire, Oram, Ossing & Robey.**

ORDERED: That the PUBLIC HEARING On the Proposed Zoning Amendment, to add Chapter 650 §40, as it pertains to a Large-Scale Ground Mounted Solar Photovoltaic Installation Overlay District, Order No. 18-10073382, all were heard who wish to be heard, hearing closed at 8:14 PM; adopted.

**Councilors Present: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juaire, Oram, Ossing & Robey.**

**ORDERED:** That the Council on Aging transfer request in the amount of \$27,340.00 which moves \$1,884.00 from Reserve for Salaries & \$25,456.00 from Program Director to COA-Clerk Typist to eliminate an existing position and create a new position, Program Coordinator, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Comptroller					FISCAL YEAR:	2019		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$892,805.00	\$1,884.00	11990006	57820	Reserve for Salaries	\$27,340.00	15410002	50584	COA-Clerk Typist		\$0.00
	Reason:				Reason:	Position change				
\$33,940.00	\$25,456.00	15410001	50191	Program Coordinator						\$0.00
	\$27,340.00	Total			\$27,340.00	Total				

**ORDERED:** That the Police Department transfer request in the amount of \$8,412.20 which moves funds from Receipts Reserved-TNC Surcharge to Capital Outlay-Police Equipment to purchase additional traffic equipment, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Police					FISCAL YEAR:	2019		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$8,412.20	\$8,412.20	27000	33088	Receipts Reserved-TNC Surcharge	\$8,412.20	19300006	58593	Capital Outlay-Police Equip		\$0.00
	Reason:	Traffic enforcement equipment purchase								
	\$8,412.20	Total			\$8,412.20	Total				

**ORDERED:** That the Communication from the Mayor re: School Marketing Initiative to help increase awareness of the existing opportunities in the Marlborough Public Schools, **FILE**; adopted.

**ORDERED:** Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Age Friendly Survey Grant in the amount of \$4,000.00 from AARP to conduct an Age Friendly Survey in partnership with the Marlborough Council on Aging; adopted.

ORDERED: That the Appointment of Melanie Whapham to the Marlborough Historical Commission for a term of three years to commence upon City Council approval, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Appointment of Lucinda Zomar to the Board of Registrars for a term of three years to commence upon City Council approval, **APPROVED**; adopted.

ORDERED; That there being no objection thereto set **MONDAY, OCTOBER 15, 2018** as **DATE FOR PUBLIC HEARING** Application for Special Permit from the Attorney Norris, on behalf of Raphael Fischetti, to construct a new single-family dwelling at 89 Spring Street, refer to **URBAN AFFAIRS COMMITTEE, & ADVERTISE**; adopted.

ORDERED; That the Communication from the Planning Board re: as it pertains to a Proposed Zoning Amendment, to Chapter 650 §5 & §17 as it pertains to Coffee Roasteries, Order No. 18-1007311A, **MOVE TO ITEM 23**; adopted.

ORDERED: That the Communication from Central Mass Mosquito Control re: Cessation of residential spraying at the end of August, **FILE**; adopted.

ORDERED: That the Minutes, License Board, July 25, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Commission on Disabilities, July 3, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Board of Assessors, May 16, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Zoning Board of Appeals, August 7, 2018, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, July 23, 2018, **FILE**; adopted.

ORDERED: That the Minutes Traffic Commission, July 25, 2018, **FILE**; adopted.

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

- a. Kyle Hamilton, 25 Lakeview Gardens, # 707, Natick, MA, pothole or other road defect claim.
- b. Jennifer Burgos, 78 Helen Drive, other property damage and/or personal injury.

Reports of Committees:

THERE WERE NO REPORTS OF COMMITTEE

**ORDERED:** That the City Council of the City of Marlborough hereby **RESCINDS** previously authorized but unissued amounts of the following described loan orders, which are henceforth of no further force or effect:

the \$1,190,816.00 balance of the \$6,000,000.00 authorized to be borrowed to pay costs of financing upgrades and improvements to the Millham Water Treatment Plant, duly adopted by order of this Council and approved by the Mayor on June 9, 2014;

the \$3,528.00 balance of the \$1,835,000.00 authorized to be borrowed to pay costs of water meters, duly adopted by order of this Council and approved by the Mayor on April 13, 2012;

the \$17,900.00 balance of the \$5,030,000.00 authorized to be borrowed to pay costs of sewer construction, duly adopted by order of this Council and approved by the Mayor on April 13, 2012;

the \$115,719.00 balance of the \$3,043,833.00 authorized to be borrowed to pay costs of street construction, duly adopted by order of this Council and approved by the Mayor on April 13, 2012;

the \$4,412,381.00 balance of the \$7,500,000.00 authorized to be borrowed to pay costs of building renovations, duly adopted by order of this Council and approved by the Mayor on December 21, 2011;

the \$363,839.00 balance of the \$1,000,000.00 authorized to be borrowed to pay costs of municipal outdoor recreational facilities, duly adopted by order of this Council and approved by the Mayor on June 24, 2011;

the \$84,913.00 balance of the \$455,200.00 authorized to be borrowed to pay costs of sewer construction, duly adopted by order of this Council and approved by the Mayor on October 4, 2010;

the \$100.00 balance of the \$530,000.00 authorized to be borrowed to pay costs of purchasing approximately 55 acres off lower Stow Road for Open Space, duly adopted by order of this Council and approved by the Mayor on June 12, 1998;

the \$24,000.00 balance of the \$100,000.00 authorized to be borrowed to pay costs of Department of Public Works Departmental Equipment, duly adopted by order of this Council and approved by the Mayor on November 18, 1991;

**APPROVED;** adopted.

**Yea: 11 – Nay: 0**

**Yea: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juairé, Oram, Ossing & Robey.**

**Nay: 0**

ORDERED: That the Assessor's transfer request in the amount of \$102,950.00 which moves funds from Principal Assessor to Professional & Technical Services to fund a new contract with Regional Resource Group (RRG) to continue providing services to the City, **APPROVED**; adopted.

		CITY OF MARLBOROUGH										
		BUDGET TRANSFERS --										
	DEPT:	Assessor						FISCAL YEAR:	2019			
		FROM ACCOUNT:						TO ACCOUNT:				
Available												Available
Balance	Amount	Org Code	Object	Account Description:		Amount	Org Code	Object	Account Description:			Balance
\$102,950.00	\$102,950.00	11410001	50160	Principal Assessor		\$102,950.00	11410004	53180	Prof. & Tech. Services			\$97,650.00
	Reason:	Reclassify for Outside Serves				Reason:	Reallocate for new contract					
	\$102,950.00	Total				\$102,950.00	Total					

ORDERED: That the Communication from the Planning Board re: as it pertains to a Proposed Zoning Amendment, to Chapter 650 §5 & §17 as it pertains to Coffee Roasteries, Order No. 18-1007311A, **FILE**; adopted.

ORDERED: THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH, HAVING SUBMITTED FOR ITS OWN CONSIDERATION CHANGES IN THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, TO FURTHER AMEND CHAPTER 650, NOW ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

I. Section 650-5, entitled “Definitions; word usage,” is hereby amended as follows:

By inserting in subsection B thereof the following definition:

**COFFEE ROASTERY**

A facility in which green **coffee** beans are roasted into roasted coffee products; provided, however, that emissions from coffee roasting operations, if vented to the outdoor air, are to be i) vented at least 10 feet above any outdoor area, including but not limited to a sidewalk, street, alley or parking lot, which is adjacent to the building where the facility is located, and ii) directed away to the extent possible from uses within 50 feet of the vent; and provided further that, in all cases, the Building Commissioner shall determine, upon plans submitted to the Building Department, the appropriate measures required to be taken and maintained by the facility in order to significantly reduce potential odor emissions and airborne pollutants, and such measures may be required as conditions for the issuance of any permit. Nothing contained herein shall prohibit the facility from having a bring-your-own-food policy.

II. Section 650-17, entitled “Table of Uses,” is hereby amended as follows:

By regulating manufacturing uses so as to allow coffee roasteries as of right in the Business (B), Commercial Automotive (CA), Industrial (I) and Marlborough Village (MV) zoning districts, and by special permit in the Limited Industrial (LI) zoning district, as follows:

	RR	A1	A2	A3	RB	RC	RCR	B	LI	I	MV
Coffee Roastery	N	N	N	N	N	N	N	SP	SP	SP	SP

**APPROVED;** adopted.

**First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.**

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:48 PM.