



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
Steven W. Kerrigan
140 Main St.
Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723**

JANUARY 27, 2020

Regular meeting of the City Council held on Monday, January 27, 2020 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Oram, Perlman, Robey, Wagner, Doucette, Dumais, Tunnera, Irish, Navin and Landers. Meeting adjourned at 9:03 PM.

ORDERED: That the Minutes of the City Council meeting, January 13, 2020, **FILE**; adopted.

ORDERED: That the PUBLIC HEARING PUBLIC HEARING On the Application for Special Permit from Attorney Brian Falk, on behalf of Vedi Naturals LLC, to operate an Adult Use Marijuana Retail Establishment, 505 Boston Post Road West (Twin Boro Crossing), Order No. 19-1007881, all were heard who wish to be heard, hearing closed at 8:50 PM; adopted.

Councilors Present: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman & Robey.

ORDERED: That the Communication from Councilor Robey, re: Proposed Zoning Amendment to Chapter 650 §17 & §18 relative to Livestock Farms, refer to **URBAN AFFAIRS COMMITTEE, PLANNING BOARD, AND ADVERTISE A PUBLIC HEARING FOR MONDAY, FEBRUARY 24, 2020**; adopted.

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 18 of Chapter 650, entitled "Conditions for uses," is hereby amended by:
 - a. Amending paragraph (12), entitled "Livestock farms" as follows (new text shown as underlined):

(12) Livestock farms. The raising of or keeping of a small flock of poultry (other than Chicken hens), less than 10, or of saddle horses, private kennel, livestock, or other farm animals for use only by residents of the premises, provided further, that adequate open space is available for their care.

b. Inserting the following paragraph:

(49) Chicken hens, personal use. The raising or keeping of female chickens (*Gallus gallus domesticus*) for personal use, not to exceed either 6 hens or 12 hens, as stated in the Table of Uses. The raising or keeping of roosters, cocks, or cockerels is prohibited. The slaughtering of Chicken hens for non-personal use is prohibited.

II. Section 17 of Chapter 650, entitled "Table of Uses," is hereby amended by inserting the following:

	RR	A1	A2	A3	RB	RC	RCR	NB	B	CA	LI	I	MV	WAYSIDE
Chicken hens, personal use (6 or fewer) (49)	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N
Chicken hens, personal use (between 7 and 12) (49)	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	N

ORDERED: That the Transfer Request in the amount of \$3,029,000.00 for the design and construction of DEP corrective actions related to the Redevelopment of the Hudson Street Landfill, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH											
BUDGET TRANSFERS --											
	DEPT:	DPW						FISCAL YEAR:	2020		
		FROM ACCOUNT:						TO ACCOUNT:			
Available											Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:			Balance
\$13,169,020.00	\$3,029,000.00	10000	35900	Undesignated Fund	\$3,029,000.00	19300006	55966	Capital Outlay-Hudson St Land			\$0.00
	Reason:	Clean up of Hudson St Landfill for recreational purposes									
	\$3,029,000.00	Total			\$3,029,000.00	Total					

ORDERED: That the Transfer Request in the amount of \$400,000.00 from Stabilization-Open Space to Open Space Acquisition to fund the proposed acquisition of 45-47 and 55 Bolton Street (Map 57 Parcel 104 and Map 70 Parcel 296) and to grant authorization to the Mayor to enter into a purchase and sale agreement, refer to **FINANCE COMMITTEE**; adopted.

Councilor Dumas Recused

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Mayor					FISCAL YEAR:	2020		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Balance
\$539,397.80	\$400,000.00	83600	32918	Stabilization-Open Space	\$400,000.00	19300006	58170	Open Space Acquisition		\$0.00
	Reason:							For purchase of Bolton Street property		
	\$400,000.00	Total			\$400,000.00	Total				

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Gift Acceptance in the amount of \$14,358.35 for the Police Department from the Marlborough Police K-9 Unit Fundraiser to be used for the department's K-9 program; adopted.

ORDERED: That the Reappointment of Diane Smith as City Auditor for a three-year term from date of confirmation, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Appointment of Nusrath Khan to the Planning Board for a one-year term to expire the first Monday in February 2021, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That the Communication from City Solicitor, Jason Grossfield, re: Decision of Land Court in favor of the city, relative to Williams Street Holdings, LLC v. members of the Marlborough City Council, Docket No. 18 MISC 000284-HPS, **FILE**; adopted.

ORDERED: That Communication from Town of Littleton Board of Selectman and Planning Board, re: Counterpoint to Town of Needham's letter relating to House Bill No. 3507, **FILE**; adopted.

ORDERED: That the Minutes of following Boards, Commissions and Committees, **FILE**; adopted.

- School Committee, November 26, 2019 & December 10, 2019.
- Conservation Commission, December 5, 2019.
- Planning Board, December 16, 2019.
- Zoning Board of Appeals, January 7, 2020.

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

- a) Kori Berardino, 53 East Dudley Street, residential mailbox claim (2a).
- b) Caitlyn Cerrone, 4 Glade Street, Worcester, pothole or other road defect.
- c) John Kingsley, 21 Pine Hill Road, Southborough, pothole or other road defect.
- d) Melanie Pollard, 12 Bacher Circle, residential mailbox claim (2a).
- e) Scott Wudyka, 57 Kelleher Street, residential mailbox claim (2a).

Reports of Committees:

THERE WERE NO REPORTS OF COMMITTEE.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:03 PM; adopted.