



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

**OCTOBER 5, 2020**

Regular meeting of the City Council was held on Monday, October 5, 2020 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Doucette, Dumais, Tunnera, Irish, Navin & Landers. Councilors Participating Remotely: Oram, Perlman, Robey & Wagner. Meeting adjourned at 9:09 PM.

Council President Ossing explained that this meeting is being held under the Emergency Order of the Governor allowing relief from the Open Meeting Law (MGL c. 30A §20). The Emergency Order allows for remote participation by public bodies. President Ossing further stated that all votes of the City Council will be taken by roll call vote pursuant to 940 CMR 29.10.

The City Council President asked for a roll call to confirm attendance of all City Councilors.

**Present: 11 – Absent: 0**

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

ORDERED: That the Minutes of the City Council meeting, September 21, 2020, **FILE**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That the Proposed Ordinance Amendment to Chapter 125 of the Code of the City of Marlborough to add a new §10(C) granting the Mayor authority to waive any two steps of the salary schedule and also adding a new §18(A) (4) allowing the Mayor the authority to grant an additional week of vacation time effective at the time of employment for all non-union personnel, refer to **PERSONNEL COMMITTEE**; adopted.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:**

- I. By amending Chapter 125 (“Personnel”), Section 125-10, entitled “Starting minimum rate”, by **inserting** a new Section 125-10(C) to read as follows:
  - C. Notwithstanding anything to the contrary in this chapter, for all other employees, in order to reflect an employee’s prior experience or performance, the Mayor is authorized to waive any two steps on a salary schedule established under this chapter, at time of hiring or during employment, subject to available appropriation of funds. Any waiver of more than two steps shall require approval by the City Council.

- II. By amending Chapter 125 (“Personnel”), Section 125-18, entitled “Vacations”, by **inserting** a new Section 125-18(A)(4) to read as follows:

- (4) Notwithstanding anything to the contrary in this chapter, for all other employees, in order to credit an employee’s experience in prior public or private employment, the Mayor is authorized to grant an increase of up to one (1) additional week of annual vacation time which may be made effective at any time of employment. Upon granting, said additional time shall accrue on a pro-rated basis per completed month in that calendar year, and thereafter shall be received annually. Any increase in annual vacation time above one (1) week shall require approval by the City Council.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That the Communication from the Mayor, re: New Hires for the Marlborough Fire Department, **FILE**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That the Communication from City Solicitor Jason Grossfield, re: Proposed License to Encroach for Handicap Access Ramps, 270-276 Main Street, in proper legal form, Order No. 20-1008045, **FILE**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That the Communication from City Solicitor Jason Grossfield, re: Proposed Salary Ordinance Amendment for the position of Director of Civil Defense, Order No. 20-1008056A, **REPORTS OF COMMITTEE**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That the Communication from City Clerk, Steven Kerrigan, re: State Election Call, **FILE**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That the Communication from Attorney Brian Falk on behalf of WP Marlborough MA Owner, LLC (Waypoint Residential), re: Request to Extend Time Limitations to January 20, 2021 at 10:00 PM, on the Application for Special Permit to build a multifamily residential project in the Business District to be known as Walcott Heritage Farms, consisting of 188 units in 4 buildings at 339 Boston Post Road East (McGee Farm), **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That there being no objection thereto set **MONDAY NOVEMBER 16, 2020** as the **DATE FOR PUBLIC HEARING**, on the Application for Modification of Special Permit of Garden Remedies, Inc., to amend condition #8 relative to the hours of operation for the medical and adult use marijuana retail establishment located at 416 Boston Post Road East, refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

**Yea: 10 – Nay: 1**

**Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**Nay: Tunnera.**

ORDERED: That the Communication from National Grid, re: Notification of emergency work being performed on the electrical distribution system that serves certain sections of Roundtop Road, **FILE**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

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

- a) School Committee, September 8, 2020.
- b) Conservation Commission, September 3, 2020.
- c) Commission on Disabilities, September 8, 2020.
- d) Library Trustees, June 2, 2020.
- e) Planning Board, August 24, 2020 & September 14, 2020.
- f) Retirement Board, July 28, 2020 & August 25, 2020.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

## Reports of Committees:

Councilor Landers reported the following out of the Public Services Committee:

Meeting Name: City Council Public Services Committee

Date: September 22, 2020

Time: 6:30PM

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Councilors Present: Voting Members: Chair Landers and Councilor Irish; Councilor Perlman participating remotely; Other Members: Councilors Navin, Tunnera, Dumais, Ossing; Councilor Robey participating remotely.

Order No.20-1008087: Application for Livery License from Eduard Zholudev d/b/a Easy Airport Limo Services to operate at 15 Indian Lane  
-Referred to Public Services Committee

Chair Landers called the roll – Councilors Landers and Irish present and Councilor Perlman participating remotely.

Chair addressed the petition indicating he met with the applicant on his own outside of City Hall due to Covid-19 as the applicant does not have a computer with a camera to participate remotely.

Chair stated Chief of Police, Building Commissioner and Ward Councilor are without objection to the issuance of the livery license application and applicant has a parking space to accommodate the operation of one vehicle as requested in the application.

Motion made by Councilor Irish, seconded by Chair, to recommend approval of the application from Eduard Zholudev for a livery license, d/b/a Easy Airport Limo Services to operate one (1) vehicle at 15 Indian Lane.

Roll call Vote: In favor: Irish, Perlman and Landers

Motion made and seconded to adjourn; Roll Call Vote: In favor: Perlman, Irish, Landers  
Meeting adjourned at 6:35PM

Councilor Dumais reported the following out of the Personnel Committee:

Meeting Name: City Council Personnel Committee

Date: October 1, 2020

Time: 7:30PM

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Councilors Present: Chair Dumais, Councilors Landers and Doucette; Other Members: Councilors Navin, Ossing, Irish; Councilor Wagner participated remotely

Order No.20-1008104: Communication from Mayor Vigeant with APPOINTMENT of Sean Divoll as DPW Commissioner for a five-year term and a request to start him at step two of the salary schedule and to grant him four (4) weeks of vacation time.

-REFER TO PERSONNEL

Councilors Landers, Doucette and Dumais were present in the Chamber.

Reports of Committee Continued:

The Mayor addressed the vacation time. As vacation time for Non-Union or Other Employees is set forth in the City Code, the Mayor will be submitting for the October 5, 2020 City Council agenda an amendment to the Code to authorize the Mayor to grant one additional week of vacation (5 days) under certain conditions to be enumerated in the proposed ordinance and to allow further additional vacation days with City Council approval.

Councilors interviewed Mr. Divoll.

Motion made by Councilor Doucette, seconded by Chair, to recommend approval of the appointment of Sean Divoll as DPW Commissioner for a five-year term and the request of Mayor Vigeant to start him at step two of the salary schedule. All in favor – Vote 3-0

Motion made by Councilor Doucette, seconded by Chair, to adjourn. Meeting adjourned at 7:55PM.

The Chair agreed to suspend the Rules at the October 5, 2020 meeting to approve the appointment of Sean Divoll as DPW Commissioner for a five-year term with an anticipated start date of October 19, 2020 and the request to start Sean Divoll at step two of the salary schedule (\$127,473.75) as requested by Mayor Vigeant.

Councilor Tunnera reported the following out of the Legislative & Legal Affairs Committee:

Meeting Name: City Council Legislative and Legal Affairs

Date: September 22, 2020

Time: 6:02PM

Location: City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 140 Main Street

Councilors Present: Voting Members: Chair Tunnera, Councilor Landers and Councilor Robey participating remotely; Other Members: Councilors Navin, Irish, Dumais, Ossing; Perlman arrived remotely 6:14PM

Also Present: DPW Commissioner Scott; City Engineer DiPersio and Building Commissioner Cooke; City Solicitor Grossfield and Attorney Aykanian participating remotely

Order No.20-1008045: Communication from Atty. Sem Aykanian on behalf of Paul Griffin, Jr., Trustee of Union Realty Trust, re: Proposed License to Encroach for the purpose of placing a handicap access ramp at 270-276 Main Street

-REFER TO LEGISLATIVE & LEGAL AFFAIRS

Chair Tunnera called the roll – Councilors Tunnera and Landers present and Councilor Robey participating remotely.

Atty. Aykanian addressed the request of his client to encroach on city property to place a handicap ramp at 270-276 Main Street. Atty. Aykanian confirmed his review of the revised draft license from the City Solicitor and that it was in acceptable form as amended. He stated the license is revocable by the city if his client does not comply with the requirements as set forth in the Encroachment Order. Solicitor Grossfield, City Engineer DiPersio and Building Commissioner Cooke addressed the proposed license to place a handicap ramp—the access ramp is subject to administrative site plan review, the owner will bear all costs associated with its construction and is aware of the requirements except for the recommended change from brick to granite curbing to match the existing granite curb along the road.

Reports of Committee Continued:

Building Commissioner Cooke stated this specific block of Main Street can accommodate the ramp due to the wide width of the sidewalk not available elsewhere downtown.

Atty. Aykanian supported reporting of the proposed license out of committee at the October 5, 2020 meeting understanding his client will work out the details during site plan review.

Motion made by Councilor Robey, seconded by Chair, to approve the amended license at the October 5, 2020 meeting. Chair Tunnera will request a suspension of the rules as supported by the committee.

Roll call Vote to approve the license as amended by the Solicitor: Landers, Robey, Tunnera in favor.

Roll call Vote to adjourn: Landers, Robey, Tunnera in favor. Meeting adjourned at 6:25PM

Councilor Irish reported the following out of the Finance Committee:

**Marlborough City Council Finance Committee  
Tuesday September 22, 2020  
In Council Chambers**

Present: Chairman Irish; Finance Committee members Councilors Tunnera and Dumais; Councilors Perlman and Oram participating remotely; Councilors Landers, Navin, Ossing and Robey/participating remotely were also in attendance. The meeting convened at 6:40PM.

- 1. Order #20-1008069: Transfer \$2,500,000. from Undesignated Fund to various Capital Outlay Accounts for Capital Improvements.** The Finance Committee reviewed the Mayor's letter dated August 20, 2020 requesting a transfer of \$2,500,000.00 from free cash to fund various projects, upgrades and new equipment. The Finance Committee recommended the following:

- \$65,250.00, Capital Outlay-Fire for Personal Protective Equipment – Roll Call Vote, Approved 5-0
- \$65,000.00, Capital Outlay-Public Facilities for Cameras at 2 Fire Stations – Roll Call Vote, Approved 5-0
- \$218,000.00, Capital Outlay-Police for Cruisers and Radios – Roll Call Vote, Approved 5-0
- \$220,940.00, Capital Outlay-DPW Equipment for Freightliner w/lift – Roll Call Vote, Approved 5-0
- \$1,930,810.00, Capital Outlay-DPW Projects, Overlay and Mill various roads – Roll Call Vote, POSTPONED in Committee until the Mayor submits a list of the roads to be repaired.

The Finance Committee agreed to requesting a suspension of the rules at the October 5, 2020 City Council meeting to approve the transfers.

## Reports of Committee Continued:

2. **Order #20-1008091: Transfer \$440,000.00 from the Economic Development Special Revenue Fund to MEDC Funding for purchase of 481 Elm Street, potential site of fire station:** The Finance Committee reviewed the Mayor's letter dated September 10, 2020 requesting the transfer of \$440,000.00 to purchase 481 Elm Street, a 1.23 acre +- parcel of land and house that recently came up for sale and a portion of it has been identified as part of a potential site of a west-side fire station project. MEDC will transfer back any funds and land. Prior to approval of a fire station lot, there will be a hearing for both the public and City Council input. The Mayor will submit a plan of the property prior to the next meeting.

Roll Call Vote, Approved 4-1 (Tunnera opposed to the transfer)

The FINCOM agreed to requesting a suspension of the rules at the October 5, 2020 City Council meeting to approve the transfer pending receipt of a plan of the subject property.

3. **Order #20-1008092: Salary Ordinance, City Code Chapter 125, s6, position of Comptroller:** The Finance Committee reviewed the Mayor's letter dated September 10, 2020 requesting a salary increase, maximum \$147,000.00 for the Comptroller position effective September 28 due to failed attempts over the past nine months to fill the vacant position. The position has been posted with a \$15,000.00 increase pending approval by the City Council.

Roll Call Vote, the Finance Committee voted 5-0 to approve the salary ordinance.

The Finance Committee agreed to requesting a suspension of the rules at the October 5, 2020 City Council meeting to approve the new salary ordinance for the Comptroller.

4. **Order #20-1008056A and 1008056B: Salary Ordinance, City Code Chapter 125, s6, position of Civil Defense Director and revised Job Description:** The FINCOM reviewed the Mayor's letter dated July 16, 2020 requesting a revised salary schedule and job description for the Civil Defense Director position to include salary of \$15,000.00 per year except during a declared state of emergency by the Governor. During a state of emergency, in addition to the above annual salary rate, an hourly rate of \$60.00 per hour could be authorized by the Mayor subject to the rate being at least 75% reimbursable to the City by the federal or state government programs, available appropriation and prior approval as to hours and duties performed.

Roll Call Vote, the Finance Committee voted 5-0 to approve the new salary ordinance and job description for the Civil Defense Director.

The Finance Committee agreed to requesting a suspension of the rules at the October 5, 2020 City Council meeting to approve the new salary ordinance and job description for the Civil Defense Director.

5. **Order #20-1008093A and 1008093B: Salary Ordinance, City Code Chapter 125, s6, position of Veterans Director and revised Job Description.** The Finance Committee reviewed the Mayor's letter dated September 10, 2020 requesting a seven-step salary ordinance, minimum \$63,933.94/maximum \$72,000.00 with authorization to waive maximum of two steps on the salary schedule and a revised job description for the Veterans Director position. The Mayor stated he would not be waiving any steps.

## Reports of Committee Continued:

Roll Call Vote, the Finance Committee voted 5-0 to approve the new salary ordinance and job description for the Veterans Director.

- 6. Order #20-1008094A and 1008094B: Salary Ordinance, City Code Chapter 125, s6, position of Paralegal and revised Job Description.** The Finance Committee reviewed the Mayor's letter dated September 10, 2020 requesting a seven-step salary ordinance, minimum \$51,200.33/maximum \$57,659.89 with authorization to waive maximum of two steps on the salary schedule and a revised job description for the Paralegal position.

Roll Call Vote, the Finance Committee voted 5-0 to approve the new salary ordinance and job description for the Paralegal.

- 7. Order #20-1008095: Proposed amendment to City Code Chapter 328, Fire Department Fees.** The Finance Committee reviewed the Mayor's letter dated September 10, 2020, requesting adjustments to the Marlborough Fire Department Permit Fees per the recommendation of Fire Chief Breen, as well as a comparative fee schedule study of surrounding communities.

Roll Call Vote, the Finance Committee voted 5-0 to approve the amended fee schedule.

Roll Call Vote, the Finance Committee adjourned at 8:25 PM.

**Suspension of the Rules requested – granted**

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED: That the Appointment of Sean Divoll as DPW Commissioner for a five-year term, and pursuant to Chapter 125 §10 of the Code, the Mayor is authorized to start him at step two (\$127,473.75) of the salary schedule, **APPROVED**; adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**



**Suspension of the Rules requested – granted****Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED

**LICENSE TO ENCROACH**

That this License to Encroach, subject to Site Plan Approval, to the record owner of 270-276 Main Street, Marlborough, Massachusetts (the “Licensee”), identified as Map 69, Lot 218 of the City’s Assessor’s Maps, is hereby authorized, to: encroach on and occupy, to the extent applicable, a portion of the layout of Main Street, for the purpose of constructing handicap access ramps at Licensee’s sole cost and expense, as shown on a sketch to be attached hereto and made a part hereof.

The design and construction of said handicap access ramps shall conform to the applicable provisions of the requirements of the Architectural Access Board of the Commonwealth of Massachusetts, the Americans with Disabilities Act, the City of Marlborough Building and Inspectional Departments and the City of Marlborough Public Works Department.

The Licensee, its heirs and assigns, by the construction of said access ramps, hereby agrees to indemnify and save harmless the City of Marlborough, Massachusetts, and its officials, employees, agents, and representatives from any and all injury, loss or damage of whatever nature occurring upon or about said access ramps and/or the real property of the City hereinbefore described, no matter how caused, including but not limited to, all costs, expense and liabilities, including reasonable attorney’s fees, incurred in connection with any injury, loss or damage or any claim or proceeding brought thereon or defense thereof. Licensee shall not cause any lien to be placed on any portion of the City’s property. The obligations in this paragraph shall survive termination of this License.

Licensee shall provide the City with a certificate of insurance evidencing its maintenance of public liability and property damage insurance in sum of One Million Dollars each, naming the City of Marlborough as an additional insured on said policies.

Failure to comply with the above requirements shall cause this License to terminate at the sole discretion of the City, and Licensee shall remove all encroachments at its sole cost. Licensee shall, within thirty (30) days of receipt of this License, record same at Licensee’s expense.

Attach: Sketch Plan**APPROVED;** adopted.**Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**Suspension of the Rules requested – granted****Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED That the Transfer Request in the amount of \$569,190.00 which moves funds from Undesignated Fund to various Capital Outlay accounts to fund Capital Improvement projects, **APPROVED**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	Various					FISCAL YEAR:	2021	
		FROM ACCOUNT:					TO ACCOUNT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$5,580,425.00	\$569,190.00	10000	35900	Undesignated Fund	\$65,250.00	19300006	58512	Capital Outlay-Fire	\$0.00
	Reason:	To fund various capital requests				Personal Protective Equipment			
					\$65,000.00	19300006	58467	Capital Outlay-Public Facilities	\$0.00
						Cameras at 2 Fire Stations			
					\$218,000.00	19300006	58593	Capital Outlay-Police	\$0.00
	Reason:					Cruisers and Radios			
					\$220,940.00	19300006	58731	Capital Outlay-DPW Equipmer	\$0.00
	Reason:					Freightliner w/lift			
	\$569,190.00	Total			\$569,190.00	Total			

**Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**Suspension of the Rules requested – granted****Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED That the Transfer Request in the amount of \$440,000.00 which moves funds from Economic Development to MEDC Funding to fund the purchase of 481 Elm Street as a potential site of the west-side fire station, **APPROVED**; adopted.

		CITY OF MARLBOROUGH										
		BUDGET TRANSFERS --										
	DEPT:	Mayor						FISCAL YEAR:	2021			
		FROM ACCOUNT:					TO ACCOUNT:					
Available											Available	
Balance	Amount	Org Code	Object	Account Description:		Amount	Org Code	Object	Account Description:		Balance	
\$1,264,262.52	\$440,000.00	27000099	42440	Economic Development		\$440,000.00	11740006	53950	MEDC Funding		\$0.00	
	Reason:	Elm Street property purchase										
	\$440,000.00	Total				\$440,000.00	Total					

**Yea: 9 – Nay: 2****Yea: Wagner, Doucette, Dumais, Irish, Navin, Landers, Oram, Ossing, & Perlman.****Nay: Tunnera & Robey.**

**Suspension of the Rules requested – granted****Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 125, ENTITLED “PERSONNEL,” AS FOLLOWS:

I. By adding to the salary schedule referenced in Section 125-6, the following:

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
	Start	6 months of service	1 year of service	2 years of service	3 years of service	4 years of service	5 years of service
Comptroller - Treasurer	\$130,531.79	\$133,142.43	\$135,805.27	\$138,521.38	\$141,291.81	\$144,117.64	\$147,000.00

II. This ordinance shall supersede and replace any existing rate for said position (if applicable) in the current salary schedule. The mayor is authorized to waive a maximum of two (2) steps on the salary schedule for this position, subject to available appropriation.

III. The effective date of this amendment shall be September 28, 2020; adopted.

**Suspend First Reading; Adopt Second Reading; APPROVED.****Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.****Passage to Enroll; APPROVED.****Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.****Passage to Ordain; APPROVED.****Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.****No objection to passage in one evening.**

Motion by Councilor Irish to amend the Salary Ordinance for the Director of Civil Defense to reflect the effective date of September 28, 2020.

**APPROVED;** adopted.

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**Suspension of the Rules requested – granted**

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED AS FOLLOWS:

- I. By amending Chapter 125, entitled “Personnel”, by adding to the salary schedule referenced in Section 125-6, the following:

Position	Effective Date	Minimum	Step 1	Step 2	Maximum
Director of Civil Defense	September 28, 2020				\$15,000.00*

\* During a declared state of emergency by the governor of the Commonwealth, in addition to the above annual salary rate, an hourly rate of pay of \$60.00 per hour may be authorized by the Mayor, subject to: (1) said hourly rate being at least 75% reimbursable to the city by the federal or state government, (2) available appropriation; and (3) approval of the Mayor as to duties and hours to be performed.

- II. This ordinance shall supersede and replace any existing rate for said position (if applicable) in the current salary schedule.

- III. The effective date of this amendment shall be September 28, 2020.

**Suspend First Reading; Adopt Second Reading; APPROVED.**

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**Passage to Enroll; APPROVED.**

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**Passage to Ordain; APPROVED.**

**Yea: 11 – Nay: 0**

**Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

**No objection to passage in one evening.**

**Suspension of the Rules requested – granted****Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED That the Proposed Job Description as updated (attached hereto) for the Director of Civil Defense position as submitted by the Mayor, **APPROVED**; adopted.

**Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.****Suspension of the Rules requested to allow a communication from the Mayor – granted****Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED That a petition to the General Court, accompanied by a bill for a special law relating to the City of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**AN ACT AMENDING AN ACT AUTHORIZING THE CITY OF  
MARLBOROUGH TO GRANT AN ADDITIONAL LICENSE FOR THE SALE  
OF ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES.**

**Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:**

SECTION 1. Section 1(d) of chapter 306 of the acts of 2018 is hereby amended by striking out the words “2 years” and inserting in place thereof the following words: - “3 years”.

SECTION 2. This act shall take effect upon its passage.

**APPROVED**; adopted.

**Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 9:09 PM; adopted.

**Yea: 11 – Nay: 0****Yea: Wagner, Doucette, Dumais, Tunnera, Irish, Navin, Landers, Oram, Ossing, Perlman, & Robey.**