



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
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DECEMBER 21, 2020

Regular meeting of the City Council was held on Monday, December 21, 2020 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Doucette, Dumais, Tunnera, Irish, Navin & Landers. Councilors Participating Remotely: Wagner, Oram, Perlman & Robey. Meeting adjourned at 8:22 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.

Yea: 11 – Nay: 0

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

ORDERED: That the Minutes of the City Council meeting, December 7, 2020, **FILE**; adopted.

Yea: 11 – Nay: 0

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

ORDERED: That the Communication from Councilors Ossing and Tunnera, re: Municipal Aggregation – December 2020 Update, **FILE**; adopted.

Yea: 11 – Nay: 0

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

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$25,000.00 from the National Highway Traffic Safety Administration awarded to the Police Department to be used for municipal road safety, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$13,071.00 from the Department of Justice awarded to the Police Department for the purchase of equipment upgrades for first responders, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$6,000.00 from the Brigham Family Trust awarded to the Senior Center to be used for programming, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Gift Acceptance in the amount of \$3,000.00 for the Police Department from Michael Burnell, Lawrence Bertucci and Christina Barreira employees of Cummings Properties, LLC to be used for community outreach programs by the Police Department, **APPROVED**; 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 Ordinance Amendment to Chapter 125 by adding 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, in proper legal form, Order No. 20-1008108, **MOVED TO AGENDA ITEM 13**; 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 **THE SECOND MEETING IN JANUARY 2021** as the **DATE FOR PUBLIC HEARING**, on the Application for Special Permit from Attorney Brian Falk, on behalf of Speedy Auto Repair, Inc., to relocate an existing auto body shop from 315 Maple Street to 412-418 Maple Street in the Commercial Automotive Zoning District; with a land area of less than one acre in addition to a preexisting nonconforming structure on the site, referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; 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) Board of Assessors, October 30, 2020 & November 24, 2020.
- b) Library Board of Trustees, November 3, 2020.
- c) Zoning Board of Appeals, November 17, 2020.

Yea: 11 – Nay: 0

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

Reports of Committees:

THERE WERE NO REPORTS OF COMMITTEE.

ORDERED: That the Transfer Request in the amount of \$80,000.00 which moves funds from PEG Fund to IT Equipment to fund upgrades for Accela for various departments, **APPROVED**; adopted.

CITY OF MARLBOROUGH											
BUDGET TRANSFERS --											
	DEPT:	IT						FISCAL YEAR:	2021		
		FROM ACCOUNT:						TO ACCOUNT:			
Available											Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:			Balance
\$460,128.83	\$80,000.00	27000099	47750	Receipts Reserved-PEG Funds	\$80,000.00	19300006	58618	IT Equipment			\$0.00
	Reason:	Use PEG funds for Accela services									
	\$80,000.00	Total			\$80,000.00	Total					

Yea: 11 – Nay: 0

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

ORDERED: That the Petition from Eversource Energy to install approximately 465' of 8" Intermediate Pressure Gas Main as part of a system improvement on South Street between 417 South Street and Maple Street, be and is herewith **APPROVED WITH THE FOLLOWING CONDITIONS**.

1. A field visit with Eversource and Engineering shall be conducted prior to the start of work so that the location of the new main within the roadway can be approved;
2. Final trench paving conditions shall be set forth in the Road Opening Permit;
3. This work shall not be permitted to start until the Spring of 2021.

Yea: 11 – Nay: 0

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

ORDERED: That the Application for renewal of Junk Dealer/Secondhand Dealer License from ecoATM, LLC, 601 Donald J. Lynch Boulevard, **APPROVED**; 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 Ordinance Amendment to Chapter 125 by adding 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, in proper legal form, Order No. 20-1008108, **FILE**; adopted.

Yea: 11 – Nay: 0

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

ORDERED: At a regular meeting of the City Council held on Monday, DECEMBER 21, 2020, the following proposed amendment to the City Code, Chapter 125 by adding 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, having been read was **ORDERED ADVERTISED**; 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, 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 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 There being no further business, the regular meeting of the City Council is herewith adjourned at 8:22 PM; adopted.

Yea: 11 – Nay: 0

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