

Councilors-at-Large

Mark A. Oram
Michael H. Ossing
Samantha Perlman
Kathleen D. Robey



Ward Councilors

Ward 1 – Laura J. Wagner
Ward 2 – David Doucette
Ward 3 – J. Christian Dumais
Ward 4 – Robert J. Tunnera
Ward 5 – John J. Irish
Ward 6 – Sean A. Navin
Ward 7 – Donald R. Landers, Sr.

Council President

Michael H. Ossing

Council Vice-President

Kathleen D. Robey

CITY OF MARLBOROUGH CITY COUNCIL MEETING MINUTES MONDAY, FEBRUARY 8, 2021

The regular meeting of the City Council was held on Monday, February 8, 2021 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 9:05 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.

Motion by Councilor Tunnera, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of the City Council meeting, January 25, 2021, **FILE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Tunnera, seconded by the Chair to adopt the following:

Suspension of the Rules requested to allow for the Mayor to speak – granted.

Yea: 11 – Nay: 0

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

ORDERED: That the PUBLIC HEARING on the Petition from Massachusetts Electric to install a new solely owned pole #5 in the public right of way on North Bigelow Street to accommodate substation expansion, Order No. 21-1008189, all were heard who wish to be heard, hearing closed at 8:29 PM; adopted.

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

ORDERED: That the PUBLIC HEARING on the Application for Modification of Special Permit from Todd Wilson, on behalf of Diversified Funding Acquisition LLC/Atlantic Property Management, to add kitchenettes to existing guest rooms for use as an extended stay hotel and the conversion of manager's residence to a guest room for a total of 65 guest rooms at 880 Donald J. Lynch Boulevard (Quality Inn), Order No. 21-1008171, all were heard who wish to be heard, hearing closed at 8:40 PM; adopted.

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

President Ossing called a recess at 8:40 PM and returned to open meeting at 8:41 PM.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$80,436.00 from the Executive Office of Elder Affairs (EOEA) awarded to the Council on Aging which will be utilized for many of the enrichment programs and services offered by the Senior Center; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That the Proposed Amendment to Chapter 125 "Personnel" §6 of the Code to add a stipend for members of the Conservation Commission effective April 1, 2021, referred to the **FINANCE COMMITTEE**; adopted.

Yea: 11 – Nay: 0

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

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:

<u>Position</u>	<u>Rate</u>
Conservation Commission Member	\$150 Per Conservation Commission Meeting Attended

This ordinance shall supersede and replace any existing rate for said position in the current salary schedule.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That the Transfer Request in the amount of \$3,150.00 which moves funds from Summer Employment to Conservation Commission Members to cover the proposed stipends through June 30, 2021, referred to the **FINANCE COMMITTEE**; 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	
\$50,000.00	\$3,150.00	11210003	51250	Summer Employment	\$3,150.00	12410003	51186	Conservation Comm Members	\$0.00	
	Reason:	Unused due to COVID-19				To fund stipends for board members				
	\$3,150.00	Total			\$3,150.00	Total				

Yea: 11 – Nay: 0

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

Motion by Councilor Dumais, seconded by the Chair to adopt the following:

ORDERED: That the Reappointment of James Griffin to the Board of Health for a 3-year term to expire on the first Monday in February (February 5, 2024), referred to the **PERSONNEL COMMITTEE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Dumais, seconded by the Chair to adopt the following:

ORDERED: That the Appointment of Phillip Short to the Board of Health for a 3-year term to expire on first Monday in February (February 5, 2024), replacing Robin Williams who has served on the board for 6-years, referred to the **PERSONNEL COMMITTEE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Request for Approval of a Flat Wall Sign, Edible (formerly Edible Arrangements), 1025 Boston Post Road East, within the Wayside District, **APPROVED**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from the Planning Board, re: Notice of Grant of Variance/Appeal to the Sign Ordinance (Chapter 526) for Serrato Signs, LLC on behalf of St. Mary's Credit Union (Starbucks), 133 South Bolton Street, **FILE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That there being no objection thereto set **MONDAY FEBRUARY 22, 2021** as the **DATE FOR PUBLIC HEARING**, on the Application for LED Sign Special Permit, from Serrato Signs, LLC on behalf of Starbucks (St. Mary's Credit Union), 133 South Bolton Street, referred to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

Yea: 11 – Nay: 0

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

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

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

- a) School Committee, January 4, 2021.
- b) Board of Assessors, December 8, 2020.
- c) Conservation Commission, January 7, 2021.
- d) Library Trustees, January 5, 2021.
- e) Planning Board, January 11, 2021.
- f) Traffic Commission, December 30, 2020.
- g) Zoning Board of Appeals, January 19, 2021.

Yea: 11 – Nay: 0

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

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

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

- a) Sharon Boegel, 180 Naugler Avenue, residential mailbox claim (2b).
- b) Chris Taylor, 159 Barnard Road, residential mailbox claim (2b).

Yea: 11 – Nay: 0

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

Reports of Committees:

Councilor Landers orally reported on the matter in Public Services Committee for which the Public Hearing closed this evening with no questions or objections from the public:

Order No. 20-1008189 – Petition from Massachusetts Electric to install a new solely owned pole #5 in the public right of way on North Bigelow Street to accommodate substation expansion.

Based on the written recommendation from the City Engineer, Chair Landers requests a suspension of the rules to approve the petition this evening subject to the requirements of the City Engineer which are as follows:

That the new utility pole shall be located as far off the paved roadway as possible and the proposed location shall be marked by the petitioner and the location shall be approved by the Engineering Division prior to installation.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

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 the Transfer Request in the amount of \$370,000.00 which moves funds from PEG Funds to Marlborough Cable Trust to fund the operation of WMCT for FY2022, referred to **FINANCE COMMITTEE**.

Councilor Ossing read a Disclosure of Appearance of Conflict of Interest into the record.

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
\$634,764.76	\$370,000.00	27000099	47750	Receipts Reserved-PEG Funds	\$370,000.00	89000	25581	Marlboro Cable Trust		\$0.00
	Reason:	To fund WMCTS FY22 Budget								
	\$370,000.00	Total			\$370,000.00	Total				

Yea: 11 – Nay: 0

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

Motion by Councilor Landers, seconded by the Chair to adopt the following:

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 Petition from Massachusetts Electric to install a new solely owned pole #5 in the public right of way on North Bigelow Street to accommodate substation expansion, **APPROVED WITH THE FOLLOWING CONDITIONS**; adopted.

1. The new utility pole shall be located as far off the paved roadway as possible.
2. The proposed location shall be marked by the petitioner and the location shall be approved by the Engineering Division prior to installation.

Yea: 11 – Nay: 0

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

Motion by Councilor Tunnera, seconded by the Chair to adopt the following:

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 9:05 PM; adopted.

Yea: 11 – Nay: 0

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