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CITY OF MARLBOROUGH

2018 MAY 17 P 1:38

1. Announcement-Veteran of the Year 2018.
2. Minutes, City Council Meeting, May 7, 2018.
3. PUBLIC HEARING On the Proposed FY19 Budget as submitted by Mayor Vigeant in the amount of \$162,833,467.00 for review and appropriation in which this spending plan reflects an increase of 3.99% over the approved Fiscal Year 2018 budget, Order No. 18-1007261.
4. Communication from the Mayor re: FY18 Bond Order Correction.
5. Communication from the Mayor re: Year-end transfer requests with detailed narratives att'd.
6. Communication from the Mayor re: DPW transfer request in the amount of \$1,588,000.00 which moves funds from Undesignated to Overtime-Snow & Ice, Snow Removal & Operating Expenses in the amounts of \$281,300.00, \$538,800.00 & \$767,900.00 respectively to fund FY18 deficit.
7. Communication from the Mayor re: MEDC transfer request in the amount of \$679,841.00 which moves funds from Economic Development to MEDC funding to fully fund their FY19 operations.
8. Communication from the Mayor re: transfer request in the amount of \$18,000.00 which moves funds from Undesignated to Stabilization-Open Space to move revenues from wireless antenna receipts from FY17.
9. Communication from the Mayor re: Council on Aging Revolving Fund-Fiscal Year 2018 Increase.
10. Communication from the Mayor re: FY19 Revolving Funds Spending Limit.
11. Communication from the Mayor re: Budget Earmark for Park Improvements.
12. Communication from City Solicitor, Donald Rider, re: Acceptance of Slocumb Lane as a public way.
13. Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: Zoning Ordinance Amendments – City Code §650-32 Medical Marijuana Treatment Center; Adult Use Marijuana Retail; Marijuana Accessories Retail; and Medical and/or Adult Use Marijuana Cultivator, Independent Testing Laboratory, Product Manufacturer or Transporter, in proper legal form, Order No. 18-1007163-2C.
14. Communication from Assistant City Solicitor, Cynthia Panagore Griffin, Acceptance of Grant of Public Walking Trail Easement concerning Fairfield (fka Talia), in proper legal form.
15. Communication from the Planning Board re: Favorable recommendation of proposed Ordinance Zoning Amendments, §650-32, Marijuana Ordinances, Order No. 18-1007163-2C.
16. Communication from the Planning Board re: Negative recommendation of proposed Ordinance Zoning Amendment, §650-36, Commercial Village Housing Overlay District, Order No. 18-1007134A.
17. Communication from the Retirement Board re: Consideration of a cost of living increase (COLA) pursuant to MGL Chapter 32, §103(i).
18. Communication from Colie O'Donnell re: Support of Proposed Farm Road Retirement Community Overlay District, Order No. 18-1007136D.
19. Communication from Attorney Falk, Mirick O'Connell, re: Proposed Zoning Amendment – Ancillary Residential Communities.
20. Petition from Comcast to install a new underground conduit to 46 Lizotte Dr.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

21. Minutes, School Committee, April 24, 2018.
22. Minutes, Board of Assessors, March 28, 2018 (Amended) & April 18, 2018.
23. CLAIMS:
 - a. Rosa Nguyen, 7 Uncatena Ave, pothole or other road defect.
 - b. Paul Valianti, 126 Edinboro St., pothole or other road defect.
 - c. Moteza Asgarzadeh, 8 Grant St., pothole or other road defect.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

24. **Order No. 18-1007239 – Transfers \$400,000.00 from Open Space Stabilization to Purchase 19 Properties from the Community Development Authority (CDA).** The Finance Committee reviewed the Mayor’s letter dated April 19, 2018 requesting a transfer of \$400,000.00 from the Open Space Stabilization account to the Marlboro CDA. The Marlboro CDA will convey 19 properties to the City of Marlboro. **The Finance Committee voted 5 - 0 to approve the transfer.**
25. **Order No. 18-1007219 – Transfer \$1,075,000.00 from Undesignated Funds to the Marlboro Economic Development Corporation (MEDC) for Land Acquisition.** The Finance Committee reviewed the Mayor’s letter dated March 29, 2018 requesting a transfer of \$1,075,000.00 from the Undesignated Fund Account to the MEDC. The purpose of the transfer is to satisfy the Purchase and Sales agreement between the City, the MEDC and Geraldine Fossile, Trustee of Lincoln and Mechanic Realty Trust. **The Finance Committee voted 5 - 0 to approve the transfer.**
26. **Order No.18-1007241 – Communication from the Mayor regarding City of Marlboro Management Letter for FY2017.** The Finance Committee reviewed the Mayor’s letter dated April 19, 2018 that contained the Management letter for fiscal year 2017 from the outside auditors Roselli, Clark & Associates. The recommendations, findings and improvements made since the last audit were discussed. **The Finance Committee voted 5 - 0 to accept and place on file the letter and requested the Comptroller provide a summary of the City’s response to the issues identified in the report by the end of the year.**
27. **Order No. 18-1007242 - Local Options Marijuana Sales Tax.** The Finance Committee reviewed the Mayor’s letter dated April 19, 2018 to accept Massachusetts General Law Chapter 64N Section 3 which would permit the City of Marlboro to impose a 3 percent local sales tax on the “sale or transfer of marijuana products by a marijuana retailer operating within the City.” **The Finance Committee voted 5 – 0 to approve the Order to impose a 3% local sales tax of marijuana products by a marijuana retailer operating within the City. Councilor Juaire abstained from participating.**

From Legislative and Legal Affairs Committee

28. **Order No. 18-1007239 - Communication from the Mayor regarding MCDA transfer request in the amount of \$400,000.00 which moves funds from Open space Stabilization to the Marlborough Community Development Authority to convey 19 properties to the city of Marlborough, including a large parcel on Winter Street abutting Stevens Park. It was moved and seconded to approve the order to accept title for the land, excluding structures or buildings located thereon of 19 properties and to take by Eminent Domain the land, excluding structures or buildings located thereon, those same 19 properties. The motion carried 2-1.**

From City Council

29. **Order No. 18-1007163-2C - Proposed Zoning Ordinance Amendment to Chapter 650, several subsections as it pertains to Adult (formerly "Recreational") Use Marijuana. ITEM WAS TABLED AND REFERRED TO LEGAL TO PLACE IN PROPER LEGAL FORM FOR THE MAY 21, 2018 CITY COUNCIL MEETING.**