

REGULAR MEETING
SEPTEMBER 9, 2019
TIME: 8:00 PM

IN CITY COUNCIL
ABSENT
LOCATION: CITY HALL, 140 MAIN STREET, 2ND FLOOR

CONVENED:
ADJOURNED:
RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2019 SEP -5 P 12:45

1. Minutes, City Council Meeting, August 26, 2019.
2. CONTINUED PUBLIC HEARING On the Petition from Massachusetts Electric and Verizon New England, to install a new Pole 8-5 at 150 Hayes Memorial Drive to service a new customer, Order No. 19-1007739A.
3. Communication from the Mayor, re: Gift Acceptance in the amount of \$7,500.00 from Digital Federal Credit Union (DCU) for the Police Department to assist community support initiatives like the Summer Youth Academy.
4. Communication from the Mayor, re: Gift Acceptance in the amount of \$20.00 from WAITT (We're All In This Together) on behalf of IC Federal Credit Union for the Police Department as a community donation.
5. Communication from the Mayor, re: Reappointments to the Commission on Disabilities of Debra McManus, Anne Ryan, and Laura Kyle, for three-year terms from date of confirmation, in addition to John Usinas and Cheryl Soucy for two-year terms from date of confirmation.
6. Communication from the Mayor, re: Appointment of John Welch, Jr. to the Parks & Recreation Commission for a three-year term from date of confirmation.
7. Communication from City Solicitor, Jason Grossfield, re: Application for Special Permit from St. Mary's Credit Union, to build and operate a drive-thru facility for a bank and a drive-thru facility for a coffee shop- restaurant at 133 South Bolton Street, in proper legal form, Order No. 19-1007720A.
8. Communication from Attorney Brian Falk on behalf of Vincenza Sambataro, re: Request to Extend Time Limitations to November 19, 2019 at 10:00 PM, on the Application for Special Permit to construct a Mixed-Use Development in the Marlborough Village District consisting of both residential and commercial space, 161-175 Main Street, Order No. 19-1007571C (X18/19-1007135B).
9. Application for LED Sign Special Permit from Dan Corbin on behalf of Blue Hills Fuels LLC, (Gulf Station) 114 East Main Street.
10. Application for Special Permit from Attorney Brian Falk, on behalf of One Energy, Inc., to authorize the alteration of a preexisting nonconforming gas station use, to a gas station, convenience store and restaurant/café use at 121 Bolton Street.
11. Minutes, School Committee, June 25, 2019.
12. Minutes, Cultural Council, August 5, 2019.

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.

13. Minutes, Commission on Disabilities, June 4, 2019 & July 2, 2019.
14. Minutes, Planning Board, July 22, 2019.
15. CLAIMS:
 - a) Arnalda Ann Cross, 26 James Avenue, pothole or other road defect.
 - b) Patrick Holaday, 158 Albion Street, Somerville, other property damage and/or personal injury.
 - c) Elyse Probst, 22 Broad Street, #225, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

16. **Order No. 19-1007730 - Transfer \$220,000.00 from the PEG Fund to Information Technology:** The Finance Committee reviewed the Mayor's letter dated July 18, 2019 requesting the transfer of \$220,000.00 from the Cable TV public, Education and Government (PEG) Fund to Information technologies to fund projects including the replacement of two thirds of the City's computers, replacement of audio visual equipment in the cafeteria of three elementary schools and replacement of wireless antennas around the district.

The Finance Committee voted 4 – 0 to approve the transfer request.

From Legislative & Legal Affairs Committee

17. **Order No. 19-1007735 (X 99-8201)-Communication from Mayor regarding request for revocation of License to Encroach, 26 Monument Avenue.** The Mayor's letter of July 10, 2019 was read into record. Additional information provided to councilors included a letter from Code Officer Wilderman to the City Council and letter from Code Officer Wilderman to Oscar Barrera, 26 Monument Avenue. The City Council approved the License to Encroach on June 14, 1999, but issues with the property owner went unresolved warranting the Mayor's request to revoke the license.

Councilor Delano moved to approve the Order to Revoke the License to Encroach dated June 14, 1999, and any and all permission to use the real property pursuant to said license, effective immediately; the motion was seconded and carried 3-0.

From City Council

18. **Order No. 19-1007761 – Communication from Attorney Geoffrey Smith on behalf of Heritage Farm, LLC re: Notice pursuant to MGL, c 61A, §14 of intent to sell land and convert use, 339 Boston Post Road East, identified as Parcels 72-35, 73-26A, 73-28, 73-24 & 73-26 (Document available for viewing in the Clerk's Office), ITEM WAS TABLED TO THE SEPTEMBER 9, 2019 CITY COUNCIL MEETING.**