

REGULAR MEETING
FEBRUARY 24, 2020
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

2020 FEB 20 P 3:55

1. Minutes, City Council Meeting, February 10, 2020.
2. PUBLIC HEARING On the Petition from Massachusetts Electric, to install a new pole and anchor #79-84 on Berlin Road, which will enable National Grid to remove the pole to tree guy wire, Order No. 20-1007933.
3. PUBLIC HEARING On the Proposed Zoning Amendment to Chapter 650 §17 & §18 relative to Livestock Farms, Order No. 20-1007915.
4. Communication from the Mayor, re: Transfer Request in the amount of \$473,846.52 which moves funds from PEG Funds to Marlborough Cable Trust to fund the operation of WMCT for FY2021.
5. Communication from the Mayor, re: Transfer Request in the amount of \$400,000.00 from Undesignated Fund (Free Cash) to Stabilization – Open Space to replace the money used for the purchases of land on Bolton Street.
6. Communication from the Mayor, re: Grant Acceptance in the amount of \$5,000.00 from the Massachusetts Cultural Council to fund cultural projects, including the Museum in the Streets.
7. Communication from the Mayor, re: Appointment of Lynn Davine as Director of Human Resources for a three-year term from date of confirmation.
8. Communication from the Mayor, re: Appointment of Michael Hennessy as Director of Veterans Services for a three-year term effective February 10, 2020.
9. Communication from the Mayor, re: Reappointment of Beverly Sleeper as Chief Procurement Officer for a three-year term from date of confirmation.
10. Communication from the Mayor, re: Appointment of Melynda Gallagher to the Parks and Recreation Commission for a three-year term from date of confirmation.
11. Communication from City Solicitor, Jason Grossfield, on behalf of Councilor Robey, re: Proposed Zoning Amendment to Chapter 650, §5, §17, & §18 – Contractor Yards and the Proposed Rezoning of land located on Farm Road, identified as Map 85 Parcel 12.
12. Communication from City Solicitor, Jason Grossfield, re: Letters of support for Proposed Zoning Amendment relative to Contractor Yards and the Proposed Rezoning of land on Farm Road and update on pending litigation.
13. Communication from Code Enforcement Officer Pamela Wilderman, re: Request for Sign, Gerardo's Bakery, 115 Apex Drive, Unit D, within the HRMUOD, Order No. 16/20-1006443.

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.

14. Communication from Attorney Brian Falk, on behalf of Vedi Naturals, LLC, re: Request to Extend Time Limitations to June 9, 2020 at 10:00 PM, on the Application for Special Permit to operate an Adult Use Marijuana Retail Establishment, 505 Boston Post Road West (Twin Boro Crossing), Order No. 20-1007881A.
15. Application for LED Sign Special Permit, from William Camuso on behalf of Lincoln 431 LLC, (Shell Station) 431 Lincoln Street.
16. Communication from Central MA Mosquito Control, re: FY 2021 Budget Notification and Compliance Certification Policy.
17. Minutes of Boards, Commissions and Committees:
 - a) Conservation Commission, January 9, 2020 & January 23, 2020.
 - b) Historical Commission, December 19, 2019.
 - c) Library Trustees, January 7, 2020.
18. CLAIMS:
 - a) Mark Bigelow, 29 Pearl Street, pothole or other road defect.
 - b) David & Cindy D'Amico, 102 West Hill Road, residential mailbox claim (2a).
 - c) Eileen Hebert, 512 Linwood Court, Clinton, pothole or other road defect.
 - d) Daniel Hong, 5 Repton Circle, #5214, Watertown, pothole or other road defect.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Public Services Committee

19. **Order No. 19-1007863A – Petition from Massachusetts Electric, to install new underground equipment to feed street lights 52 through 57 from existing street light #24 on Donald J. Lynch Boulevard.**

Albert Galvin, Design Engineer with National Grid, and Thomas DiPersio, City of Marlborough, City Engineer, appeared before the Public Services Committee to review the petition. Mr. DiPersio's comments per an email dated Friday, January 31, 2020 were as follows, "This new street lighting project is proposed at the City's request, as part of our ongoing reconstruction project along Donald Lynch Boulevard. In order to coordinate with construction activities by our contractor, some infrastructure, including the conduits at the roadway crossings, was installed at the end of the construction season in 2019. With the Council's approval the lighting and the electrical connections can be installed in the spring." Motion by Councilor Irish, seconded by Chair, to approve the Petition, as requested. Vote 3-0.

Recommendation of the Public Services Committee is to approve.

20. **Order No. 19-1007877A – Petition from Massachusetts Electric, to install a new pole and anchor #30-84 on Bigelow Street which will enable National Grid to remove the pole to tree guy wire.**

Albert Galvin, Design Engineer with National Grid, and Thomas DiPersio, City of Marlborough, City Engineer, appeared before the Public Services Committee to review the petition. Mr. DiPersio had no issues or comments on the petition. Motion by Councilor Irish, seconded by Chair, to approve the Petition, as requested. Vote 3-0.

Recommendation of the Public Services Committee is to approve.

From Finance Committee

21. **Order No. 19-1007838A -New Library Update.**

Communication from the Mayor dated October 24, 2019 requesting that representatives of the Marlborough Public Library Building Committee provide an update to the City Council. Representatives of the Building Committee provided a thorough update including a slide presentation. Motion by Councilor Tunnera, seconded by Chair, to accept and file. Vote 5-0

Recommendation of the Finance Committee is to accept and file.

22. **Order No. 20-1007916 -Transfer of \$3,029,000.00 for Hudson Street Landfill Redevelopment.**

The Finance Committee reviewed the Mayor's letter dated January 23, 2020 requesting the transfer of \$3,029,000.00 from the Undesignated Fund account for the design and construction of the DEP corrective actions to prepare a portion of the Hudson Street Landfill for active reuse. Motion by Councilor Tunnera, seconded by Councilor Dumais, to approve the Transfer. Vote 3-2 (Oram and Perlman opposed).

Recommendation of the Finance Committee is to approve.

From Personnel Committee

23. **Order No. 20-1007919 – The reappointment of Diane Smith as City Auditor for a three-year term from date of confirmation.**

Recommendation of the Personnel Committee is to approve.

24. **Order No. 20-1007920 – The appointment of Nusrath Khan to the Planning Board for a one-year term to expire the first Monday in February 2021.**

Recommendation of the Personnel Committee is to approve.

25. **Order No. 20-1007902 – The reappointment of Patricia Carlson to the Commission on Disabilities for a two-year term from date of confirmation.**

Recommendation of the Personnel Committee is to approve.

26. **Order No. 20-1007903 – The reappointments to the Zoning Board of Appeals of Paul Giunta and Robert Levine for three-year terms from date of confirmation, in addition to Thomas Golden and Ralph Loftin for two-year terms from date of confirmation.**

Recommendation of the Personnel Committee is to approve.

27. **Order No. 20-1007904 – The appointment of Paul Gould to the Fort Meadow Commission for a three-year term from date of confirmation who will be replacing Commissioner Delgenio.**

Recommendation of the Personnel Committee is to approve.