

REGULAR MEETING
APRIL 27, 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 APR 23 P 3:00

This meeting of the City Council will be held virtually on Monday, April 27, 2020 at 8:00 PM with Councilors attending in person and/or remotely. **NO PUBLIC ATTENDANCE WILL BE PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon Channel 34) or you can view the meeting using the link under the Meeting Videos tab on the city website (www.marlborough-ma.gov).

1. Minutes, City Council Meeting, March 23, 2020.
2. CONTINUED PUBLIC HEARING On the Proposed Zoning Amendment to Chapter 650, §5, §17, & §18 relative to Contractor Yards and the Proposed Rezoning of land located on Farm Road, identified as Map 85 Parcel 12, Order No. 20-1007947A.
**** THIS PUBLIC HEARING WILL BE CONTINUED WITH NO TESTIMONY BEING HEARD TO MAY 18, 2020 AT 8:00 PM. ****
3. CONTINUED PUBLIC HEARING On the Application for LED Sign Special Permit, from William Camuso on behalf of Lincoln 431 LLC, (Shell Station) 431 Lincoln Street, Order No. 20-1007948A.
**** THIS PUBLIC HEARING WILL BE CONTINUED WITH NO TESTIMONY BEING HEARD TO MAY 18, 2020 AT 8:00 PM. ****
4. Communication from the Mayor, re: FY 2021 Budget Recommendation in the amount of \$173,983,364.00 which represents a 2.93% increase over last year's appropriation.
(The Proposed FY 2021 Budget is available for viewing in the City Clerk's Office and on the city website).
5. Communication from the Mayor, re: Transfer Request in the amount of \$775,000.00 which moves funds from Undesignated Fund to Overtime-Snow & Ice, Snow Removal and Operating Expenses in the amounts of \$182,000.00, \$173,000.00 & \$420,000.00 respectively to fund FY 2020 deficit.
6. Communication from the Mayor, re: Transfer Request in the amount of \$188,711.00 which moves funds from Reserved for Salaries to various accounts to fund the recently ratified MMEA collective bargaining agreement for fiscal years 2019 to 2021.
7. Communication from the Mayor, re: Transfer Request in the amount of \$100,000.00 which moves funds from Interest on BAN to Covid-19 Expense to cover unanticipated costs associated with efforts to mitigate the spread of Covid-19.
8. Communication from the Mayor, re: Proposed Job Title and Description Change relative to the Conservation/Sustainability Officer position.

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.

9. Communication from the Mayor, re: Notification of renewal of 60-Day Appointments of Collector Eileen Bristol as Interim Treasurer, effective April 14, 2020 at 5:00 PM and Stephen Cirillo as Interim Comptroller, effective April 23, 2020 at 5:00 PM.
10. Communication from City Solicitor Jason Grossfield, on behalf of President Ossing, re: Proposed Zoning Amendment to Chapter 650 to add a new §38 relative to creating a Large-Scale Ground-Mounted Solar Photovoltaic Overlay District.
11. Communication from City Solicitor Jason Grossfield, re: Proposed Salary Ordinance Amendment relative to Chapter 125 §6, which removes and adds salary rates from the schedule and establishes rates by Order not Ordinance, in proper legal form, Order No. 20-1007929A.
12. Communication from the Zoning Board of Appeals, re: Letter of support Proposed Zoning Amendment to Chapter 650, §5, §17, & §18 relative to Contractor Yards and the Proposed Rezoning of land located on Farm Road, identified as Map 85 Parcel 12, Order No. 20-1007947.
13. Communication from Attorney Mark Bourbeau on behalf of Marlborough HUB LLC, re: Proposed Rezoning of land off Valley Street, identified as Map 82, Parcel 125.
14. Application for Renewal of Junk Dealer/Secondhand Dealer License, Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair, 107 Main Street.
15. Application for Renewal of Junk Dealer/Secondhand Dealer License, Antoine Bitar, d/b/a Hannoush Jewelers, 601 Donald J. Lynch Boulevard.
16. Application for Renewal of Junk Dealer/Secondhand Dealer License, Gerald Dumais, d/b/a Dumais & Sons Second Hand Store, 65 Mechanic Street.
17. Petition from Eversource Energy to install 30' of 2" IP plastic gas main as a system improvement on Jefferson Street from the current end of gas main at 23 Jefferson Street to 27 Jefferson Street.
(Plans are available in the City Clerk's Office for viewing).
18. Petition from Eversource Energy to install a total of 500' of 4" IP plastic gas main as a system improvement on Neil Street and Zompetti Street as outlined in the petition.
(Plans are available in the City Clerk's Office for viewing).
19. Communication from Attorney Brian Falk on behalf of Vedi Naturals, LLC, re: Request to Extend Time Limitations to July 21, 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), in addition to supplemental documents related to the Special Permit Application, Order No. 19/20-1007881B.
20. Application for Minor Modification of an LED Sign Special Permit, from Ayoub Engineering, Inc., on behalf of Nouria Energy (Shell Station) 413 Lakeside Avenue to add electronic Diesel Price Panel to an existing Electronic Message Board Gas Pricing Sign (X 15-1006262B).
21. Notice of Filing and CANCELLED Public Hearing, and Extension of Deadline for Written Comments, Department of Public Utilities, NSTAR Gas Company d/b/a Eversource Energy, DPU 19-120.

22. Minutes of Boards, Commissions and Committees:

- a) School Committee, January 28, 2020, February 11, 2020, February 25, 2020, March 10, 2020 & March 24, 2020.
- b) Board of Assessors, February 21, 2020 & March 12, 2020.
- c) Conservation Commission, February 20, 2020.
- d) Historical Commission, February 20, 2020.
- e) Library Trustees, February 4, 2020.
- f) Planning Board, February 24, 2020, March 9, 2020 & March 23, 2020.
- g) Traffic Commission, January 29, 2020.

23. CLAIMS:

- a) Dianne Bass, 251 Pleasant Street, other property damage and/or personal injury.
- b) JoAnne Hansen, 181 West Hill Road, residential mailbox claim (2b).
- c) Dan Hedin, 102 Liberty Street, other property damage and/or personal injury.
- d) Jonathan Pekor, 46 East Dudley Street, residential mailbox claim (2a).
- e) William Poirier, 35 Windmill Drive, residential mailbox claim (2a).
- f) Thomas Tucker, 11 Hawkins Lane, other property damage and/or personal injury.
- g) Verizon, 3300 Fernbrook Lane, Plymouth, MN, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

24. **Order No. 20-1007929 – Proposed Salary Ordinance Amendment submitted by the Mayor relative to Chapter 125 §6 of the City Code.** The Finance Committee reviewed the Mayor's letter dated February 6, 2020 proposing several salaries changes. The Mayor recommended deleting reference to several positions in Section 125-6 and creating a per meeting attended rate of \$150.00 for members of the Planning Board and Zoning Board of Appeals and a new hourly rate not to exceed \$18.00 per hour for the positions of Detention Assistant, Parking Enforcement Officer, Mail Clerk, and Crossing Guard. The proposal also establishes a four-step hourly rate of \$15.4903/Minimum to \$17.6143/Maximum for the existing part-time Council on Aging Social Services Coordinator which compensation is equal to the position of Clerk. Motion by Councilor Oram, seconded by Chair, to approve, advertise the salary ordinance, and refer to the City Solicitor for proper legal form. Vote 5-0.

Recommendation of the Finance Committee is to approve the proposed salary ordinance, refer to the City Solicitor for proper legal form and to advertise.