

REGULAR MEETING
MARCH 22, 2021
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

2021 MAR 18 P 1:40

This meeting of the City Council will be held virtually on Monday, March 22, 2021 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/Fios 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 8, 2021.
2. PUBLIC HEARING on the Application for Special Permit from Cal Verde Naturals, LLC, to operate an Adult Use Marijuana Retail Establishment, 239 Boston Post Road West, Order No. 21-1008214.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 400 705 706 #. ****

3. PUBLIC HEARING on the Proposed Zoning Amendment to Chapter 650 to amend Section 33 the Results Way Mixed Use Overlay District (RMUOD) with a Proposed Zoning Map Amendment, Order No. 21-1008216.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 400 705 706 #. ****

4. Communication from Ward 1 Councilor Laura Wagner, re: Summary of comments related to Application for Special Permit to be known as Walcott Heritage Farms, 339 Boston Post Road East (McGee Farm) from March 8, 2021 City Council meeting, Order No. 20/21-1007995J.
5. Communication from the Mayor, re: Grant Request in the amount of \$25,000.00 per the Legislative mandate in the FY2021 General Appropriation (Chapter 277 of the Acts of 2020) to support the installation of security cameras for the Fire Department.
6. Communication from the Mayor, re: Proposed Acceptance of Land Title from MEDC.
7. Communication from the Mayor, re: Transfer Request in the amount of \$158,128.90 for the DPW as requested by Commissioner Divoll.
8. Communication from the Mayor, re: Request for an increase in the spending limit for the Council on Aging Revolving Fund for FY21 to \$85,000.00.
9. Communication from the Mayor, re: Proposed Amendment to Chapter 67 "Finance", §28 "Principal Assessor; powers and duties" of the Code to amend qualifications of the Principal Assessor along with a Proposed updated job description.
10. Communication from the Mayor, re: Proposed Amendment to Chapter 19 "Boards and Commissions", Article VI "Youth Commission" of the Code to amend Youth Commission.

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.

11. Communication from the Mayor, re: OPEB Trust Update.
12. Communication from City Solicitor Jason Grossfield, re: Proposed Amendment to Chapter 125 “Personnel” §6 “Salary Schedule” of the Code relative to the proposed new position of Resident Drop-Off Station Attendant.
13. Communication from Code Enforcement Officer Ethan Lippitt, re: Request for Approval of a replacement panel on the Free-Standing Monument Sign, Apex Mini Golf, 21 Apex Drive, within the Hospitality and Recreation Mixed Use Overlay District (HRMUOD).
14. Communication from Code Enforcement Officer Ethan Lippitt, re: Request for Approval of two replacement panels on the Free-Standing Monument Signs, Apex Kids, 21 Apex Drive, within the Hospitality and Recreation Mixed Use Overlay District (HRMUOD).
15. Minutes of Boards, Commissions and Committees:
 - a) School Committee, February 23, 2021.
 - b) Conservation Commission, February 18, 2021.
 - c) OPEB Trust, March 9, 2021.
16. CLAIMS:
 - a) Barbara Barrile, 55 Schofield Drive, residential mailbox claim (2a).
 - b) Jillian Barrile, 41 Schofield Drive, residential mailbox claim (2a).
 - c) Clare Fishman, 175 Maple Street, #306, pothole or other road defect.
 - d) Matthew Hassapes, 40 White Terrace, other property damage and/or personal injury.
 - e) Kevin Kolodziejski, 54 Berlin Road, other property damage and/or personal injury.
 - f) Stephen Storr, 815 Edmands Road, Framingham, pothole or other road defect.

REPORTS OF COMMITTEES:

17. ORDERED: That the Human Services Committee hold a public meeting to allow the Marlborough Hospital Leadership to present additional details regarding the Mass General Brigham proposed expansion.Submitted by Councilor Wagner.

UNFINISHED BUSINESS:

From Finance Committee

18. **Order No. 20-1007959: That the City Council approve the Massachusetts Department of Revenue Financial Review Recommendation for adopting an abbreviated budget authorization format for all departments for future city budgets.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Tunnera, seconded by Chair, to recommend authorization for the adoption of an abbreviated budget process for all departments for future city budgets. Chair Irish called the Roll; Motion carried 5-0.

19. **Order No. 21-1008185: Transfer Request in the amount of \$579,275.76 from Undesignated Fund (Free Cash) to Miscellaneous Mitigation account to be used to finish mitigation costs related to trench repair as noted by City Engineer Thomas DiPersio.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0.

20. **Order No. 21-1008202: Transfer Request in the amount of \$370,000.00 from PEG Cable Trust to fund the FY22 Budget for WMCT-TV.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Oram, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0.

21. **Order No. 21-1008206: Transfer Request in the amount of \$10,400,000.00 which moves funds from Ballparks and Fields Capital and Undesignated Fund to various accounts as outlined on the transfer sheet.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0.

22. **Order No. 21-1008207: Transfer Request in the amount of \$1,250,101.00 from the Meals Tax Revenue account to fund FY21 bond payments associated with parks and recreation improvements.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0.

23. **Order No. 21-1008208: Transfer Request in the amount of \$459,600.00 which moves funds from and to various accounts within DPW to fund equipment for the Easterly Wastewater Treatment Plant.**

Recommendation of the Finance Committee is to approve. Motion by Councilor Oram, seconded by Chair, to recommend approval of the transfer. Chair Irish called the Roll; Motion carried 5-0.

24. **Order No. 21-1008211: Request to rescind \$4,889,927.00 in various bonds for projects that are either complete or no longer available for bonding due to regulations.**

Recommendation of the Finance Committee is to recommend rescinding of bonds. Motion by Councilor Tunnera, seconded by Chair, to recommend RESCISSION of the Bonds. Chair Irish called the Roll; Motion carried 5-0.

From City Council

25. **Order No. 21-1008195A-2: Proposed amendment to Chapter 125 “Personnel” §6 “Salary Schedule” of the Code of the City of Marlborough to add a stipend of \$150.00 per meeting attended for members of the Conservation Commission.**

Recommendation of the Finance Committee is to approve. Proposed Ordinance was properly advertised on March 2, 2021 and the 10-day requirement has been met.

26. **Order No. 21-1008195B-1: Transfer in the amount of \$3,150.00 to fund Conservation Commission Members, \$150.00 per meeting stipend, through June 30, 2021.**

Recommendation of the Finance Committee is to approve. Action on item was postponed at the March 8, 2021 City Council meeting.