

REGULAR MEETING
SEPTEMBER 21, 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 SEP 17 P 1:10

This meeting of the City Council will be held virtually on Monday, September 21, 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/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, September 14, 2020.
2. PUBLIC HEARING On the Application for LED Sign Special Permit, from ViewPoint Sign & Awning on behalf of Dunkin Donuts, 269 East Main Street, Order No. 20-1008085.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 350 323 586 #. ****

3. Communication from Councilors Ossing and Tunnera, re: Municipal Aggregation – September 2020 Update.
4. Communication from the Mayor, re: Appointment of Sean Divoll as DPW Commissioner for a five-year term, and a request to start him at step two of the salary schedule and to grant 4-weeks' vacation time.
5. Communication from City Solicitor Jason Grossfield, re: Proposed Amendment to Chapter 540 "Solid Waste", in proper legal form, Order No. 20-1008042B.
6. Minutes of Boards, Commissions and Committees:
 - a) Conservation Commission, August 6, 2020 & August 20, 2020.
 - b) Retirement Board, May 26, 2020 & June 30, 2020.

REPORTS OF COMMITTEES:

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.

UNFINISHED BUSINESS:

From Personnel Committee

7. **Order No. 20-1008079 –Appointment of Michael Cabral to the Parks and Recreation Commission for a three-year term from date of confirmation.**

Recommendation of the Personnel Committee is to approve. The committee questioned Mr. Cabral and expressed appreciation for his volunteerism in the city, most notably as a constant presence at the Food Pantry during the increased needs caused by Covid-19 and his willingness to serve as a member of the commission. Motion by Councilor Doucette, seconded by Councilor Landers, to approve the appointment. Vote 3-0. Recommendation of the Personnel Committee is to approve the appointment of Michael Cabral to the Parks & Recreation Commission for a term to expire three years from the date of City Council confirmation.

8. **Order No. 20-1008080 –Appointment of Emily Wilde to the Cultural Council for a three-year term from date of confirmation.**

Recommendation of the Personnel Committee is to approve. Ms. Wilde stated as a transplant to the city in 2015, her work at the library helped her gain an appreciation for the city's rich diverse culture, leading to the Cultural Council appointment where she hopes to share her ideas to expand opportunities for music, art, and food. At the request of Chair Dumais, Emily explained her teaching experiences. Councilor Perlman stated she was looking forward to working with Emily as a member of the Cultural Council. Motion by Councilor Doucette, seconded by Councilor Landers, to approve the appointment. Vote 3-0. Recommendation of the Personnel Committee is to approve the appointment of Emily Wilde to the Cultural Council for a term to expire three years from the date of City Council confirmation.

From Public Services Committee

9. **Order No. 20-1008042B: Proposed Amendment to Chapter 540 “Solid Waste”, making changes to the Resident Drop-Off Facility operations and associated fees.**

Recommendation of the Public Services Committee is to approve as amended. Chair Landers provided an overview of the committee’s action—the initial review in committee, the call for a public hearing to allow residents to submit input and the possibility of completing the review this evening in order to refer the matter back to the City Council on Monday, September 14, then asked Acting Commissioner Scott to take the podium. Mr. Scott submitted info for the last calendar year, stating 221 stickers were issued to 62-64 year old seniors; 3000 to seniors 65 and over and disabled veterans, and explained the importance of stricter requirements for the maximum number of household bags (proposed 50) and number of allowable pay items (4), and the added fee for sticker upgrades, purchasable in \$100.00 increments for an additional four (4) pay items. Note: Twelve (12) household bags of residential solid waste are considered one (1) pay item, 48 additional bags will be allowed for an additional \$100.00 under this proposal. The changes will allow the city to offset the costs associated by those users continually disposing of more solid waste and other items than the average user, and controlled tracking of items is proposed.

- Councilors Navin and Oram expressed concern for the elimination of the 62-64-year-old senior reduced rate.
- Councilors Robey and Doucette suggested minor edits to further clarify (B)(5), bulk waste.

Councilors continued to question Mr. Scott, resulting in the following suggested, highlighted change to the Mayor’s proposal.

Page 2.

V. Chapter 540-19 Stickers; Use of Resident Drop Off Facility

(B) (5) For purposes of this subsection, Pay items are a single load of electronic and bulk waste as defined in the regulations.

Replying to Chair Landers, Mr. Scott stated that he supported the proposed minor change(s) to (B)(5) requested by Councilors Robey and Doucette.

Motion made by Councilor Perlman, seconded by Councilor Irish, to approve the amendment to section B(5). Approved by roll call vote: Yes: Perlman, Irish, Landers 3-0

Motion made by Councilor Perlman, seconded by Councilor Irish, to approve the ordinance as amended. Approved by roll call vote: Yes: Perlman, Irish, Landers 3-0.

From City Council

10. **Order No. 20-1007976C – Proposed Rezoning of land off Valley Street, identified as Map 82, Parcel 125.**

THAT, PURSUANT TO § 5 OF CHAPTER 40A OF THE GENERAL LAWS, THE CITY COUNCIL OF THE CITY OF MARLBOROUGH HEREBY ORDAINS THAT THE ZONING ORDINANCE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING THE ZONING MAP, SECTION 650-8, AS FOLLOWS:

That the land off Valley Street owned by Marlborough HUB, LLC., shown on Assessor’s Map 82 as Parcel 125, presently zoned partly “Residence C” and partly “Industrial”, be rezoned entirely as “Residence C”, as said industrial portion parcel 125 is contiguous to the proponent’s residentially zoned portion of Assessors’ Parcel 125, and neither contiguous to any other industrially zoned land, and not practical or feasible for lawful industrial uses.

Ordinance passed all 4-stages, Councilor Ossing objected to passage in one evening.