

REGULAR MEETING
APRIL 5, 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 APR -1 P 1:31

This meeting of the City Council will be held virtually on Monday, April 5, 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 22, 2021.
2. COVID-19 Update to the City Council from Mayor Vigeant, requested by City Council President Ossing.
3. PUBLIC HEARING on the Application for Special Permit from Attorney Brian Falk, on behalf of Global Montello Group Corp., to construct and operate a drive-thru facility to serve the current Alltown Convenience Store on the site, 656 Boston Post Road East, Order No. 21-1008215.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 922 284 227 #. ****

4. Communication from Councilors Ossing and Tunnera, re: Municipal Aggregation – March 2021 Update.
5. Communication from At-Large Councilor Kathleen Robey, re: Summary of comments made related to the Proposed Zoning Amendment to Chapter 650 to §33 the Results Way Mixed Use Overlay District (RMUOD) with a Proposed Zoning Map Amendment, Order No. 21-1008216A.
6. Communication from the Mayor, re: Transfer Request in the amount of \$26,805.00 from Reserved for Salaries and Part Time Mail Clerk to fund vacation and sick leave buyback for two retiring employees from the Auditors Office.
7. Communication from City Solicitor Jason Grossfield, re: Presentation Materials relative to the Grant/Denial of Special Permits prepared for future Urban Affairs discussion, Order No. 21-1008222.
8. Communication from City Solicitor Jason Grossfield, re: Application for Special Permit from Attorney Brian Falk, on behalf of Speedy Auto Repair, Inc., to relocate an existing auto body shop from 315 Maple Street to 412-418 Maple Street in the Commercial Automotive Zoning District; with a land area of less than one acre in addition to a preexisting nonconforming structure on the site, in proper legal form, Order No. 20/21-1008162B.
9. Communication from Assistant City Solicitor Jason Piques, re: Application for Modification of Special Permit from Todd Wilson, on behalf of Diversified Funding Acquisition LLC/Atlantic Property Management, to add kitchenettes to existing guest rooms for use as an extended stay hotel and the conversion of manager's residence to a guest room for a total of 65 guest rooms at 880 Donald J. Lynch Boulevard (Quality Inn), in proper legal form, Order No. 21-1008171B.

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.

10. Communication from Assistant City Solicitor Jason Piques, re: Application for Sign Special Permit, from Serrato Signs, LLC on behalf of Starbucks (St. Mary's Credit Union), 133 South Bolton Street, in proper legal form, Order No. 21-1008199B.
11. Communication from Code Enforcement Officer Ethan Lippitt, re: Request for Approval of a Flat Wall Sign, Best Value Kitchen & Bath, 796 Boston Post Road East, within the Wayside District.
12. Communication from the Retirement Board re: Notification to City Council that a cost of living increase (COLA) pursuant to MGL Chapter 32, §103(i) will be considered at the board's April 27, 2021 meeting.
13. Communication from the Cultural Council, re: Grant Cycle Awards for 2020 – 2021.
14. Petition from Massachusetts Electric and Verizon New England, to install a new #5 and anchor which will allow for the removal of the pole and tree guy wire at 43 Berlin Road.
15. Application for Renewal of Junk Dealer/Secondhand Dealer License, Antoine Bitar, d/b/a Hannoush Jewelers, 601 Donald J. Lynch Boulevard.
16. Minutes of Boards, Commissions and Committees:
 - a) School Committee, March 9, 2021.
 - b) Board of Assessors, January 26, 2021.
 - c) Conservation Commission, March 4, 2021.
 - d) Historical Commission, February 18, 2021.
 - e) Library Trustees, February 2, 2021.
 - f) Planning Board, March 8, 2021.
 - g) Traffic Commission, February 24, 2021.
 - h) Zoning Board of Appeals, March 16, 2021.
17. CLAIMS:
 - a) Francisco Colon, 656 Bolton Street, other property damage and/or personal injury.
 - b) Keith Goodale, 139 Pleasant Court, other property damage and/or personal injury.
 - c) Kim Ho, 79 Prospect Street, other property damage and/or personal injury.
 - d) Jamie Andrade & Robert Preciado, 5 Springhill Avenue, other property damage and/or personal injury.
 - e) Elizabeth Rew, 13 Vals Lane, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

18. **Order No. 21-1008212A: Request from Public Works Commissioner Sean Divoll for the creation of new full time, permanent union position entitled, “Resident Drop-Off Station Attendant” together with Job Description (dated 9/24/2020).**

Recommendation of the Finance Committee is to approve the position and Job Description. The position would report to the Assistant Commissioner of Operations through the Drop-Off Station Foreman. By email dated March 15, 2021, Public Works Commissioner Divoll clarified that the position carries a 40-hour work week, not 35 as initially requested.

Motion by Councilor Oram, seconded by Chair, to recommend approval of the Job Description dated 9/24/2020. Chair Irish called the Roll: Motion carried 5-0.

19. **Order No. 21-1008212B-1: Proposed Salary Ordinance, Chapter 125, “Personnel”, §6 “Salary Schedule”, to add the position of Resident Drop-Off Station Attendant.**

Recommendation of the Finance Committee is to approve. Proposed Ordinance was properly advertised on March 26, 2021 and the 10-day requirement has been met. Motion by Councilor Tunnera, seconded by Chair, to recommend approval of the salary ordinance. The City Solicitor will submit a revised salary ordinance for the City Council’s consideration and advertising as required. Chair Irish called the Roll: Motion carried 5-0.

20. **Order No. 21-1008229: Transfer in the amount of \$243,000.00 from PEG fund to IT Department to fund various upgrades to equipment and software programs.**

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.

From Personnel Committee

21. **Order No. 21-1008231: Appointment of Christine Purple as Human Resources Director for a three-year term effective the day after Council confirmation.**

Recommendation of the Personnel Committee is to approve. Motion by Councilor Doucette, seconded by Chair, to recommend approval of the appointment of Christine Purple as Human Resources Director for a three-year term effective the day after Council confirmation. Motion carried 3-0

It was moved and seconded to adjourn; Motion carried 3-0

From Urban Affairs Committee

22. **Order No. 21-1008162B: Application for Special Permit by Attorney Falk on behalf of Speedy Auto Repair, Inc. to relocate an existing auto body shop from 315 Maple St. to 412-418 Maple Street in the commercial automotive district with land less than one acre with a preexisting nonconforming structure on the site.**

Recommendation of the Urban Affairs Committee is to approve. Councilor Doucette moved to recommend approval of the Special Permit for Speedy Auto Body as further amended. Chair Robey called the Roll; all committee members voted yes, and the motion carried 5-0.

23. **Order No. 21-1008171B: Application for Modification of a special Permit from Todd Wilson on behalf of diversified funding Acquisition LLC/Atlantic Property management to add kitchenettes to existing guest rooms for use as an extended stay hotel and the conversion of a manager's residence to a guest room for a total of 65 rooms at the hotel at 880 Donald J. Lynch Boulevard (Quality Inn).**

Recommendation of the Urban Affairs Committee is to approve. Councilor Doucette moved to recommend approval on the Special Permit to modify the hotel on Donald J. Lynch Blvd. as amended. Chair Robey called the Roll call; all committee members voted yes, and the motion carried 5-0.

24. **Order No. 21-1008199D: Application for a Sign Special permit from Serrato Signs, LLC on behalf of Starbucks, 133 South Bolton Street (St. Mary's Credit Union) for the operation of an electronic Menu Board Sign.**

Recommendation of the Urban Affairs Committee is to approve. Councilor Doucette moved to recommend approval of the Sign Special Permit for an electronic Menu board as amended. Chair Robey called the Roll; all committee members voted yes, and the motion carried 5-0.