

REGULAR MEETING
MAY 24, 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 MAY 20 P 1:55

This meeting of the City Council will be held virtually on Monday, May 24, 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, May 10, 2021.
2. From Council President Ossing having Mayor Vigeant, provide an update to the City Council regarding COVID-19.
3. PUBLIC HEARING on the Petition from Massachusetts Electric, to install 280' of 4-5" conduit from manhole #10 to pole #93 on Donald Lynch Boulevard near Bigelow Street, Order No. 21-1008292.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 768 509 151 #. ****

4. PUBLIC HEARING on the Proposed Rezoning of land at 290 Hudson Street, identified as Map 43, Parcel 38 from Limited Industrial to Residence A-3, Order No. 21-1008266.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 768 509 151 #. ****

5. PUBLIC HEARING on the Proposed FY 2022 Budget in the amount of \$173,983,364.00 which represents a level funded budget compared to the FY 2021 appropriation as presented by Mayor Vigeant, Order No. 21-1008291.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 768 509 151 #. ****

6. PUBLIC HEARING on the Proposed Zoning Amendment to Chapter 650 to add a new §61 "Temporary Moratorium for Multi-Family Housing Projects" for 90-days, Order No. 21-1008274.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 768 509 151 #. ****

7. PUBLIC HEARING on the Application for Modification of Special Permit from Mina Property Group, LLC, to condition #20 (Signage) to allow for increased signage at 408 Maple Street, Order No. 17/21-1006800I.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 768 509 151 #. ****

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.

8. Communication from the Mayor, re: Proposed Ordinance Amendment to Chapter 67 "Finance", §26.1 "Departmental Revolving Funds" to establish a Water and Sewer Revolving Fund and to amend the spending purposes for the Public Safety Revolving Fund.
9. Communication from the Mayor, re: Revolving Fund Spending Limits for the Public Safety Revolving Fund, the Parks and Recreation Revolving Fund the Council on Aging Revolving Fund and the proposed Water and Sewer Revolving Fund for FY22.
10. Communication from the Mayor, re: Transfer Requests from the Department of Public Works (\$2,356,437.77) and Auditor (\$55,475.00) totaling \$2,411,912.77 to fund various accounts for the remainder of FY 21 as outlined in the letters and transfer sheets provided.
11. Communication from Code Enforcement Officer Ethan Lippitt, re: Request for Approval of two Flat-Wall Signs (replacements), Mobil, 656 Boston Post Road East, within the Wayside District.
12. Application for Special Permit from Attorney Michael Brangwynne, on behalf of Raising Cane's Restaurants, LLC, to construct and operate a restaurant with two drive-thru service lanes on the site at, 141 Boston Post Road West.
13. Communication from David Balducci, re: Letter of Opposition to the Application for Special Permit of Raising Cane's Restaurants, LLC to construct and operate a restaurant with two drive-thru service lanes at, 141 Boston Post Road West.
14. Communication from Central MA Mosquito Control Project re: Personnel will be in the community responding to residents' concerns about mosquitos on various dates in June 2021.
15. Minutes of Boards, Commissions and Committees:
 - a) School Committee, April 13, 2021 & April 27, 2021.
 - b) Conservation Commission, April 15, 2021.
 - c) Council on Aging Board, March 9, 2021 & April 13, 2021.
 - d) Planning Board, April 5, 2021 & April 26, 2021.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Personnel Committee

16. **Order No. 21-1008269: Appointment of Tin Htway as Building Commissioner for a 3-year term from the date of confirmation.**

Recommendation of the Personnel Committee is to approve. Motion by Councilor Doucette, seconded by Chair, to recommend approval of the appointment of Tin Htway for a 3-year term from the date of confirmation. Vote 3-0.
17. **Order No. 21-1008272: Reappointments to the Conservation Commission of Edward Clancy term to expire April 26, 2024 and Dennis Demers and David Williams for 2-year terms to expire April 23, 2023.**

Recommendation of the Personnel Committee is to approve the appointments with 3-year terms each to expire April 26, 2024. Motion by Councilor Landers, seconded by Chair, to recommend approval of the reappointments of all members for 3-year terms to expire April 26, 2024. Vote 3-0.

From Public Services Committee

18. **Order No. 21-1008258A: Petition from Massachusetts Electric and Verizon New England, to install a new pole #5 and anchor which will allow for the removal of the pole and tree guy wire at 43 Berlin Road.**

Recommendation of the Public Services Committee is to approve Motion to approve made and seconded – Roll call Vote: In favor: Irish, Perlman and Landers.

19. **Order No. 21-1008259: Application for Renewal of Junk Dealer/Secondhand Dealer License, Antoine Bitar, d/b/a Hannoush Jewelers, 601 Donald J. Lynch Boulevard.**

Recommendation of the Public Services Committee is to approve. Police Chief Giorgi has reviewed the CORI report and recommended approval of renewal of the Junk Dealer License. Motion to approve made and seconded – Roll call Vote: In favor: Irish, Perlman and Landers.

20. **Order No. 21-1008278: Application for Renewal of Junk Dealer/Secondhand Dealer License, TVI, Inc., d/b/a Savers, 222A East Main Street.**

Recommendation of the Public Services Committee is to approve with conditions and waivers. Police Chief Giorgi has reviewed the CORI report and recommended approval of renewal of the Junk Dealer License. Motion made and seconded to approve, subject to the longstanding conditions attached to the license. Roll call Vote: In favor: Irish, Perlman and Landers.

21. **Order No. 21-1008279: Application for Renewal of Junk Dealer/Secondhand Dealer License, Gerald Dumais, d/b/a Dumais & Sons Secondhand Store, 65 Mechanic Street.**

Recommendation of the Public Services Committee is to approve. Police Chief Giorgi has reviewed the CORI report and recommended approval of renewal of the Junk Dealer License. Motion to approve made and seconded – Roll call Vote: In favor: Irish, Perlman and Landers.

22. **Order No. 21-1008280: Application for Renewal of Junk Dealer/Secondhand Dealer License, Roman Kimyagarov, d/b/a Arthur & Sons Shoe Repair, 107 Main Street.**

Recommendation of the Public Services Committee is to approve. Police Chief Giorgi has reviewed the CORI report and recommended approval of renewal of the Junk Dealer License. Motion to approve made and seconded – Roll call Vote: In favor: Irish, Perlman and Landers.

From Urban Affairs Committee

23. **Order No. 21-1008222A: That the City Solicitor be invited to future Urban Affairs meeting to provide general information regarding the approval and denial of special Permit Applications that may be referred to the committee.**

Recommendation of the Urban Affairs Committee is to approve. Councilor Doucette moved to accept and place on file the presentation; it was seconded. Chair Robey called the Roll call; all committee members voted yes, and the motion carried 5-0.

From City Council

24. **Order No. 21-1008255: Request for Approval of a Flat Wall Sign, Best Value Kitchen & Bath, 796 Boston Post Road East, within the Wayside District.**

Recommendation of the Urban Affairs Committee is to approve. This matter was held over to the May 24, 2021 City Council meeting to allow Councilor Doucette to speak with the City Solicitor regarding a possible amendment.