

REGULAR MEETING
JUNE 7, 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 JUN -3 P 12:20

This meeting of the City Council will be held virtually on Monday, June 7, 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 24, 2021.
2. From Council President Ossing having Mayor Vigeant, provide an update to the City Council regarding COVID-19 and city events.
3. PUBLIC HEARING on the Petition of Verizon Wireless for the installation of a small cell wireless facility to be located on Pole #19 within the layout of Boston Post Road West (Route 20), Order No. 21-1008294.

**** TO PARTICIPATE IN THIS PUBLIC HEARING PLEASE CALL 1-617-433-9462 AND ENTER THE CONFERENCE ID 126 125 773 #. ****

4. Communication from the Mayor, re: Transfer Request in the amount of \$546,738.00 which moves funds from Economic Development to MEDC to fund the FY22 operations of Marlborough Economic Development Corporation.
5. Communication from the Mayor, re: Transfer Request in the amount of \$150,000.00 from Stabilization-Open Space to Open Space Acquisition to contribute to the purchase of 33+ acre parcel off Parmenter Road to enlarge Callahan State Park.
6. Communication from the Mayor, re: Reappointments to the Conservation Commission of Karin Paquin for a term to expire on May 5, 2023, John Skarin for a term to expire on March 7, 2022 and Allan White for a term to expire March 2, 2024.
7. Communication from the Mayor, re: Reappointments to the Parks & Recreation Commission of Robert F. Kays, William F. Doherty, Jr. and Mark A. Vital for 3-year terms respectively to expire on April 2, 2024.
8. Communication from Solicitor Jason Grossfield, re: Proposed Ordinance Amendment to Chapter 270 "Building and Site Development" Article V "Fences" relative to §19 "Permit Required" and §24 "Easements and Rights-of-Way", in proper legal form, Order No. 21-1008221.
9. Communication from Solicitor Jason Grossfield, re: Proposed Ordinance Amendment to Chapter 510 "Sewers" §2(D) "Use of Public Sewers" as submitted by Mayor Vigeant, in proper legal form, Order No. 21-1008230.

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 Solicitor Jason Piques, re: Application for Special Permit from Calverde Naturals, LLC, to operate an Adult Use Marijuana Retail Establishment, 239 Boston Post Road West, in proper legal form, Order No. 21-1008214B.
11. Communication from Building Commissioner Tin Htway, re: Request for approval of a Canopy for the Drive-thru at Chick-fil-A, 36 Apex Drive within the HRMUOD.
12. Minutes of Boards, Commissions and Committees:
 - a) Conservation Commission, May 6, 2021.
 - b) Cultural Council, May 4, 2021.
 - c) Commission on Disabilities, March 8, 2021 & April 13, 2021.
 - d) Traffic Commission, March 31, 2021.
13. CLAIMS:
 - a) Christopher King, 114 Kosmas Street, residential mailbox claim (2a).

REPORTS OF COMMITTEES:

14. ORDERED: That the Mayor's Office work with the City Clerk to provide the Council with a summary of vacancies and expired Board and Commission members and develop a clear process on our website by which residents can apply to join Boards and Commissions and see the responsibilities associated with that Board.Submitted by Councilor Perlman

UNFINISHED BUSINESS:

From Legislative & Legal Affairs Committee

15. **Order No. 21-1008221: Proposed Ordinance Amendment to Code, Chapter 270 "Building and Site Development Article V "Fences" relative to §19 "Permit Required" in addition to §24 "Easements and Rights of Way".**

Recommendation of the Legislative & Legal Affairs Committee is to approve as amended. Motion by Councilor Landers to recommend approval of the proposed amendments to the City Code re "Fences" as amended by Solicitor Grossfield and City Engineer, seconded by Chair Tunnera. Roll Call Vote: Robey No; Landers Yes; Tunnera Yes Motion carried 2 in favor; 1 opposed.

From Public Services Committee

16. **Order No. 21-1008295: Application for Renewal of Junk Dealer/Secondhand Dealer License by Best Buy Store, Donald J. Lynch Boulevard.**

Recommendation of the Public Services Committee is to approve pending recommendation of Police Chief. Motion made by Councilor Irish, seconded by Chair, to recommend approval of the license subject to CORI approval by Police Chief. Roll call Vote: All In favor: Irish, Perlman and Landers 3-0.

17. **Order No. 21-1008296: Application for Renewal of Junk Dealer/Secondhand Dealer License by ecoATM, Kiosk at the Solomon Pond Mall.**

Recommendation of the Public Services Committee is to approve. Police Chief Giorgi has reviewed the CORI report and recommended renewal of the ecoATM license. Motion made and seconded to recommend renewal of the ecoATM junk dealer license. Roll call Vote: All In favor: Irish, Perlman and Landers 3-0.

18. **Order No. 21-1008230: Proposed Ordinance Amendment to the City Code, Chapter 510 “Sewers” §2(D) “Use of Public Sewers” as submitted by Mayor Vigeant.**

Recommendation of the Public Services Committee is to approve. Motion by Councilor Irish, seconded by Chair, to recommend approval of the proposed amendment to the City Code, Chapter 510 “Sewers” §2(D), “Use of Public Sewers”, as submitted by Mayor Vigeant. Roll call Vote: All In favor: Perlman, Irish and Landers 3-0.

From Urban Affairs Committee

19. **Order No. 21-1008214B: Application for Special Permit from Calverde Naturals, LLC, to operate an Adult Use Marijuana Retail Establishment, 239 Boston Post Road West.**

Recommendation of the Urban Affairs Committee is to approve. Councilor Doucette moved to recommend approval for the Special Permit as amended; it was seconded. Chair Robey called the Roll; all committee members voted yes, and the motion carried 5-0. The chair will ask for a Suspension of Rules at May 24 Council Meeting to have this referred to Solicitor to be put in proper legal form.