



CITY OF MARLBOROUGH
City Council Agenda

Monday, April 11, 2022
8:00 PM

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2022 APR -7 P 1:30

This meeting of the City Council will be held in City Council Chambers, City Hall, 140 Main Street. **PUBLIC ATTENDANCE IS 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 28, 2022.
2. PUBLIC HEARING on the Petition from Massachusetts Electric to relocate and install a new pole to remove a tree guy on Amory Road, Order No. 22-1008554.
3. PUBLIC HEARING on the Petition of New Cingular Wireless, PCS, LLC (d/b/a AT&T) for a grant of location for one (1) small cell wireless facility to be located on an existing pole within the public right of way in the vicinity of 241 Forest Street, Order No. 22-1008558.
 - a) Tolling Agreement between New Cingular Wireless PCS LLC (d/b/a AT&T) and the City of Marlborough to extend time limitations to June 8, 2022, for approval of a small cell wireless facility, 241 Forest Street.
4. PUBLIC HEARING on the Application for Modification of Special Permit from 587 Bolton Street, Inc., to allow for outdoor seating, a gazebo and bar area at 587 Bolton Street, Order No. 22-1008542.
5. PUBLIC HEARING on the Proposed Zoning Map Amendment for parcels of land located on Jefferson and a small portion of Lincoln Streets, identified as Map 56, Parcels 147, 148, 150, 151, 152, & 153 in addition to Map 56, Parcels 154, 155, 156, 157 & 158, Order No. 21/22-1008475B.
6. Presentation by Solicitor Jason Grossfield, re: Draft Department of Housing & Community Development (DHCD) Guidelines for MBTA Communities relative to Chapter 358 of the Acts of 2020, Multi-Family Zoning Requirements, Order No. 22-1008552.
 - a) Information and comments from the Metropolitan Area Planning Council (MAPC) and the MetroWest Regional Collaborative (MWRC) relative to the draft guidelines and changes to MGL Chapter 40A.
7. Communication from Councilors Ossing & Wagner, re: Municipal Aggregation – March 2022 Update.
8. Communication from the Mayor, re: Gift Acceptance in the amount of \$350.00 from St. Mary's Credit Union awarded to the Council on Aging for the sponsorship of the McMurphy Band for the St. Patrick's Day event.

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.

9. Communication from the Mayor, re: Grant Acceptance in the amount of \$500.00 from the Massachusetts Council on Aging awarded to the Council on Aging to be used for the Walk MA Challenge.
10. Communication from the Mayor, re: Grant Acceptance in the amount of \$7,500.00 from the Massachusetts Cultural Council awarded to the Marlborough Downtown Village Cultural District to be used to offset costs for the annual Food Truck & Arts Festival run by the Marlborough Economic Development Corporation (MEDC).
11. Communication from the Mayor, re: Transfer Request in the amount of \$589,691.00 which moves funds from Economic Development to MEDC to fund the FY23 operations of the Marlborough Economic Development Corporation (MEDC).
12. Communication from Department of Public Utilities, re: Investigation by the department regarding its potential policies that will enable the Commonwealth to reach its goal of net-zero greenhouse gas emissions by 2050.
13. Communication from Department of Public Utilities, re: Petition of MA Electric and Nantucket Electric d/b/a National Grid for a waiver of the basic service procurement requirements for residential and small commercial customers for the Winter of 2022/2023 basic service period.
14. Application for a Special Permit and Site Plan Approval from Cellco Partnership d/b/a Verizon Wireless to install a new stealth Wireless Communication Facility, including an 80-foot stealth pole with accessory ground equipment at 739-769 Donald J. Lynch Boulevard.
15. Communication from Attorney Brian Falk on behalf of Alta Marlborough, LLC (Wood Partners), re: Proposed Zoning Amendment to Chapter 650 §39 "Neighborhood Business District".
16. Application for Special Permit from Attorney Brian Falk, on behalf of Alta Marlborough, LLC (Wood Partners), to build a mixed-use project in the Neighborhood Business District consisting of 10,074 square feet of ground floor retail and commercial space, 276 dwelling units in addition to an on-site parking garage with 448 spaces to be located at the corner of Lincoln and Mechanic Streets.
17. Minutes of Boards, Commissions and Committees:
 - a) City Council Climate Resiliency Committee, March 21, 2022.
 - b) Board of Assessors, February 4, 2022.
 - c) Commission on Disabilities, May 4, 2021 & July 6, 2021.
 - d) Library Trustees, March 1, 2022.
 - e) Planning Board, February 28, 2022.
 - f) Traffic Commission, January 26, 2022
18. CLAIMS:
 - a) William Alonzo, 292 Thacher Street, Attleboro, pothole or other road defect.
 - b) Joshua Oram, 276 Main Street, #2B, other property damage and/or personal injury.
 - c) Vera Wooten, 7 Broad Street, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Operations & Oversight Committee**19. Order No. 22-1008513: Succession Planning Project Information submitted by Mayor Vigeant.**

Recommendation of the Operations & Oversight Committee is to Refer back to the Mayor.

Motion by Councilor Dumais, seconded by Councilor Doucette, the committee voted to recommend that the Succession Planning Project Information be referred back to the Mayor. Vote 2 -1 Carries; (Councilors Dumais & Doucette in favor; Chair Oram opposed).

From Personnel Committee**20. Order No. 22-1008511: Reappointment of George LaVenture to the Planning Board for a five-year term to expire on February 1, 2027.**

Recommendation of the Personnel Committee is to APPROVE.

Motion by Councilor Doucette, seconded by Chair Dumais, the committee voted to recommend approval of the reappointment of George LaVenture to the Planning Board for a five-year term to expire on February 1, 2027. Vote 3-0.

From Finance Committee**21. Order No. 22-1008526: Proposed Order for the establishment of the West Side Fire Station Stabilization Account.**

Recommendation of the Finance Committee is to APPROVE.

Motion by Councilor Dumais, seconded by Chair Irish, the committee voted to recommend approval of the establishment of the West Side Fire Station Stabilization Account as submitted by Mayor Vigeant. Vote 5-0.

22. Order No. 21-1008402A-1: Proposed Order to authorize the purchase of 100 Locke Drive for the purpose of building a new Fire Station.

Recommendation of the Finance Committee is to APPROVE the Order as amended.

Motion by Councilor Dumais to remove the word "Stabilization" for the word "Undesignated" in the Order authorizing the City to acquire real property located at 100 Locke Drive; authorize an appropriation from Undesignated Fund in the amount of \$5,092,666.66 to provide funding for said acquisition and authorize Mayor to accept a deed for said property at 100 Locke Drive the committee voted to approve the Order as amended. Vote 5-0.

23. Order No. 21-1008402B-2: Proposed amended Transfer request in the amount of \$5,0092,666.66 relative to the acquisition of 100 Locke Drive for a new Fire Station clarifying the funding sources.

Recommendation of the Finance Committee is to APPROVE the amended transfer.

Motion by Councilor Oram, seconded by Chair Irish, to approve the amended transfer to clarify funding sources as submitted from Mayor Vigeant, the committee voted to approve the transfer. Vote 5-0.