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CITY OF MARLBOROUGH
City Council Agenda

Monday, June 6, 2022
8:00 PM

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, May 23, 2022.
2. Communication from Council President Ossing, re: Reappointment of Steven Kerrigan as City Clerk for a three-year term to expire on May 20, 2025.
3. Communication from the Mayor, re: Transfer Request in the amount of \$6,300.00 which moves funds Veterans Benefits to Executive Secretary to cover the vacation and sick leave payout for an employee.
4. Communication from City Solicitor Jason Grossfield, re: Proposed Zoning Map Amendment for parcels of land located on Jefferson Street and a small portion of Lincoln Street, in proper legal form, Order No. 21/22-1008475E.
5. Communication from Assistant City Solicitor Jeremy McManus, re: Petition of New Cingular Wireless, PCS, LLC, (d/b/a AT&T) for 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, in proper legal form, Order No. 22-1008558C.
6. Communication from Assistant City Solicitor Jeremy McManus, re: Special Permit 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, in proper legal form, Order No. 22-1008570B
7. Communication from Police Chief David Giorgi, re: Detail Police Officers pursuant to Special Permit condition number 14 for Vedi Naturals, LLC d/b/a Kosa, 505 Boston Post Road West, Order No. 19/22-1007881G.
8. Communication from the Planning Board, re: Favorable Recommendation on the Proposed Zoning Amendment to Chapter 650 §39 "Neighborhood Business District", Order No. 22-1008571A.
9. Petition from Massachusetts Electric and Verizon New England, to relocate Pole 13-5, eight (8) feet to the right on Cedar Hill Street.
10. Communication from FEMARA, Inc., re: Request for Special License for Temporary Charitable Purposes Sales pursuant to MGL Chapter 101 §12A.

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.

11. 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 2022.
12. Minutes of Boards, Commissions and Committees:
 - a) Planning Board, April 25, 2022.
 - b) Traffic Commission, March 30, 2022.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

13. **Order No. 22-1008591: Proposed Tax Increment Financing (TIF) Agreement with Solmetex, LLC and LPCH 1000 Nickerson L.P.**

Recommendation of the Finance Committee is to FILE.

Chair Irish reported the city was informed the petitioner has withdrawn the proposed TIF Agreement.

14. **Order No. 22-1008583: Proposed Amendment to the City Code Chapter 125, §6, "Salary Schedule" to amend the salary of the Sealer of Weights and Measures.**

Recommendation of the Finance Committee is to APPROVE.

On a motion by Councilor Dumais, seconded by Chair Irish, the committee recommended approval of the amended salary ordinance to increase the Sealer of Weights and Measures to include an hourly rate Not to Exceed \$25.00 Per Hour. Vote 4-0 (Oram absent).

From Personnel Committee

15. **Order No. 22-1008582A: Reappointment of Joseph Bisol to the Council on Aging for term of four years to expire on May 4, 2026.**

Recommendation of the Personnel Committee is to APPROVE.

On a motion by Councilor Doucette, seconded by Chair Dumais, the committee voted to recommend approval of the reappointment of Joseph Bisol. Vote 2-0 (Navin Absent).

16. **Order No. 22-1008582B: Appointment of Zella Haesche to the Council on Aging for a term of four years to expire on May 4, 2026.**

Recommendation of the Personnel Committee is to APPROVE.

On a motion by Councilor Doucette, seconded by Chair Dumais, the committee voted to recommend approval of the appointment of Zella Haesche. Vote 2-0 (Navin Absent).

From Public Services Committee

17. **Order No. 22-1008554A: Petition from Mass Electric to relocate and install a new pole to remove a tree guy on AMORY ROAD.**

Recommendation of the Public Services Committee is to APPROVE.

On a motion by Councilor Brown, seconded by Acting Chair Irish, the committee voted to recommend approval of the petition by Mass Electric to relocate and install a new pole to remove a guy wire on Amory Road subject to the conditions submitted by City Engineer DiPersio. Vote 2-0 (Landers absent).

18. **Order No. 22-1008558C: Petition of New Cingular Wireless, PCS, LLC, (d/b/a AT&T) for 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.**

Recommendation of the Public Services Committee is to APPROVE.

On a motion by Councilor Brown, seconded by Acting Chair Irish, the committee voted to recommend approval of the petition. Vote 2-0 (Landers absent).

19. **Order No. 22-1008570B: Application for Special Permit 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.**

Recommendation of the Public Services Committee is to APPROVE as amended.

On a motion by Councilor Brown, seconded by Acting Chair Irish, the committee voted to recommend approval of the Special Permit, together with the draft decision as amended to include the public safety equipment, suggest the color of the stealth pole to be Delorean Gray, and to Suspend the Rules on May 23, 2022 to refer the matter to the City Solicitor to be drawn in proper form for placement on the City Council's June 6, 2022 agenda. Vote 2-0 (Landers absent).

20. **Order No. 22-1008586B: Petition from Mass Electric and Verizon New England to install a new pole and remove the old pole and install underground cable for city work around the pump station on CULLINANE DRIVE.**

Recommendation of the Public Services Committee is to APPROVE.

On a motion by Councilor Brown, seconded by Acting Chair Irish, the committee voted to recommend approval of the petition from Mass Electric and Verizon New England to install a new pole and remove the old pole and install underground cable for city work around the pump station on Cullinane Drive subject to the conditions submitted by City Engineer DiPersio. Vote 2-0 (Landers absent).

From City Council

21. **Order No. 21/22-1008475E Proposed Zoning Map Amendment for parcels of land located on Jefferson Street and a small portion of Lincoln Street.**

Recommendation of the Urban Affairs Committee is to APPROVE as amended.

Matter was referred to the City Solicitor to be put in proper legal form at the May 23, 2022, City Council meeting.