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## **CITY OF MARLBOROUGH**

### **City Council Agenda**

**Monday, March 11, 2024**

**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](http://www.marlborough-ma.gov)).

1. Minutes, City Council Meeting, February 26, 2024.
2. Communication from the Mayor, re: Notification of appointment of Joseph Bisol as Chair of the Council on Aging Board pursuant to Chapter 161 §2 of the Code replacing James Confrey.
3. Communication from the Mayor, re: Grant Acceptance in the amount of \$23,100.00 from the Massachusetts Cultural Council awarded to the Marlborough Cultural Council, in support of worthy arts, humanities, music, and youth-based initiatives in our community.
4. Communication from the Mayor, re: Transfer Request in the amount of \$786,500.00 from Free Cash to Fire Equipment for the purchase of an E-ONE Fire Engine for the Fire Department.
5. Communication from the Solicitor Jason Grossfield, re: Executed Settlement Agreement in the matter of JW Capital Partners, LLC and Marlborough TOTG LLC v. Marlborough City Council.
6. Notice from the Retirement Board of a meeting on March 26, 2024, to consider a Cost-of-Living Adjustment (COLA) to qualifying retirees and beneficiaries of the Marlborough Retirement System.
7. Petition of MA Electric and Verizon New England, to install one Joint Owned Pole on Simarano Drive, beginning at a point approximately 20' East of the centerline of the intersection of Value Way. Install 50' C1.2 midspan #13 approximately 90' from Pole 12 towards Pole 1 to allow installation of a 600 KVAR cap bank.
8. Application for a Sign Special Permit from Eric Lane, on behalf of the Advanced Math and Science Academy Charter School (AMSA), to install a Free-Standing EMC Sign at 165-201 Forest Street.
9. Communication from the Central MA Mosquito Control Project, re: Budget Notification for FY25 and Compliance Certification Policy.
10. Minutes of Boards, Commissions and Committees:
  - a) Commission on Disabilities, July 10, 2023.
  - b) Planning Board, January 8, 2024 & January 22, 2024.
  - c) Traffic Commission, January 17, 2024.
11. CLAIMS:
  - a) Daniel Escalante, 76 Leoleis Drive, pothole or other road defect.

**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.**

## REPORTS OF COMMITTEES:

## UNFINISHED BUSINESS:

From Personnel Committee

12. **Order No. 24-1009084: Reappointments to the Planning Board of Sean Fay, Barbara Fenby and Christopher Russ for 5-year terms to expire on February 5, 2029.**

**Recommendation of the Personnel Committee is to APPROVE.**

On a motion by Councilor Brown, seconded by the Chair, the Personnel Committee recommended the approval of the Reappointments to the Planning Board of Sean Fay, Barbara Fenby and Christopher Russ for 5-year terms to expire on February 5, 2029. Vote 3-0.

From Finance Committee

13. **Order No. 24-1009079: Mid-Year Transfer Requests totaling \$1,202,100.00 from various departments for FY24, which moves funds from and to accounts as outlined in the transfer sheets.**

**Recommendation of the Finance Committee is to APPROVE in the amount of \$1,197,100.00.**

The Chair read the communication from Mayor Dumais. Motion by Councilor Oram, seconded by Chair Irish, to reduce the mid-year transfers by \$5,000.00 (Reserve for Salaries to Mayor's Expense 11210005-54230) and to approve the remainder of the mid-year transfers. Vote 5-0.

14. **Order No. 24-1009080: Establishment of Opioid Settlement Special Revenue Fund and a Transfer Request in the amount of \$162,202.95 from Free Cash to the Opioid Settlement Special Revenue Fund.**

**Recommendation of the Finance Committee is to APPROVE the Transfer in the amount of \$162,202.95 and the creation of the Opioid Settlement Special Revenue Fund as amended.**

The Chair read the communication from Mayor Dumais. President Ossing distributed information regarding the opioid funding to the Mayor and councilors as shown below:

- Approve the special revenue account for Opioid settlement payments;
- Approve the transfer of \$162,202.95 from Undesignated funds into the special Opioid account;
- The Mayor report all receipts into the Special Opioid account to the City Council for information;
- The Mayor report all expenditures from the Special Opioid account to the City Council for information;
- The Mayor submit the Municipal Abatement Fund expenditure report required by the Statewide Opioid Settlement agreement to the City Council annually;
- The Auditor include a monthly report to the City Council that shows the balance, receipts, and expenditures in the Opioid Settlement special revenue account.

Councilor Brown supported the bullet points provided by President Ossing. Motion by Councilor Brown, seconded by Chair Irish, to approve the Mayor's request subject to the six bullet points provided by President Ossing, included above. Vote 5-0.