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CITY OF MARLBOROUGH
City Council Agenda

Monday, April 8, 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).

1. Minutes, City Council Meeting, March 25, 2024.
2. Communication from Councilors Ossing & Navin, re: Municipal Aggregation – March 2024 Update.
3. Communication from the Mayor, re: Transfer Request in the amount of \$762,465.00 from Economic Development to MEDC Funding for the FY 2025 Operating Budget of MEDC, and a Transfer Request in the amount of \$150,000.00 from Economic Development to MEDC Funding for the Economic Development Toolbox.
4. Communication from the Mayor, re: Gift Acceptance in the amount of \$250,000.00 from the Marlborough Public Library Foundation awarded to the Marlborough Public Library to be used for the library renovation project.
5. Communication from the Mayor, re: Proposed Ordinance Amendments the City Code, Chapter 125 “Personnel” §5 “Preparation of Classification Descriptions” and to Chapter 125 “Personnel” §6 “Salary Schedule” relative to the position of Drop-Off Attendant and Junior Civil Engineer within the Department of Public Works.
6. Communication from the Mayor, re: Acceptance of Deed -In-Lieu of Foreclosure concerning parcels of land located off Mosher Lane identified as Map 10, Parcel 41, Map 10, Parcel 82, Map 11, Parcels 3 & 40.
7. Communication from the Mayor, re: Proposed Acceptance of Easement for a small portion of land at the corner of Hayes Memorial Drive and Boston Post Road West (Route 20) from the property owner(s) of 1000 Nickerson Road for a “Welcome to Marlborough” sign.
8. Communication from the Mayor, re: Notification of Extension of Temporary Appointment pursuant to MGL Chapter 41 §61A of David Williams as Interim Comptroller/Treasurer for an additional 60-day term to expire June 1, 2024.
9. Communication from the Mayor, re: Notification of Temporary Appointment pursuant to MGL Chapter 41 §61A of David Williams as Interim City Collector effective April 1, 2024, for a 60-day term to expire May 31, 2024.
10. Communication from Assistant City Solicitor Jeremy McManus on behalf of Councilor Robey, re: Proposed Zoning Ordinance Amendment to Chapter 650 “Zoning” relative to updating provisions regarding Medical and Adult Use Marijuana.

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 Attorney William Brewin on behalf of Robert LeDuc, re: Request a release of a low-income deed restriction on the unit at 66 Village Drive.
12. Petition of MA Electric and Verizon New England, to install one Joint Owned Pole on Simarano Drive, beginning at a point approximately 246' Southwest of the centerline of the intersection of Cedar Hill Street. Install 50'C1.2 midspan between Pole #1 and #2 and install feeder monitor on the new midspan.
13. Petition of MA Electric and Verizon New England, to install one Joint Owned Pole on Cashman Street, beginning at a point approximately 100' Southeast of the centerline of the intersection of Lincoln Street. Installing new Pole 2-5 on Cashman Street to serve a customer at 272 Lincoln Street.
14. Minutes of Boards, Commissions and Committees:
 - a) School Committee, March 12, 2024.
 - b) Commission on Disabilities, August 7, 2023.
 - c) Conservation Commission, March 7, 2024.
 - d) Cultural Council, February 7, 2024.
 - e) Library Trustees, February 6, 2024 & March 5, 2024.
 - f) Traffic Commission, February 28, 2024.
15. CLAIMS:
 - a) Dilaila Cruz, 33 Vineyard Street, Cambridge, pothole or other road defect.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Finance Committee

16. **Order No. 24-1009106: 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.**

Recommendation of the Finance Committee is to APPROVE.

The Mayor and Chief Breen addressed the transfer and described the details of the new fire vehicle—a fully loaded stock vehicle with an estimated \$70,000.00 additional cost to outfit to the department's specifications. The Chief explained that fire apparatus manufacturers have learned that offering 'stock' trucks to municipalities has become lucrative due to the extended time and expense to order new. Tests have been done with a similar sized vehicle to make sure the E-ONE fire engine will fit in its proposed new location at the Pleasant Street Fire Station.

On a motion by Councilor Brown, seconded by Chair Irish, the Finance Committee recommends approval of the transfer in the amount of \$786,500.00. Vote: 4 in favor; 1 absent (Oram).

From Urban Affairs Committee

17. **Order No. 23-1008861A: "Vision For Donald Lynch Boulevard" document which includes a Proposed Zoning Ordinance amendment to Chapter 650 Zoning to create the Donald Lynch Boulevard Overlay District (DLBOD).**

Recommendation of the Urban Affairs Committee is to FILE.

As the Councilor who submitted the amendment, President Ossing gave a bit of history on the zoning and presented a PowerPoint explaining the area to be affected with the overlay as well as some of the changes to the code where types of zoning currently not allowed might become allowed and some allowed might become special permit. His goal was to see if there was support for the zoning and if there were issues that councilors had with the proposal.

For the most part Councilors supported the zoning change; there were a few issues with the list that needed to be corrected. It was agreed that this order would simply be filed. Councilor Ossing will take our comments and work with the Solicitor to put this in proper form and submit it for a future agenda. The document will then be referred to Urban Affairs, properly advertised, and a public hearing date set. It will also be referred to the Planning Board who will also hold a public hearing and then offer comments for the council to review. Once those things have happened, Urban Affairs & Housing will meet to review when there can be detailed discussion of the list of zoning changes that would come under this overlay.

Councilor Navin moved to file Order No 23-1008861A, it was seconded, and the vote carried 5-0.

From City Council

18. **Order No. 24-1009097A: Proposed Salary Ordinance Amendment to increase the hours of the Senior Assessor from 35 hours to 40 hours per week and a Transfer Request in the amount of \$3,653.00 from Reserve for Salaries to Senior Assessor to cover the salary proposed increase for the remainder of FY24.**

First Reading, suspended; Second Reading, adopted; DOES NOT CARRY (President Ossing declared the hand count vote of seven Councilors in favor).

Councilor Navin moved for reconsideration, APPROVED (President Ossing declared the hand count vote of seven Councilors in favor). This item will be placed on the agenda for the next City Council meeting on April 8, 2024.