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CITY OF MARLBOROUGH

2019 JAN -3 P 1:33

1. Organizational Meeting.
2. Minutes, City Council Meeting, December 17, 2018.
3. PUBLIC HEARING On the Application for Special Permit from Attorney Sem Aykanian to modify existing Special Permit issued to Main Street Bank, 81 Granger Boulevard on June 22, 2009, Order No. 09-1002152C, to modify permit to allow for an electronic digital display (electronic message board) sign, Order No. 18/19-1007460, X09-1002152, X12-1004081C.
4. PUBLIC HEARING On the Application for Sign Special Permit, Main Street Bank, 81 Granger Boulevard Marlborough to operate an electronic message center sign at its bank located at 81 Granger Boulevard, Order No. 18/19-1007462, X18-1007461.
5. Communication from the Mayor, re: Executive Office of Elder Affairs (EOEA) grant in the amount of \$80,436.00 awarded to the Council on Aging which will be enhance the quality of life for the older population.
6. Communication from the Mayor, re: Donation to K-9 Account grant in the amount of \$7,521.27 awarded to the Police Department to support Kaiser and Sargent Ken McKenzie.
7. Communication from the Mayor, re: Appointment of Brendan Downey to the Marlborough Historical Commission for a term to expire three years from date of confirmation.
8. Communication from City Solicitor, Donald Rider, re: AT & T's petition to grant a location on NGrid pole #35-84, 319 E. Main St., in proper legal form, Order No. 17/18/19-1007034C.
9. Communication from City Solicitor, Donald Rider, re: AT & T's petition to grant a location on NGrid pole #11-50, Francis St. at or near its intersection with East Main St., in proper legal form, Order No. 18/19-1007321B.
10. Communication from City Solicitor, Donald Rider, re: AT & T's petition to grant a location on NGrid pole #1, 10 Neil St., in proper legal form, Order No. 18/19-1007322B.
11. Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: Proposed Amendment to Chapter 270-8.1 In Building Fire Department and Police Department Radio Coverage in proper legal form, Order No. 18-1007481A.
12. Communication from Code Enforcement Officer, Pamela Wilderman, re: Application for a temporary, freestanding sign for Ventura X at 11 Apex Dr., along with the approval from Walker Realty LLC, Ordre No. 16/17/18/19-1006443.
13. Communication from Marc Buchan re: Application for Special Permit to raze an existing one story single family residence and build a new two story single family residence on the same existing foundation footprint, 180 Cullinane Dr.
14. Communication from Bismark Ohemeng d/b/a West Royal Car Service, to operate a Livery License, 33 Paris St.

**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.**

15. Communication from Massachusetts Electric Company and Nantucket Electric Company, d/b/a National Grid re: Notice of Filing, Public Hearings and Procedural Conference.
16. Minutes, Traffic Commission, November 28, 2018.
17. Minutes, Council on Aging, October 9 & November 13, 2018.
18. Minutes, Zoning Board of Appeals, November 27, 2018.
19. Minutes, Retirement Board, November 27, 2018.
20. Minutes, Planning Board, December 3, 2018.
21. CLAIMS:
  - a) Vanessa DeMasi, 10 Davis St., pothole or other road defect.
  - b) Robert Gustafson, 134 Glen St., other property damage and/or personal injury.
  - c) Rosa Ruiz, 1 Winter St., #1, pothole or other road defect.

#### REPORTS OF COMMITTEES:

#### UNFINISHED BUSINESS:

##### From Personnel Committee

22. **Order No. 18-1007419 - Communication from the Mayor regarding the Appointment of Fred Haas to the Library Board of Trustees.** Fred Haas has lived in Marlborough since 2006 and is an English teacher at Hopkinton High School. He is a frequent user of Marlborough Public Library and it was suggested to him that he should look into becoming a member of the Library Board of Trustees. **Motion made by Councilor Irish, seconded by the Chair, to approve the appointment of Fred Haas to the Library Board of Trustees. The motion carried 3-0.**

##### From Public Safety Committee

23. **Order No. 18-1007481 - Communication from Assistant City Solicitor, Cynthia Panagore Griffin, regarding an Order to Amend City Code §270-8.1 In-building Fire Department and Police Department radio coverage.** The Public Services Committee met with Assistant City Solicitor Panagore Griffin to discuss amending City Code §270-8.1 In-building Fire Department and Police Department radio coverage. Assistant City Solicitor Panagore Griffin distributed a copy of the current language with the proposed language and explained the highlighted language was deleted and replaced with more simplified language and more importantly aligned with changes made to the International Fire Code and Massachusetts State Building Code. In 2014 when the City initially adopted the ordinance, the purpose was not to amend the International Fire Code and Massachusetts State Building Code, which the City cannot legally do, but to notify the public that the process and procedure exists. The Building and Fire Departments through their permitting processes determine if a building was renovated to the extent it requires the installation of the system to provide reliable radio communications, the only exceptions are one- and two-family residences.

**Motion made by Councilor Ossing, seconded by the Councilor Tunnera, to approve the order to amend City Code §270-8.1 In-building Fire Department and Police Department radio coverage. The motion carried 3-0.**



From Legislative and Legal Affairs Committee**24. Order No. 18-1007459 - Communication from the Mayor regarding the disposition of Surplus Property-25 East Main St.**

The November 15, 2018 letter from the mayor was read into the record. There was discussion on the zoning, currently Business and Marlborough Village District and what the council and mayor would like to see the property used for in the future.

Councilor Delano moved to 1) transfer the purpose of the land from general municipal purposes to the purpose of disposition by sale and declares that the property is available for disposition by sale; 2) requires that said sale be conducted in accordance with MGL c.30B subject, but not limited to, any terms and re-use restrictions as may be determined by the Mayor, as hereby authorized to so determine, which are in the best interests of the City of Marlborough; and 3) that the City Council sets the price to be paid at not less than \$202,200.00 and thus authorizes the Mayor to execute a deed of sale for said Property.

**The motion was adopted 3-0. (The order specifies that #1 requires a 2/3<sup>rd</sup> vote. A separate vote on #2 & #3, which only require a simple majority, is unnecessary, as they would be subsumed by the 2/3<sup>rd</sup> vote.**

From Finance Committee**25. Order No. 18-1007475 – Two Transfers from Undesignated Fund (Free Cash) to the Stabilization Account and OPEB Trust:** The Finance Committee reviewed the Mayor's letter dated November 29, 2018 requesting two transfers from the Undesignated Fund each in the amount of \$887,745.00 to the Undesignated Stabilization Account and the Other Post-Employment Benefits (OPEB) Trust. These transfers are keeping with the City's financial policies that has 10% of the "Free Cash" transferred to the Undesignated Stabilization Account and OPEB Trust. **The Finance Committee took the following actions:**

- **The Finance Committee voted 5 – 0 to approve the transfer of \$887,745.00 from the Undesignated Fund to the Undesignated Stabilization Account.**
- **The Finance Committee voted 5 – 0 to approve the transfer of \$887,745.00 from the Undesignated Fund to the OPEB Trust.**

From City Council**26. Order No. 18-1007439B – Library Bond in the Amount of \$23,780,902.00. AT THE DECEMBER 3, 2018 CITY COUNCIL MEETING, ITEM WAS TABLED UNTIL THE JANUARY 7, 2019 CITY COUNCIL MEETING. NOTE: BOND WAS PROPERLY ADVERTISED ON NOVEMBER 29, 2018.**