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CITY OF MARLBOROUGH

2013 MAY -2 P 1:42

1. Minutes of the City Council Meeting, April 22, 2013.
2. PUBLIC HEARING On the Application for Fuel Storage Permit, Bunker Floor Supply, 289 Elm St., for storage of 2,844 gallons of flammable liquids and 23,500 gallons of combustible liquids, Order No. 13-1005386.
3. Communication from the Mayor re: Executive Session for the purpose of discussing litigation strategy regarding sewer contract dispute involving property on St. Martin Dr. and a contract dispute with a City DPW contractor.
4. Communication from the Mayor re: FY14 Budget Proposal. (The proposal is in the City Clerk's Office for viewing).
5. Communication from the Mayor re: Revised Salary Ordinance for the Position of Comptroller.
6. Communication from the Mayor re: MEDC (Marlborough Economic Development Corporation) transfer request in the amount of \$499,000.00 which moves funds from Economic Development to MEDC Funding to fully fund the operations of the MEDC for FY14.
7. Communication from the Mayor re: Fire Department transfer request in the amount of \$46,931.99 which moves funds from and to various accounts as noted on the attached spreadsheet to fund overtime costs incurred due to injuries and other medical absences in the department.
8. Communication from the Mayor re: Employee Retirement Benefits transfer request in the amount of \$28,834.20 which moves funds from and to various accounts as noted on the attached spreadsheet which will fund the unused sick leave and vacation payouts associated with the retirement of a long term employee of the City.
9. Communication from the Mayor re: Board of Health transfer request in the amount of \$22,014.00 and \$600.00 which moves funds from Professional & Technical to Assistant Sanitarian and from Advertising to Assistant Sanitarian respectively to provide additional support for inspections for food service and pools, and short term leave of absence for an employee.
10. Communication from the Mayor re: Personnel transfer request in the amount of \$2,000.00 and \$1,500.00 which moves funds from Advertising and Conference and Training respectively to Medical Exams to cover expenses associated with the Civil Service hiring and employment process.
11. Communication from the Mayor re: Building Department transfer request in the amount of \$300.00 which moves funds from Professional & Technical to Advertising and Board Secretary respectively to ensure adequate funding for additional cases that may come before the Zoning Board of Appeals and Planning Board before the end of the fiscal year.
12. Communication from City Solicitor, Donald Rider, re: Logical Partners LLC Special Permit, 126 Pleasant St., in amended proper legal form, Order No. 12/13-1005151G.
13. Communication from City Solicitor, Donald Rider, re: Results Way Mixed Use Overlay District, in proper legal form, Order No. 12/13-1005154E.
14. Communication from Assabet Valley Regional Vocational School District Superintendent Mary Jo Nawrocki re: Approval for \$62.4 Million Dollar Renovation project.

15. Communication from MassDevelopment re: Preliminary Approval to Issue a Revenue Bond on behalf of the STEM Soaring Eagles Foundation, Inc.
16. Application for Special Permit from Mirick O'Connell, on behalf of Sandra & Anthony Antico Real Estate LLC, for indoor recreation area that will include various children's entertainment features that can be used by children under the supervision of their parents or guardians for birthday parties and on other special occasions, 72 Jefferson St.
17. Application of Best Buy Store #1966, 601 Donald Lynch Blvd for Renewal of Junk Dealer's License.
18. Application of Best Buy Store #820, 769 Donald Lynch Blvd for Renewal of Junk Dealer's License.
19. Communication from Central Mass. Mosquito Control Project re: Earth Day 2013.
20. Communication from Department of Public Utilities, Condensed Financial Return for Year End December 31, 2012.
21. Minutes, Advisory Committee for the New Senior Center, March 19, 2013.
22. Minutes, Planning Board, April 8, 2013.
23. Minutes, Traffic Commission, March 26, 2013.
24. CLAIMS:
 - A. Thomas Tucker, 11 Hawkins Lane, other property damage,
 - B. Peter Kuchinsky, 165 Cameron Dr., residential mailbox claim 2(a)
 - C. Barry Hilts, 184 Robert Rd., residential mailbox claim 2(a)

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Urban Affairs Committee

25. **Order No. 12/13-1005154E** - Communication from Attorney Gadbois, re: Submission of a draft of a Master Concept Plan and Development Agreement for the Results Way Mixed Use Overlay District, Order No. 12-1005154C, adopted December 17, 2012.

The meeting started with Attorney Gadbois and the petitioners updating the Council on the zoning overlay and advancement in its development.

Attorney Gadbois told the Council that the apartment complex will be high end, and they have finalized an agreement with Avalon Bay to have them develop the housing.

The committee read through the development agreement and made minor changes and clarified a few sections.

Motion by Councilor Robey to approve as amended, seconded by the Chair. Approved 4-0.

Motion by Councilor Robey to request that the Council suspend the rules on April 22 to forward to the Solicitor to place in proper legal form. Approved 4-0.

From Personnel Committee

26. **Order No. 13-1005357** - Communication from Mayor Vigeant with appointment of Lynn Anderson as a member of the Council on Aging for a term of three years to expire on the 1st Monday in May following a City Council meeting.
-REFER TO PERSONNEL
Motion made by Councilor Seymour and seconded to recommend approval – Approved 3-0.
27. **Order No. 13-1005355** - Communication from Mayor Vigeant with reappointment of Beverly Sleeper as Chief Procurement Officer for a term of three years to expire on the anniversary of her confirmation by the City Council
-REFER TO PERSONNEL
Motion made by Councilor Seymour and seconded to recommend approval – Approved 3-0.

From Public Services Committee

28. **Order No. 13-100-1005285A** - Application by NGRID to install six (6) new heavy duty hand holes in the area of BIGELOW STREET, URD: Bergeron Road, Ahlgren Circle, Duca Drive, Rodgers Avenue, Evelina Drive and Houde Street
-REFER TO PUBLIC SERVICES

The Committee discussed the project with NGrid engineer.

Motion made and seconded to recommend approval of the petition by NGRID to install six (6) new heavy duty hand holes in the area of BIGELOW STREET, URD: Bergeron Road, Ahlgren Circle, Duca Drive, Rodgers Avenue, Evelina Drive and Houde Street with conditions recommended by the City Engineer and Councilor Clancy. Approved 2-0.
(Note: See (2) attachments for conditions)

From City Council Committee

29. **Order No. 12/13-1005151G** - City Council vote on Special Permit from Logical Partners LLC, 126 Pleasant St. **Recommendation of the City Council is to table until May 6, 2013.**

Councilor Tunnera Abstained