

RECEIVED
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CITY OF MARLBOROUGH

2016 AUG 25 P 2: 16

1. Minutes, City Council Meeting, July 25, 2016.
2. PUBLIC HEARING On the Application for Wireless Special Permit from New Cingular Wireless PCS, LLC-AT & T Mobility to remove Condition 7 of Special Permit, Order No. 11-1003004C which requires that AT & T fly an American Flag from the stealth antenna canister on the water tower, 175 Maple St. Order No. 16-1006637.
3. PUBLIC HEARING On the Application for Special Permit from Mirick O'Connell on behalf of Crabtree Lake Williams LLC to amend Condition 2 of Special Permit, 215 Lakeside Ave., Order No. 16-1006636, X08/09-1002051E.
4. PUBLIC HEARING On the Application for Special Permit from Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Car Wash, specifically to allow for a car wash in Zone B of Water Supply Protection District, 22 Apex Dr., Order No. 16-1006635.
 - a. Communication from Attorney Bergeron on behalf of its client assenting to this public hearing being held on August 29, 2016.
5. Communication from the Mayor re: DPW transfer request in the amount of \$84,827.75 which moves funds from Contractual Obligations to various accounts as noted on the attached spreadsheets to fund the recently ratified collective bargaining contract between the City and the DPW Engineers, MA Laborers District Council of the Laborers International Union of North America, Local 176 for FY16-18 which is in effective as of July 1, 2015.
6. Communication from the Mayor re: Transportation Program and Multicultural Outreach Program Grants from BayPath Elder Services in the amounts of \$4,500.00 and \$5,000.00 respectively for purposes depicted in the attached communication.
7. Communication from the Mayor re: Marlborough's Hazard Mitigation Plan 2016 Update. (This report is available for viewing in the City Clerk's Office).
8. Communication from the Mayor re: Appointment of Nicholas Charbonneau as the new Director of Veterans Services for a term to expire three years from date of City Council approval.
9. Communication from the Mayor re: Reappointments of the following individuals to the Council on Aging with staggered terms; Jim Confrey and Richard Collins with four year terms expiring in May 2020, Brenda Costa and Leslie Biggar to three year terms expiring in May 2019, & Rose Marie Elwood and Jeanne McGeough and Pat Gallier to two year terms expiring May 2018.
10. Communication from City Clerk, Lisa Thomas, re: September 8, 2016 State Primary Election Call.
11. Communication from the City Solicitor, Donald Rider re: Application for LED Sign Special Permit, V & G Realty Trust, Vrej Askanian and Grace Kanoon, Trustees, 50 Main St., in proper legal form, Order No. 16-1006517A.
12. Communication from City Solicitor, Donald Rider re: Application for LED Sign Special Permit, CareWell Urgent Care Centers of MA, P.C., in proper legal form, Order No. 16-1006579A.
13. Communication from the Planning Board re: Favorable Recommendation to the City Council for Proposed Zoning Amendment-Lawful Pre-Existing Single and Two-Family Residential Structures, Chapter 650, Sections 12 & 58, Order No. 16-1006578A.

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.

14. Communication from Attorney Bergeron on behalf of Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Car Wash, specifically to allow for a use of a car wash at Apex Center in the Hospitality and Recreation Mixed Use Overlay District, 22 Apex Dr., 16-1006634, assenting to the public hearing being held on September 12, 2016.
15. Communication from Attorney Bergeron on behalf of Ryan Development LLC on behalf of Apex WR 1031 LLC and Walker Realty LLC for Proposed Restaurant with a Drive-thru, 157 Apex Dr., 16-1006634 & for Proposed Veterinary Hospital, 58 Apex Dr, Order No. 16-1006633, assenting to the public hearing being held on September 26, 2016.
16. Petition from NGrid and Verizon New England, Inc. to install 2 Stub Poles P62-84 & P68-84 for reconducturing on Stevens St.
17. Communication from Attorney Austin re: Request to Change Location of Easement at 85 Ames St.
18. Minutes, Planning Board, June 6 & June 20, 2016.
19. Minutes, School Committee, June 28 & July 11, 2016.
20. Minutes, Traffic Commission, June 29 & July 26, 2016.
21. Minutes, Conservation Commission, May 19, 2016.
22. CLAIMS:
 - a. Ronald Teran, 1 Dibuono Dr., other property damage

REPORTS OF COMMITTEES:

23. ORDERED: That the Mayor be requested to submit a transfer to the City Council from the City's Economic Development Fund to the MEDC for a performance center facility study and temporary operational funds through June 30, 2017. The funds will be used to complete a performance center study hopefully leading to outside financial grants, to host a number of performances throughout the community; and to gauge interest from the citizenry and business community regarding the merits of a downtown performance center and its importance to the economic vitality of the downtown and city at large.
The MEDC shall act as financial fiduciary, while the studies, performance organization and management, and outreach will be the responsibility of the Performing Arts ad hoc committee appointed by Mayor Vigeant. Submitted by Councilor Delano
24. ORDERED: That the Marlborough Economic Development Corporation work with WMCT-TV to record their meetings to be publicly broadcast for the entire city to watch. Submitted by Councilor Elder

UNFINISHED BUSINESS:

From Personnel Committee

25. **Order No. 16-1006607 - Appointment of Karen Bento to the Library Board of Trustees for a term to expire three years from the date of City Council approval.** Recommendation of the Personnel Committee is to approve the appointment of Karen Bento to the Library Board of Trustees. **Motion made by Councilor Elder, seconded by the Chair, to approve the appointment. The motion carried 2-0 (Councilor Irish absent).**
26. **Order No. 16-1006577 - Appointments of David Doucette, Derek Chaves and Laura Kyle to the Commission on Disabilities for terms of three years from the date of City Council confirmation.** Recommendation of the Personnel Committee is to approve the appointments of Derek Chaves, Laura Kyle, and David Doucette to the Commission on Disabilities. **Motion made by Councilor Elder, seconded by the Chair, to approve the three appointments to the Commission on Disabilities. The motion carried 2-0 (Councilor Irish absent).**

From Urban Affairs Committee

27. **Order No.16-1006579A - Application by Back Bay Sign, 65 Industrial Way, Wilmington, MA on behalf of CareWell Urgent Care for a Special Permit to place a 29" x 99" LED illuminated Message Board Sign on a freestanding sign at 757 Boston Post Road East for the UMass Memorial Walk-In Urgent Care Center.** The Urban Affairs Committee met with Jason Parillo of Back Bay Sign Company representing CareWell Urgent Care for a discussion of sign that includes an electronic message center (EMC) for their new location at 757 Boston Post Road East. The entirety of the sign (top portion and EMC) can be no more than sixty square feet and the City regulations require the EMC to not be more than twenty-five percent of the allowable sign face, fifteen square feet for this particular sign. They agreed to the standard conditions plus the addition of a condition that required the EMC be no more than fifteen square feet. **Motion made by Councilor Elder, seconded by Chair, to approve as amended. The motion carried 5-0.**

28. **Order No.16-1006517A - Application by Vrej Askanian to operate an LED illuminated changeable gas pricing sign at Discount Gas Station located at 50 Main Street.** The Urban Affairs Committee met with Vrej Askanian of the Discount Gas Station for a discussion of an LED illuminated sign for gas pricing only. The applicant had outstanding site work which required completion per the Site Plan Review Committee. The Urban Affairs Committee agreed to recommend approval of the application pending completion of the site requirements once they received confirmation of completion from the City Engineer. The standard conditions for the sign would apply to its operation. **Motion made by Councilor Juare, seconded by Chair, to approve the application. The motion carried 5-0.**