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CITY OF MARLBOROUGH

2011 DEC -1 P 5:01

1. Minutes of the City Council Meeting, November 7, 2011, Order No, 11-1003079.
2. Minutes of the City Council Meeting, November 21, 2011.
3. PUBLIC HEARING with Board of Assessors to establish the percentages of tax levy for each property classification for FY2012.
4. Communication from the Mayor re: Commonwealth's Finalization of the City's FY2012 Tax Levy.
5. Communication from the Mayor re: Information Technology Capital request in the amount of \$180,000.00 which moves funds from Undesignated to Capital Outlay-IT Equipment.
6. Communication from City Solicitor, Donald Rider, re: St. Mary's of French Hill Redevelopment, LLC, Special Permit in proper legal form, Order No. 11-1002922E.
7. Communication from City Solicitor, Donald Rider, re: 110 Pleasant, LLC, Special Permit in proper legal form, Order No. 11-1002923E.
8. Communication from City Solicitor, Donald Rider, re: Pleasant St. Fire Station, Order No. 11-1003070-2.
9. Communication from Communication from Attorney Bergeron on behalf of Marlborough/Northborough Land Realty Trust, to withdraw without prejudice application for Special Permit to construct 290 apartment units on Boston Post Rd. West, Order No. 11-1002986B.
10. Communication from Charles Doty, John G. Crowe Associates, Inc., re: Extension of Time for Sewer Connection Permit, 55 Fairbanks Blvd.
11. Communication from Michael J. Norris re: Road Acceptance, Cleversy Drive, Elm Farm Valley Estates.
12. Application for Special Permit from Rossella Mercuri, on behalf of Sprint, for modification of a wireless facility located at 445 Simarano Dr.
13. Minutes, Planning Board, October 17 and November 7, 2011.
14. CLAIMS:
 - A. Carol Willoughby, 189 Parkerville Rd., Southborough, other property damage
 - B. Edward Philmon, 165 Dartmouth St., pothole or other road defect

REPORTS OF COMMITTEES:

From Finance Committee

15. **Order No. 11-1003069 – Grant for \$7,490.00 for the Marlboro Cultural Council.** The Finance Committee reviewed the Mayor's letter dated November 3, 2011 requesting the approval of a \$7,490.00 grant for the Marlboro Cultural Council for cultural programming in the City. **Recommendation of the Finance Committee is to approve 5 – 0.**
16. **Order No. 11-1002997B – Transfer \$168,654.80 to Fund DPW Engineers' Union Contract.** The Finance Committee reviewed the Mayor's letter dated October 14, 2011 requesting the transfer of \$168,654.80 to fund the DPW Engineers' Union contract and reorganize positions at the Westerly Waste Water Treatment Plant. The Finance Committee reduced the transfer from Reserve for Salaries from 3,977.94 to 461.93 to fund the Sick Leave Buy Back Engineering Account 14001103-51920. **Recommendation of the Finance Committee is to approve 5 – 0.**

17. **Order No. 11-1003068 – Fire Department Intra-departmental Transfer of \$57,267.04 from Firefighters Account to Firefighter Overtime.** The Finance Committee reviewed the Mayor's letter dated November 3, 2011 requesting the transfer of \$57,267.04 from the Firefighter account to the Fire Fighter Overtime account. **Recommendation of the Finance Committee is to approve 5 – 0.**
18. **Order No. 11-1003048 – Transfer \$150,000.00 from Economic Development Special Revenue to Marlboro Economic Development Corporation (MEDC) Funding.** The Finance Committee reviewed the Mayor's letter dated October 13, 2011 requesting the transfer of \$150,000.00 from the Economic Development Special Revenue account to the MEDC account. Councilor Ferro requested confirmation that the initial \$200,000 approved from Undesignated Funds in February 2011 has been reimbursed to the General Fund. The Finance Committee Chairman will work with the Comptroller to get a full accounting of the funds received to date from the additional hotel tax and money's disbursed from the account. This information will be provided to the full City Council. **Recommendation of the Finance Committee is to approve 5 – 0.**

From Urban Affairs Committee

19. **Order No. 11-1002922 – Application by Attorney Bergeron on behalf of St. Mary's of French Hill Development LLC top modify an existing Special Permit (Order No. 07-1001500C) to allow rental of all proposed units until first sale of each unit at 26 Broad St.** The Applicant addressed concerns raised at the public hearing including the election of a Board of Trustees, the impact of rental units on condo values, and FHA financing concerns. A Board of Trustees has been elected, the question of allowing additional rental units was approved by a majority of condo owners, and the applicant has resolved the issue of FHA restrictions on ownership. The draft conditions were updated to reflect changes to the term "Applicant, its successors or assigns" related to the FHA issue. **Recommendation of the Urban Affairs Committee is approve the application as amended and under Suspension of the Rules, send the document to the City Solicitor to be placed in proper form.**
20. **Order No. 11-1002923 - Application by Attorney Bergeron on behalf of 110 Pleasant LLC top modify an existing Special Permit (Order No. 10-1002683B) to allow rental of all proposed units until first sale of each unit at 110-118 Pleasant St. (Corbin Plaza).** The Applicant addressed concerns raised at the public hearing regarding maintenance of the property and the impact of rental units on neighborhood home values. The applicant has cleaned up the site, hired a landscaper and met with neighbors regarding their concerns. The ward councilor confirmed that neighbors are now agreeable to the proposed changes in the special permit. The draft conditions were updated to reflect changes to the term "Applicant, its successors or assigns" related to FHA financing issues. **Recommendation of the Urban Affairs Committee is approve the application as amended and under Suspension of the Rules, send the document to the City Solicitor to be placed in proper form.**