

RECEIVED  
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CITY OF MARLBOROUGH

2012 APR -5 P 5:44

1. Minutes of the City Council Meeting, March 26, 2012.
2. Communication from the Mayor re: Addressing City Council on the occasion of the Mayor's 100<sup>th</sup> day in office.
3. Communication from the Mayor re: DPW transfer request for funding of Marlborough Public Works Equipment Operators Association (MPWEOA) Contract as itemized on the attached spreadsheets.
4. Communication from the Mayor re: Worker's Compensation Trust Fund transfer request in the amount of \$165,000.00 to move funds from Undesignated to Workers Compensation to fund a projected deficit in the Workers Compensation Fund.
5. Communication from the Mayor re: Fire Department transfer request in the amounts of \$18,859.75 and \$43,244.60 which moves funds from Deputy Chief to Overtime and Firefighter to Overtime to fund overtime expenses due to work related injuries.
6. Communication from the Mayor re: Police Department transfer request in the amount of \$58,741.60 which moves funds from Fringes to Sergeant, Sick Leave and Clothing to fund benefits associated with the retirement of an employee.
7. Communication from the Mayor re: Building Department transfer request in the amount of \$10,501.05 which moves funds from Undesignated to Assistant Building Inspector to fund costs associated with a retiring employee.
8. Communication from the Mayor re: Mayor's Office transfer request in the amount of \$9,100.00 which moves funds from Multi-Purpose Bond to Executive Secretary to cover the salary of the Executive Secretary position for the remainder of this fiscal year.
9. Communication from the Mayor re: Personnel transfer request in the amount of \$2,000.00 which moves funds from Conference and Training to Advertising and Medical Exams to fund higher than anticipated costs relating to recruitment activity for open positions.
10. Communication from the Mayor re: Assabet Valley Regional Vocational High School Borrowing.
11. Communication from the Mayor re: Senior Center Facility Report.
12. Communication from City Solicitor, Donald Rider, re: Special Permit, Sprint, 450-460 Boston Post Rd., in proper legal form, Order No. 11/12-1003071C.
13. Communication from City Solicitor, Donald Rider, re: Special Permit, Sprint, 2 Mt. Royal Ave., in proper legal form, Order No. 12-1004064B.
14. Communication from City Solicitor, Donald Rider, re: Special Permit, Sprint, 115 Onamog St., in proper legal form, Order No. 12-1004032D.
15. Communication from City Solicitor, Donald Rider, re: Special Permit, Sprint, 445 Simarano Dr., in proper legal form, Order No. 11/12-1003096B.
16. Communication from City Solicitor, Donald Rider, re: Special Permit, Sprint, 157 Union St., in proper legal form, Order No. 11/12-1003072C.
17. Communication from Brian Falk, Associate Attorney with Mirick, O'Connell, DeMallie and Lougee, LLP, filing disclosure statement as special employee.
18. Application for Taxi License, Angel Santiago, d/b/a Marlboro Metro Taxi, 160 West Main St. #1.
19. Minutes, Planning Board, March 12, and April 9, 2012.
20. Minutes, Council on Aging, March 13, 2012.
21. Minutes, Traffic Commission, February 28, 2012.
22. Minutes, Community Development Authority, March 29, 2012.

## REPORTS OF COMMITTEES:

23. **ORDERED:** That the Rules Committee convene a meeting to review the operating rules adopted at the organizational meeting on January 2, 2012 and recommend changes that may be appropriate to promote the effective operation of the City Council in the conduct of its business. ....submitted by President Pope.

## UNFINISHED BUSINESS:

**From Finance Committee**

24. **Order No. 12-1004091 – Line Item Budget Recommendation.** The Finance Committee reviewed the Mayor's letter dated March 8, 2012 seeking the position of the City Council on the FY13 budget presentation. The Finance Committee requested the Solicitor draft an Order to adopt a modified abbreviated budget process to authorize transfers within their department for expenditure line items. The Auditor would provide a monthly summary of these transfers to the City Council. All salary transfers and transfers between departments would require City Council approval. This process would be in effect for FY13 with a sunset clause expiring on 6/30/13. **Recommendation of the Finance Committee is to table 4-0.**
25. **Order No.12-1004056 – Transfer \$4000.00 to Fund Programs at the Council of Aging.** The Finance Committee reviewed the Mayor's letter dated February 8, 2012 requesting the approval of a \$4000.00 transfer from the Council of Aging Program Manager account to the Programs account. **Recommendation of the Finance Committee is to approve the transfer 4-0.**
26. **Order No. 12-1004075 – Transfer \$4000.00 to Fund Custodian Overtime.** The Finance Committee reviewed the Mayor's letter dated February 22, 2012 requesting the approval of a \$4,000.00 transfer from the Public Facilities Custodian salary account to the Overtime account because of a vacant custodian position. **Recommendation of the Finance Committee is to approve the transfer 4-0.**
27. **Order No.12-1004090 – Transfer \$45,000.00 to Fund Legal Services.** The Finance Committee reviewed the Mayor's letter dated March 8, 2012 requesting the approval of a \$45,000.00 transfer from the Sewer Long Term Debt account to Legal Services account. **Recommendation of the Finance Committee is to approve the transfer 4-0.**

**From Wireless Communications Committee**

28. The Wireless Committee met on 3/20/2012 at 4:28 PM and completed the review of all of the requests by Sprint Wireless PCS for changes and upgrades to the equipment at the following sites:

2 Mt. Royal Avenue: Council Order No. 12-1004064A

115 Onamog St.: Council Order No. 12-1004032C

445 Simarano Dr.: Council Order No. 11-1003096B

450-460 Boston Post Rd.: Council Order No. 11-1003071C

157 Union St.: Council Order No. 11-1003072C

Each request was reviewed separately and corrections to the documents were taken up. Suggested changes to the upgrades of the various installations were placed on to the documents under review. All installations were similar and were basically being brought up to the newest technology available, to better service the Sprint Wireless customers. Sprint Wireless representative Rosella Mercuri introduced new photographic simulations of the upgrades to 3 of the wireless installations that had been reviewed at a previous Wireless Committee meeting.

**Motions were made to approve each individual request, as amended, to the various sites:**

2 Mt. Royal Avenue: 2-0 Clancy and Robey, Councilor Oram absent

115 Onamog St.: 3-0 Clancy, Robey and Oram

445 Simarano Dr.: 3-0 Clancy, Robey and Oram

450-460 Boston Post Rd.: 3-0 Clancy, Robey and Oram

157 Union St.: 2-0 Clancy and Oram, Councilor Robey was recused

**Recommendation of the Wireless Committee is to Suspend the Rules and refer to City Solicitor to place in proper legal form.**

**From Public Service Committee**

29. **Order No. 11-1003005B - CARRY OVER TO NEXT LEGISLATIVE SESSION – 2012/2013. Communication from R. Paul Faxon re: Acceptance of Perry Lane as a Public Way.**

- The Marlborough Planning Board has endorsed the acceptance of Perry Lane.
- The Legal Department has provided the acceptance documents in proper legal form for acceptance by the City Council.

**From Operations and Oversight Committee**

30. **Order No. 12-1005000 – Invite Police Chief Leonard to attend a Committee meeting affording him the opportunity to public discuss the voluntary separation of Derek Johnson.**

**From City Council**

31. **Order No. 11/12-1003016A-2.**

**MOTION** made by Councilor Ossing to table the \$3,043,833.00 Ten Year Street Construction Bond – **DOES NOT CARRY.**

**A PRELIMINARY ROLL CALL VOTE WAS TAKEN AS FOLLOWS WITH THE CONFIRMATORY VOTE TO TAKE PLACE ON APRIL 9, 2012 AS THE BOND WAS NOT ADVERTISED FOR 10 COMPLETE DAYS.**

**PRELIMINARY ROLL CALL VOTE**

**Yea: 9 - Abstained: 2**

**Yea: Delano, Jenkins, Elder, Tunnera, Seymour, Clancy, Landers, Pope, and Robey**

**Abstained: Ossing and Oram**

**32. Order No. 11/12-1003016A-4.**

**MOTION** made by Councilor Ossing to table the \$5,030,000.00 Thirty Year Sewer Construction Bond – **DOES NOT CARRY.**

**A PRELIMINARY ROLL CALL VOTE WAS TAKEN AS FOLLOWS WITH THE CONFIRMATORY VOTE TO TAKE PLACE ON APRIL 9, 2012 AS THE BOND WAS NOT ADVERTISED FOR 10 COMPLETE DAYS.**

**PRELIMINARY ROLL CALL VOTE**

**Yea: 8 - Nay: 2 - Abstained: 1**

**Yea: Delano, Jenkins, Elder, Tunnera, Clancy, Landers, Pope, and Robey**

**Nay: Seymour and Ossing**

**Abstained: Oram**

**33. Order No. 11/12-1003016A-6.**

**MOTION** made by Councilor Ossing to table the \$3,172,600.00 Forty Year Water Project Bond which includes \$720,000.00 upgrades to Millham Water treatment Plant and \$2,452,600.00 for various water projects – **DOES NOT CARRY.**

**A PRELIMINARY ROLL CALL VOTE WAS TAKEN AS FOLLOWS WITH THE CONFIRMATORY VOTE TO TAKE PLACE ON APRIL 9, 2012 AS THE BOND WAS NOT ADVERTISED FOR 10 COMPLETE DAYS.**

**PRELIMINARY ROLL CALL VOTE**

**Yea: 8 - Nay: 2 - Abstained: 1**

**Yea: Delano, Jenkins, Elder, Tunnera, Clancy, Landers, Pope, and Robey**

**Nay: Seymour and Ossing**

**Abstained: Oram**