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CITY OF MARLBOROUGH

2013 OCT 31 P 1:20

1. Honorary Citizen Citations for visiting students from Akiruno Japan.
2. Minutes of the City Council Meeting, October 21, 2013.
3. Communication from the Mayor re: Comptroller's Office transfer request in the amount of \$1,800.00 from Finance Assistant to Longevity to fund the longevity payment associated with the transfer of a School Department employee to the Comptroller's Office.
4. Application for Renewal of Junk Dealer's License, Jean Rabelo, Post Road Used Auto Parts of Marlboro, Inc., 785 Boston Post Road.
5. Communication from Bohler Engineering on behalf of VNG Co. re: request to extend Time Limitations on Application for Special Permit, 413 Lakeside Ave. to propose construction of a new compressed natural gas (CNG) facility with one new dispenser including minor site modifications and piping to February 28, 2014 until 5:00 PM, Order No. 13-1005581.
6. Communication from Attorney Bergeron, Mirick O'Connell, re: Representation of Sky High Studios, Inc. and Anthony and Sandra Antico Real Estate LLC.
7. Minutes, Marlborough High School Council, October 2, 2013.
8. Minutes, Planning Board, October 7, 2013.
9. Minutes, Traffic Commission, September 24, 2013.
10. Minutes, Community Development Authority, September 26, 2013.
11. CLAIMS:
 - A. H. Theresa D'Angelo, 18 Airport Road, North Grafton, pothole or other road defect
 - B. Wilson Chu, 132 Stevens St., other property damage

REPORTS OF COMMITTEES:

12. That the Marlborough City Council hereby accepts Massachusetts General Law Chapter 64L, s.2 Local Option Meals Excise which imposes a local sales tax upon the sale of restaurant meals originating within the City of Marlborough by a vendor at a rate of .75 per cent of the gross receipts of the vendor from the sale of restaurant meals. No excise shall be imposed if the sale is exempt under section 6 of chapter 64H. The vendor shall pay the local sales tax imposed under this section to the Commissioner at the same time in the same manner as the sales tax due to the Commonwealth.Submitted by Councilors Pope and Delano
13. That the City of Marlborough establish in the city treasury a special revenue account to be known as the Parks and Fields Development Special Revenue Fund in the City of Marlborough, into which account shall be deposited a) certain receipts comprising a portion of the total restaurant meals tax received annually by the city; and b) any grants and monetary gifts or donations made to the city in furtherance of the purposes of this act. The purposes of this act, and of the Parks and Fields Development Special Revenue Fund, shall be to promote and to sustain the development of sports tourism through the development of parks and fields in the City of Marlborough and the local economy in the City of Marlborough; it is further ordered, that the City Solicitor be requested to draft *An Act Establishing A Parks and Fields Development Special Revenue Fund in the City of Marlborough* for adoption by the City Council, approval by the Mayor and petition to the Massachusetts Legislature. Submitted by Councilors Pope and Delano

UNFINISHED BUSINESS:

From Finance Committee**14. Order No. 13-1005538 – Transfer \$45,279.00 to Fund Firefighter Retirement.**

The Finance Committee reviewed the Mayor's letter dated September 5, 2013 requesting two transfers totaling \$45,279.00 to fund the costs associated with the retirement of a member of the Fire Department. The Finance Committee voted 4 – 0 (Councilor Seymour not present) to approve following two transfers:

- Transfer \$35,057.00 from the Fringe account to the Firefighter sick leave buy back account
- Transfer \$10,222.00 from the Fringe account to the Firefighter salary account

15. Order No. 13-1005489 – Capital Bond Request for FY14 for \$12,910,120.00.

The Finance Committee reviewed the Mayor's letter dated July 18, 2013 requesting the approval of 11 bonds totaling \$12,910,120.00. The bonds were all properly advertised in July 2013.

The FINANCE COMMITTEE took the following actions:

- Bond #1 – \$1,513,720.00 Department Equipment 5 Year Bond – The Finance Committee voted 5 – 0 to approve the bond amount of \$1,484,720.00. This represents a reduction of \$29,000.00 for the Fire Department repeaters which are being covered by the FY14 Police Department grant. The Finance Committee will evaluate using Undesignated funds to reduce the amount of the bond when the Undesignated Funds are certified in November.
- Bond #2 – \$1,510,000.00 Building Renovations 20 Year Bond – The Finance Committee voted 5 – 0 to approve the bond. The Mayor was requested to evaluate adding roofs to the Newton Street and Granger Boulevard parking garages as well as any potential garage expansion.
- Bond #3 – \$7,470,000.00 Street Construction 10 Year Bond – The Finance Committee voted 5 – 0 to approve the bond. Councilor Pope abstained from discussion on the bond. The Mayor indicated that the City should be receiving a \$1.6 million grant to offset the costs of the Simarano Street upgrade project. The Mayor will submit a bond for the reconstruction of the High School driveway (estimated at \$484,000) after the grant is received.
- Bond #4 - \$100,000.00 Sidewalk Construction 5 Year Bond – The FINCOM voted 5 – 0 to approve the bond. This bond would be a candidate to offset with Undesignated Funds.
- Bond #5 – \$200,000.00 Sewer Construction 30 Year Bond – The Finance Committee voted 5 – 0 to approve the bond.
- Bond #6 – \$835,000.00 Water Project 40 Year Bond – The Finance Committee recommended using the \$241,124.00 in the Capital Outlay Account for Robin Hill water project to offset the bond. The DPW Commissioner stated that the trench work road construction was performed extremely well and eliminated the need to resurface the road at this point in time. Councilor Pope expressed her extreme disappointment with not resurfacing the road. The Finance Committee voted 5 – 0 to approve a bond for \$593,876.00.

- Bond #7 – \$200,000.00 Water Meter 10 Year Bond – The Finance Committee expressed concern that the \$1,835,000 bond approved in 2012 has not been implemented. This bond was to install commercial/industrial water meters in 2012 and save \$500,000 per year. The Mayor indicated that there was concern with the type of water meters being used for the commercial facilities. Issues have been addressed and the request for proposals is being prepared. Current plan is to complete the commercial/industrial water meter installation project in 2014. The Mayor committed to provide the Council with a plan for the remaining residential water meters and commercial water meters. The Finance Committee voted 5 – 0 to deny the bond.
- Bond #8 – \$300,000.00 Land Cap and Drainage System 30 Year Bond – The Mayor indicated that there is a 75% reimbursement grant that is currently pending before MEMA. This grant can be used to reduce the amount of the bond. The DPW Commissioner indicated that the work on capping the landfill would be completed in the Spring of 2014. The Finance Committee voted 5 – 0 to approve the bond.
- Bond #9 – \$595,000.00 Recreational Facilities 15 Year Bond – The Finance Committee approved using the \$50,000 in the Capital Outlay account for the Evergreen Cemetery design to reduce the bond amount. The Finance Committee voted 5 – 0 to approve a bond of \$545,000.00 for Recreational Facilities.
- Bond #10 – Evergreen Cemetery Irrigation – 5 Year Bond – The Finance Committee voted 5 – 0 to deny the bond and request the Mayor use Undesignated funds to complete this project.
- Bond #11 – \$165,800.00 Computer Hardware 10 Year Bond – The Finance Committee voted 5 – 0 to approve.

From Legislative and Legal Affairs Committee

16. **Order No. 13-1005466** – This was the second meeting to address this issue. Solicitor Rider corrected the previously identified inconsistencies regarding the square footage. The Committee asked the Solicitor to secure the total amount of funding from Toll Brothers that would be owed to property owners regarding the proposed takings. **The Committee voted 2-0 to approve the proposed takings conditional upon receipt of the lump sum payment from Toll Brothers.**

From City Council

17. **Order No. 12/13-1005153D** – That the Communication from City Solicitor, Donald Rider, re: Acceptance of Dufrense Drive as a Public Way. **Tabled until the next City Council Meeting.**
18. **Order No. 13-1005466A** – That the Communication from City Solicitor, Donald Rider, re: Proposed Taking of Permanent Easements, Country Club Estates Division. **Tabled until the next City Council Meeting.**

19. **Order No. 13-1005581** – That the Application for Special Permit from Bohler Engineering on behalf of VNG Co. to propose construction of a new compressed natural gas (CNG) facility with one new dispenser including minor site modifications and product piping at 413 Lakeside Avenue. **Tabled until the next City Council Meeting.**

20. **Order No. 13-1005509A** – Communication from Mayor Vigeant with request for appropriation, Loan Order/Bond in the amount of Three Million (\$3,000,000) Dollars for the reconstruction of municipal outdoor recreational facilities, payable in not more than fifteen (15) years from its date of issue. (Note: Ward Park). **Recommendation of the City Council was to advertise the bond.**

21. **Order No. 13-1005508A** – Communication from the Mayor with request for appropriation, Loan, Order/ Bond in the amount of Six Million five Hundred Thousand (\$6,500,000.00) Dollars for the construction of a Senior Center, payable in not more than twenty (20) years from its date of issue. **Recommendation of the City Council was to advertise the bond.**