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CITY OF MARLBOROUGH

2014 APR -3 P 12:31

1. Minutes of the City Council Meeting, March 24, 2014.
2. Communication from the Mayor re: Fire Department transfer request in the amount of \$152,246.17 of which \$82,246.17 is necessary for retirements and remaining balance will fund necessary OT associated with absences.
3. Communication from the Mayor re: Legal Department transfer request in the amount of \$73,800.00 which moves funds from and to various accounts as noted on the spreadsheet to fund higher than anticipated outside legal expenses.
4. Communication from the Mayor re: Gift Acceptance in the amount of \$1,000.00 from the Cummings foundation in honor of Ginger Ryan.
5. Communication from the Mayor re: Library Planning Grant.
6. Communication from City Solicitor Rider re: Revised Order for Earth Moving, Order No. 13/14-1005446C.
7. Communication from City Solicitor Rider re: Special Permit, DBK Realty, LLC, 1000 Nickerson Rd. in proper legal form, Order No. 13/14-1005555D.
8. Communication from City Solicitor Rider re: the Gutierrez Company, Comprehensive Permit off Ames St. and Rt. 20.
9. Application for Special Permit from Amber Debole of TRM on behalf of T-Mobile Northeast, LLC for minor upgrade to existing telecom site, which consists of replacing all nine existing antennas, adding a cable divider, fiber jumpers, and hybrid cable to existing tower at 75 Donald Lynch Blvd.
10. Application for Special Permit from Mark Donahue of Fletcher Titlton on behalf of Chick-Fil-A, Inc. to construct and operate an approximate 4,876 square foot single story building with drive-thru service restaurant at 230 Boston Post Rd. West.
11. Application for Renewal of Secondhand Article Dealer's License, Theresa Denoncourt Smith, Hint of Class Consignment, 72A-B Hosmer St.
12. Application for Renewal of Junk Dealer's License, Tony Bitar, Hannoush Jewelers, 601 Donald Lynch Blvd.
13. Application for Renewal of Secondhand Article License, Mary Giorgi, Giorgi's Consignment Boutique, 266 Main St.
14. Minutes, Traffic Commission, February 25, 2014.
15. Minutes, Marlborough Community Development Authority, March 17 & 27, 2014.
16. Minutes, Conservation Commission, March 6, 2014.
17. Minutes, License Board, February 26, 2014.
18. Minutes, Planning Board, March 10, 2014.
19. Communication from Irene Richardson, 204 Ridge Rd. pertinent to a claim.
20. CLAIMS:
 - A. Bonnie Hill, 150 Simpson Rd., residential mailbox claim 2(b)
 - B. Samantha Bower, 7 Nolan Way, pothole or other road defect claim
 - C. Michael Sansonetti, 228 Littlefield Ln., residential mailbox claim 2(a)
 - D. Charles Pinto, 84 Framingham Rd., residential mailbox claim 2(a) & other property damage

REPORTS OF COMMITTEES:

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.

21. That the Operations and Oversight Committee investigate the status for streaming and making available on our website all City Council and sub-committee meetings.....Submitted by Councilor Joseph Delano

UNFINISHED BUSINESS:

From Public Services Committee

22. **Order No. 14-1005671A - Petition of NGrid and Verizon to locate existing P.C6 Laviolette Street 35 feet south towards the entrance to Lake Williams condominiums. This will be used as a primary riser pole to feed a pad-mounted transformer required to provide service to the new building (destroyed by fire).**

Motion by Councilor Clancy, seconded by Councilor Irish, to approve subject to eight (8) following conditions proposed by City Engineering Division. Approved 3-0.

- 1) A street opening permit must be applied for by the proposed contractor performing the work;
- 2) A proper staging area is to be located/acquired before work commences – material and equipment shall not be parked/stockpiled within the city right of way;
- 3) The contractor is to ensure residents are always able to enter and exit their driveways;
- 4) Ensure construction safety controls are established (signage, drums, police details, etc) and are in accordance with the latest MUTCD standards;
- 5) Trenches are to be paved or completely backfilled and compacted at the end of each work day. Trenches are never to be left unattended;
- 6) Post construction loaming and seeding are to be done in accordance with the 1995 MHD Standard Specifications sections 751 & 765;
- 7) National Grid to work closely with other private utility companies to expedite the transfer of overhead wires from old to new poles;
- 8) If existing pole 6 is no longer necessary, this pole is to be removed immediately after overhead wires are transferred.

From Finance Committee

23. **Order No. 14-1005721 – Transfer \$63,600.00 from the Fringes Account to the Public Works Department Accounts for Retirements.** The Finance Committee reviewed the Mayor's letter dated March 6, 2014 requesting three transfers from the Fringe account totaling \$63,600.00 to fund the DPW Commissioner, sick leave buy back and longevity accounts for the retirement of a member of the Department of Public Works Department. **The Finance Committee voted 5 – 0 to approve the three transfers.**
24. **Order No. 14-1005722 – Transfer \$21,500.00 from the Fringe Account to Fund Postage and Office Supplies in the Comptroller's Office.** The Finance Committee reviewed the Mayor's letter dated March 6, 2014 requesting the transfer of \$21,500.00 from the Fringe account to fund the postage and office supply accounts in the Comptroller's office. **The Finance Committee voted 5 – 0 to approve the transfer.**

25. **Order No. 14-1005723 – Transfer \$7,000.00 from Senior Clerk to the Legal/Tax/Appeal Account in the Assessor’s Office.** The Finance Committee reviewed the Mayor’s letter dated March 6, 2014 requesting the transfer of \$7,000.00 from the Senior Clerk account to the Legal/Tax/Appeal account to ensure sufficient funds are available for the remainder of the year to cover abatement filings and appraisals. **The Finance Committee voted 5 – 0 to approve the transfer.**

From Urban Affairs Committee

26. **CONTINUED REVIEW Order No. 13/14-1005555D - On the Application for Special Permit from Attorney Gadbois on behalf of DBK Realty, LLC, to construct a facility at 1000 Nickerson Rd. to store and use toxic chemicals in the manufacture of small parts for the medical instrument, airline and defense industries. Because the location of the business will be in Zone B of the Water Protection Zoning District, a Special Permit for such use is required. Councilor Clancy makes a motion to ask for a suspension of the rules at the next regularly scheduled City Council meeting for the purpose of referring to the City Solicitor for proper legal form. The motion is made and seconded by the Chair. All are in favor, the motion carries, vote 5-0.**

From Legislative and Legal Affairs Committee

27. **Order No. 13/14-1005649 – Bi-Directional/Uni-Directional Antenna Specification Ordinance.** The Emergency Response Personnel requested that an Ordinance be added to the Code of the City of Marlborough. This Ordinance would require that all renovations to existing structures, that met the present MGL 915.1 Building Code, be required to be tested and possibly have installed a Bi-Directional/Uni-Directional Antenna System. **Motion to approve by Councilor Delano seconded by the Chair, Motion Passed: 3-0.**
28. **Order No.14-1005690 - Communication from the Mayor requesting amendments to the City Code relative to the BOARD OF ASSESSORS and position of PRINCIPAL ASSESSOR as follows:**
--Eliminate the practice of a full-time City employee serving as Chairman of the Board of Assessors while simultaneously managing the Assessors’ Office;
--Formally establish in the City Code the position of Principal Assessor who will serve as a member of the Board of Assessors, but never in the role of Chairman;
--Ensure that stipends are not available to employees of the Assessors’ Office who also serve on the Board of Assessors.
Motion to approve by Councilor Delano, seconded Councilor Robey. Motion Passed: 3-0.