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CITY OF MARLBOROUGH

2014 SEP -4 P 12: 23

1. Minutes of the City Council Meeting, AUGUST 25, 2014.
2. Communication from the Mayor re: Order of Acceptance of Layout and Eminent Domain Taking of Ways and Easements in the Carisbrooke I Subdivision and in the Carisbrooke II Subdivision, Order Transferring Care, Management and Control of the Streets and Easements in Carisbrooke I and Carisbrooke II to the Department of Public Works, Order of Acceptance of Deeds in Lieu of Foreclosure, and Order Transferring Care, Management and Control to the Conservation Commission.
3. Communication from the Mayor re: SCRPT Program Informational Update.
4. Communication from Asst. City Solicitor Panagore Griffin – Proposed Zoning Petition, Downtown Village District, submitted on behalf of Council President Pope and Councilor Delano.
5. Communication from the Commission on Disabilities re: Implementation of a Handicapped Parking Enforcement and Education Program.
6. Communication from Sudbury Companies of Militia and Minute re: Permission to Place a Temporary Sign on City Property.
7. Application for Renewal of Junk Dealer's License, Thomas Zampini, d/b/a Metal Man Recycling, 44 Brook St.
8. Minutes, Zoning Board of Appeals, July 8, & August 19, 2014.
9. Minutes, Conservation Commission, July 17, 2014.
10. Minutes, Traffic Commission, July 29, 2014.
11. Minutes, Board of Health, July 15, 2014.
12. Minutes, License Board, July 30, 2014.
13. CLAIMS:
  - A. Dillon Glynn, 307 Chestnut St., Hudson, MA, pothole or other road defect

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

**From Legislative and Legal Affairs Committee**

14. **Communication from the Mayor requesting approval of following two City Council Orders:**
  - 1) **Order No. 14-1005908A - That the City Council of the City of Marlborough, for the purposes of the Conflict of Interest Law set forth in MGL c.268A, hereby designates Marlborough School Committee positions as special municipal employees.**
  - 2) **Order No. 14-1005908B - That the City Council of the City of Marlborough, having designated for purposes of the Conflict of Interest Law set forth in MGL c.268A that Marlborough School Committee positions are special municipal employees, hereby declares, pursuant to MGL c.268A s.20(d), that the financial interests of School Committee members Heidi Matthews and Denise Ryan, as set forth in their attached disclosure forms, are exempt from MGL c.268A, s.20.**

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.

**Motion made by Councilor Robey, seconded by Councilor Delano, to deny the request for designation of Special Municipal Employee status to elected members of the School Committee.**

**Vote 2-1 Clancy opposed**

**Request by Chairman Clancy to vote on the second order – Councilor Robey asked if there was a need to vote as the first order was denied. Solicitor Rider confirmed that the second order would now be moot.**

**From Urban Affairs Committee**

15. **Order No. 14-1005727C - Communication from Attorney Gadbois re: Site Plan Approval, Hilton Garden Inn, at 170 Forest Street. (Hilton Garden Plans are available for viewing in City Clerk's Office). Motion made by Councilor Clancy, seconded by Chair, to approve the changes presented to the City Council in their capacity as Site Plan Review. The changes require no further changes to the Site Plan Review Conditions however conditions set forth by the Site Plan Review Committee will become part of the conditions for the site. Carries 4-0.**

**From Public Services Committee**

16. **Order No. 14-1005848B - Petition of NStar Gas to install 105 ' of 4" plastic gas main as a system improvement to 31 Wellington Street in Marlborough. Joanne O'Leary, Community Relations Representative for NSTAR Gas, indicates the petition is a request from the homeowners for gas service. The homeowners are willing to pay for service to extend the gas main to their residence. Recommendation of the Public Services Committee is to approve the petition of NStar Gas to install 105 ' of 4" plastic gas main as a system improvement to 31 Wellington Street. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve. Carries 3 - 0.**
17. **Order No. 1005884A - Petition of NGrid and Verizon to relocate Pole 42 on Church Street and install a new guy Pole 42-84 on Plymouth Street. Crystal Tognazzi, National Grid Representative, explains the project is to relocate Pole 42 seven feet east due to a road widening project requested by the City. Recommendation of the Public Services Committee is to approve the petition of NGrid and Verizon to relocate Pole 42 on Church Street and install a new guy Pole 42-84 on Plymouth Street. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve. Carries 3 - 0.**
18. **Order No. 1005885 - Application for Renewal of Junk Dealer's License, Sergey Yeghiyan d/b/a CTC Gold Refinery, 149 Main Street. Police Chief Leonard has received the CORI report for Sergey Yeghiyan and has no objection to the renewal of the Junk Dealer's License. Mr. Yeghiyan explains his business as cash for gold, buying from the public. They also have a new project of a manufacturing facility in Auburn for the designing and casting of new jewelry. This new jewelry will be in their stores to provide their own designs to the public. It will be wholesale and therefore cheaper for the customers. Recommendation of the Public Services Committee is to approve the application for renewal of Junk Dealer's License to Sergey Yeghiyan d/b/a CTC Gold Refinery, 149 Main Street. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve. Carries 3 - 0.**

19. **Order No. 14-1005849A - Petition of NGrid and Verizon re: 479 Hosmer Street for installation of new joint owned stub Pole #55-84 on public property. Pole will be set approximately 42' from existing joint owned Pole #33. NGrid proposes installation of new joint owned anchor to be set in back of new Pole #55-84 to help support stub pole. Pole 55 currently has tree guy attached from Pole 55 to tree at 479 Hosmer Street that is to be removed. Customer requested to remove the tree guy. Crystal Tognazzi, National Grid Representative, explains the tree is in terrible shape and there is no other option but to remove it. The pole does need an anchor as it has three phase primary going through it and because of the height of the pole, they tend to lean. The only way to prevent that is to move the stub pole across the road, forty-two feet. The guy is placed on City property so as to not cause any more damage to the customer's property. Recommendation of the Public Services Committee is to approve the petition of NGrid and Verizon re: 479 Hosmer Street for installation of new joint owned stub Pole #55-84 on public property. Motion made by Councilor Clancy, seconded by Councilor Irish, to approve. Carries 3 - 0.**

#### **From Finance Committee**

20. **Order No. 14-1005907A – IPG Photonics Corporation Tax Increment Financing (TIF).** The Finance Committee reviewed the Mayor's letter dated July 17, 2014 requesting the approval of the TIF proposal from IPG Photonics. **The Finance Committee voted 4 - 0 to approve the following:**

- **The economic opportunity area**
- **The TIF plan and zone**
- **The TIF agreement**
- **Economic Development Incentive Program (EDIP) Preliminary Application**
- **The City Council Resolution**

**The Finance Committee requested the Solicitor place the IPG Photonics Corporation TIF in proper format for the August 25, 2014 City Council meeting. The Finance Committee acknowledged that if the buildings are used for a warehouse (versus research and manufacturing), the TIF would not apply.**

#### **From Personnel Committee**

21. **Order No. 14-1005846 - The Appointments of Ryan Wambolt and Santiago Vergas as youth appointees to the Youth Commission for terms of one year from date of approval. Ryan Wambolt is entering his senior year at Marlborough High School and during his time there he has provided reports to the School Committee on various school activities and has been treasurer. He would like to get fellow students involved and active in the community. Recommendation of the Personnel Committee is to approve the Appointment of Ryan Wambolt as a youth appointee to the Youth Commission. Motion by Councilor Elder, seconded by the Chair, to approve the appointment. Carries 3 – 0. [Santiago Vergas unable to attend and remains in committee. The Mayor will review the City Code to determine the required term prior to City Council approval.]**
22. **Order No. 14-1005864 - The Appointment of Renee Perdicaro to the Cultural Council for a term to expire three years from date of City Council approval. Renee Perdicaro has been a Marlborough resident for six years and through her job and personal life she likes to give back to the community. Recommendation of the Personnel Committee is to approve the Appointment of Renee Perdicaro to the Cultural Council. Motion made by Councilor Elder, seconded by the Chair, to approve the appointment. Carries 3 - 0.**

23. **Order No. 14-1005876 - The Appointments of Anthony Arruda and Ellen Silverstein to the Board of Assessors for terms of three years to expire from date of City Council approval and Bradford Dunn as the City's Principal Assessor for a three year term.** Ellen Silverstein has been a Marlborough resident for fifteen years and is a certified appraiser in Massachusetts and has an interest in being a member of the Board of Assessors. Bradford Dunn is a West Boylston resident and has been acting as the Principal Assessor for the past 2.5 – 3 years for the City of Marlborough. **Recommendation of the Personnel Committee is to approve the appointments of Ellen Silverstein to the Board of Assessors and Bradford Dunn as Principal Assessor for three-year terms. Motion made by Councilor Elder, seconded by the Chair, to approve the appointments. Carries 3 - 0. [Anthony Arruda unable to attend and remains in committee.]**
24. **Order No. 14-1005877 - The following Reappointments to the Recreation Commission for the following terms: Robert Kays for a term to expire three years from date of City Council approval; Dennis Zilembo for a term to expire two years from date of City Council approval; Thomas Evangelous for a term to expire two years from date of City Council approval; and Brenda Calder for a term to expire three years from date of City Council approval.** Brenda Calder has been a resident of Marlborough for forty-six years and wants to give back to the community by continuing to serve on the Recreation Commission. Dennis Zilembo has been a resident of Marlborough for all of his 62 years and has enjoyed serving on the Recreation Commission. Robert Kays has been the Chairman of the Recreation Commission and has enjoyed his time serving on the commission as it is very active and engaged with the community. **Recommendation of the Personnel Committee is to approve the Reappointments of Robert Kays, Dennis Zilembo, and Brenda Calder to the Recreation Commission. Motion made by Councilor Elder, seconded by the Chair, to approve the reappointments. Carries 3 - 0. [Thomas Evangelous unable to attend and remains in committee.]**
25. **Order No. 14-1005906 - The Appointment of Robin Williams to the Board of Health for a term to expire January 5, 2015.** Robin Williams is an eleven year resident of Marlborough and an eight year veteran of the Army. She works full-time for the City of Newton as a Senior Environmental Health Specialist and is a registered Sanitarian. She would like to be a member of the Board of Health to give back to the community and help with new ideas. **Recommendation of the Personnel Committee is to approve the Appointment of Robin Williams to the Board of Health. Motion made by Councilor Irish, seconded by the Chair, to approve the appointment. Carries 2 - 1. (Elder opposed.)**
26. **Order No. 14-1005687 - Reappointment of Pat Winske to Disabilities Commission for a term of three years. Note: McManus, Usinas and Towle reported out of committee on February 25, 2014. [Pat Winske unable to attend and remains in committee.]**
27. **Order No. 14-1005704 - Reappointments to the Conservation Commission: Edward Clancy ex. 3/6/17; John Skarin ex. 3/7/16; and Larry Roy ex. 3/7/16. Note: Alan White, David Williams and Dennis Demers reported out of committee on April 23, 2014.** John Skarin is a lifelong resident of Marlborough and has served on the Conservation Commission for fourteen years. His background is in trees, landscaping and light construction. Edward Clancy is a seventy-four year resident of the City of Marlborough and a forty-six year member of the Conservation Commission of uninterrupted service and has been the chairman for many years. It is a very important organization because much of the construction within the City is involved near wetlands which are overseen by the Conservation Commission. **Recommendation of the Personnel Committee is to approve the Reappointments of Edward Clancy and John Skarin to the Conservation Commission. Motion made by Councilor Elder, seconded by the Chair, to approve the reappointments. Carries 3 - 0. [Larry Roy unable to attend and remains in committee.]**

28. **Order No. 14-1005667 - Reappointment of Susan Laufer to Library Board of Trustees 2/6/17.**  
**Note: Ray Hale, Ray Johnson, Robyn Ripley, Janice Merk and Tom Abel reported out of committee on February 11, 2014. [Susan Laufer unable to attend and remains in committee.]**

**From Operations & Oversight Committee**

29. **Order No. 14-1005657 - The DPW Commissioner and Mayor review the hours of operation of the resident drop-off facility (Transfer Station) to possibly extend the hours until 5PM on Saturdays (currently closes at 3PM sharp), and potentially to explore some Sunday hours as well.**  
**Motion made by Councilor Delano, seconded by Chair, to extend the hours of operation of the resident drop-off facility until 5:00 PM on Saturdays. Carries 2-1 (Landers opposed).**

**From City Council**

30. **Order No. 14-1005802B - Application for Renewal of Junk Dealer's License by Best Buy Stores, LP #820, 769 Donald Lynch Blvd. Recommendation of the City Council to Table until next City Council meeting.**
31. **Order No. 14-1005803B - Application for Renewal of Junk Dealer's License by Best Buy Stores, LP #1966, 601 Donald Lynch Blvd. Recommendation of the City Council to Table until next City Council meeting.**
32. **Order No. 14-1005886A – Communication from Jean & Michael Morrissey, 43 Sonia Dr. re: Baby Safe Haven Signs. . Recommendation of the City Council to Table until next City Council meeting.**