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CITY OF MARLBOROUGH

2015 APR -2 P 2:00

NOTE: If the regular meeting of the City Council, scheduled for APRIL 6, 2015 at 8:00 PM in the Council Chambers, 2nd Floor, City Hall, 140 Main Street, is cancelled due to inclement weather, the City Council will instead meet on Thursday, APRIL 9, 2015 at 8:00 PM in Council Chambers, 2nd Floor, City Hall, 140 Main Street, to discuss the same agenda items posted below for the APRIL 6, 2015 meeting.

1. Minutes of the City Council Meeting, March 23, 2015.
2. PUBLIC HEARING: Proposed Zoning Amendment, Chapter 650, Section 26.A(1)(a), Order No. 15-1006130.
3. Communication from the Mayor re: OPEB Trustees Recommendation.
4. Communication from the Mayor re: OPEB transfer request in the amount of \$5,000,000.00 which will mark the inaugural deposit towards the City's unfunded post-employment liability, better known as OPEB.
5. Communication from the Mayor re: Police Department transfer request in the amount of \$112,488.00 which moves funds from Fringes to Sick Leave Buy Back and Sergeants to fund the contractually obligated sick leave buyback due to two retiring members of the Police Department.
6. Communication from the Mayor re: Fire Department transfer request in the amount of \$7,244.24 which moves funds from Fringes to Sick Leave Buy Back to fund the contractually obligated sick leave buyback due to a retiring member of the Fire Department.
7. Communication from the Mayor re: Mayor's office transfer request in the amount of \$5,610.25 to fund the sick leave buyback and unused vacation payout due to a departing member of his staff.
8. Communication from City Solicitor Rider re: Application for Special Permit from Digital Federal Credit Union to amend Special Permit, Order No. 03-10047B, by removing condition #7 in proper legal form, Order No. 14/15-1006011D, X14/15-1006053C.
9. Communication from City Solicitor Rider re: Application for Special Permit from Digital Federal Credit Union to operate an electronic message center sign pursuant to City Code, §526-13 in proper legal form, Order No. 14/15/1006053C, X14/15-1006011D, X03-10047B.
10. Application, Fuel Storage License, Discount Gas, 50 Main St., to increase Fuel Storage capacity from 15,000 to 18,000 gallons.
11. Application for renewal of Junk Dealers/Second Hand License, Theresa Denoncourt Smith, d/b/a Hint of Class Consignment Inc., 72B Hosmer St.
12. Application for renewal of Junk Dealers/Second Hand License, ecoATM, Inc., 601 Donald Lynch Blvd.
13. Application for renewal of Junk Dealers/Second Hand License, Jean Rabelo, d/b/a Post Road Used Auto Parts of Marlboro, Inc., 785 Boston Post Rd.
14. Petition of Mass Electric Company and Verizon New England Inc. to install new p22-50 to be set approximately 52' from existing p23 and 175' from existing p22. Full narrative is attached.
15. Communication from Central Mass. Mosquito Control Project re: Annual Reports.
16. Communication from Central Mass. Mosquito Control Project re: Commencement of Mosquito Larval Control in Marlborough.
17. Minutes, School Committee, March 10, 2015.
18. Minutes, Planning Board, March 9, 2015.
19. Minutes, Zoning Board of Appeals, January 6, 2015.
20. Minutes, Traffic Commission, February 24, 2015.

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. Minutes, Community Development Authority, Personnel Committee, January 15 & February 10, 2015, Special Board Meeting, February 18 & March 5, 2015, and Regular meetings, December 18, 2014 & January 9, 2015.
22. Minutes, OPEB Trust, March 3, 2015.
23. CLAIMS:
 - a. Paul Priestley, 20 Crestwood Ln., other property damage.
 - b. Kieran Moore, 99 Clearview Dr., other property damage.
 - c. Luis Saquich, 26 Boudreau Ave #1, pothole or other road defect claim.
 - d. John & Maryann Furtado, 30 Pheasant Hill Rd., other property damage.
 - e. Clifford Bodenweiser, 51 Leoleis Dr., other property damage.
 - f. Richard Sebeika, 86 Cloverhill St., residential mailbox claim 2(a).
 - g. Judith Hayes, 92 Porter Rd., other property damage.
 - h. Lisa McCarthy, 615 Berlin Rd., other property damage.
 - i. Carla White, 64 Morrisey Rd., residential mailbox claim 2(a).
 - j. Lindsay Spada, 80 Ripley Ave., pothole or other road defect claim

REPORTS OF COMMITTEES:

24. That the City Council review with the Mayor and DPW Commissioner the practice of charging homeowners for work performed by city employees, and including individual manpower hours and hourly rates for municipal vehicles, in connection with repairs to water /sewer service problems and other services involving work in the public street or way.Submitted by Councilor Delano

UNFINISHED BUSINESS:

From Urban Affairs Committee

25. **Order No. 14/15-1006011D (X14/15-1006053C, X03-10047B) - Application for Special Permit to modify existing Special Permit issued to Digital Federal Credit Union, 853-865 and 905 Donald Lynch Boulevard on June 16, 2003, to remove Condition #7 prohibiting LCD signs on the property. Motion made by Councilor Tunnera, seconded by the Chair, to approve the amended Special Permit, as amended. The motion carries 4-0.**
26. **Order No. 14/15-1006053C (X14/15-1006011D, X03-10047B) - Application for Sign Ordinance Special Permit, Digital Federal Credit Union, 865 Donald Lynch Boulevard, to operate an electronic message center sign at its bank branch located at 865 Donald Lynch Boulevard. Motion made by Councilor Tunnera, seconded by Chair, to approve as amended. The motion carries 4-0.**

Motion made by Councilor Tunnera, seconded by Chair, to request a suspension of the rules at the next regular City Council meeting to refer both orders to the City Solicitor for proper legal form. The motion carries 4-0.

From City Council

27. **Order No. 14/15-1005997C - TURF FIELD BOND in the amount of \$3,855,059.00 (three million eight-hundred fifty-five thousand and fifty-nine) dollars for appropriation of the construction of a synthetic turf athletic field, new track and concession stand at the Whitcomb Middle School Field. Recommendation of the City Council to table until the April 6, 2015 City Council meeting. Councilor Elder recused.**

28. **Bond for \$3,095,000.00 for the Hudson Street Landfill Redevelopment. Recommendation of the City Council to table until the April 6, 2015 City Council meeting. Councilor Elder recused.**
- **15-1006089-1 - The Finance Committee voted 4-0 to approve the communication from the Mayor requesting a vote to permanently dedicate the land, which contains a portion (Lot 2) containing 11.3 acres of Hudson Street Landfill property located on Hudson Street and shown on Marlboro Assessors Maps as Map 30, Parcel 4, as taken by the City of Marlboro on October 5, 1959 for purposes of a public dump and other municipal purposes, to park and recreation purposes under the provisions of MGL c.45, s.3; and further that, as so dedicated, said property is hereby placed under the care, custody, management and control of the City of Marlboro Recreation Commission.**
 - **15-1006089-2A - The Finance Committee voted 4 - 0 to approve a 15 year bond for the construction of municipal outdoor recreational facilities in the amount of \$3,095,000.00. The Finance Committee approved recommending the suspension of the rules at the March 9, 2015 City Council meeting to request the advertisement of the bond. Bond was advertised on March 14, 2015.**
 - **15-1006089-3 - The Finance Committee voted 4 – 0 to approve the “Proposed resolution to apply for and accept a grant from the Executive Office of Energy and Environmental Affairs, for the Hudson Street Landfill recreation facility.” It is resolved the Mayor be, and hereby is, authorized to apply for and accept a PARC grant from the Executive Office of Energy and Environmental Affairs; and that the Mayor be, and hereby is, authorized to take such other actions as are necessary to carry out the terms, purposes and conditions of the PARC grant to be administered by the Recreation Commission of the City of Marlboro; and that the Resolution shall take effect upon its passage.**