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CITY OF MARLBOROUGH

2015 MAY 28 P 2: 16

1. Minutes, City Council Meeting, May 18, 2015.
2. Communication from the Mayor re: Youth Service Awards.
3. Communication from the Mayor re: transfer request in the amount of \$34,000.00 which moves funds from Open Space Stabilization to fund the purchase of the parcel at 11 New St.
4. Communication from the Mayor re: receiving \$50,000.00 as part of its negotiated municipal agreement from Colonial Power to fund energy efficient improvements.
5. Communication from the Mayor re: Ezra Cutting Trust grant in the amount of \$6,000.00 to support the City's partnership with the Rivers Edge Arts Alliance to support performances that are part of the "Family Fun Festivals".
6. Communication from the Mayor re: Proposed Changes to Polling Locations.
7. Communication from the Mayor re: Appointment of Patricia Pope as the Executive Director of the Council on Aging.
8. Communication from Assistant City Solicitor Panagore-Griffin re: Application for Special Permit from NGP Management LLC for two drive-through windows at 525 Maple St. in proper legal form, Order No. 15-1006070D.
9. Communication from Assistant City Solicitor Panagore-Griffin re: Order of Taking and Plans-Farm Road Reconstruction, Order No. 15-1006181.
10. Communication from Assistant City Solicitor Panagore-Griffin re: Proposed Order of Amendment to § 650-26 A.(1)(a) of the Zoning Ordinance, Order No. 15-1006130.
11. Communication from Attorney M^cCay re: NGP Management, Special Permit Conditions, Order No. 15-1006070D.
12. Communication from Attorney Gadbois on behalf of Ferris Development 325 DJL Boulevard LLC re: Withdrawal without Prejudice for Amendment to Zoning Ordinance, Order No. 15-1006185A.
13. Communication from Attorney Gadbois on behalf of Ferris Development 325 DJL Boulevard LLC re: Withdrawal without Prejudice for Special Permit for drive-thru and mixed use development, Order No. 15-1006200.
14. Communication from the Planning Board re: Proposed Order of Amendment to § 650-26 A.(1)(a) of the Zoning Ordinance, Order No. 15-1006130.
15. Application for Livery License, Onald Isidore, Genesis Transportation Services, 40 Mechanic St., Suite 107.
16. Petition of Eversource to install 160' of 2" IP plastic gas main as a system improvement to 7 Corey Rd.
17. Communication from Mosquito Control Project re: Investigating resident's complaints about mosquitos on the following dates: May 28, & June 3, 10, 17 & 24.
18. Minutes, Traffic Commission, March 31 and April 29, 2015.
19. CLAIMS:
 - a. Richard Anzalone, 11 Casella Dr., residential mailbox claim 2(a).
 - b. David Ritter, 22 Stow Rd., other property damage.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

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.

From Public Services Committee

20. **Order No.15-1006199 - Communication from Civil Engineer DiPersio re: Approval of Extension to the City's sewer system for Al Brodeur's South Street Auto, 412 South Street.**

Motion made by Councilor Clancy, seconded by Councilor Irish, to recommend the approval of the sewer extension permit to Mr. Brodeur and South Street Auto at 412 South Street in conformance with the signed plans dated 10/20/2014 including the requirement to connect the sewer service from 492 South Street to the new sewer main and the abandonment of the portions of the 492 South Street sewer service within South Street and Mill Street North using flowable fill. Prior to any excavation on private property or within the public layout, the applicant shall secure a street opening and trench permit from the Marlborough Engineering Division. In order to secure this permit, the applicant shall provide a bond in the format acceptable to the City equal to value of one-hundred percent of the work to be completed within the public layout and which is consistent with the latest version of the Rules and Regulations for Licensure and Street Openings.

The motion carries 3-0.

From Urban Affairs Committee

21. **Order No. 15-1006070D - Application for Special Permit from Attorney Bergeron on behalf of NGP Management LLC, to install two drive-through service windows which will be part of the new Dunkin Donuts building located at 525 Maple Street.**

The Urban Affairs Committee met with the applicant's representatives over the course of several meetings for discussions on traffic, building aesthetics, lighting, signage and other issues for the building and site. At the meeting held on May 5, 2015, Chairman Delano read through the twenty-eight conditions that comprise the Decision on a Special Permit, City Council Order No. 15-1006070 (Draft decision for review May 5, 2015). The committee agreed upon the conditions with minor changes for clarity.

Motion made by Councilor Clancy, seconded by Chair, to recommend approval of the Special Permit from Attorney Bergeron on behalf of NGP Management LLC, as amended, to install two drive-through service windows which will be part of the new Dunkin Donuts building located at 525 Maple Street. Carries 5-0.

Motion made by Councilor Clancy, seconded by Chair, to request a suspension of the rules at the May 18, 2015 regular City Council meeting to refer to the City Solicitor for placement of the Special Permit Decision in proper legal form on the June 1, 2015 agenda. Carries 5-0.

From Finance Committee

22. **Order No.15-1006197A - Mayor Fiscal Year 2016 Operating Budget for \$143,287,762.00:** The Finance Committee reviewed the Mayor's letter dated April 30, 2015 requesting the approval of the Fiscal Year 2016 (FY16) operating budget for \$143,287,762.00.

Attachment 1 contains the projected tax implications based on the Mayor's FY16 budget. The Mayor's FY16 budget results in a 3.52% estimated increase in the property tax levy or an increase of approximately \$140.73 to the average home. It should be noted that this is only an estimate based on the projections. Actual values will be finalized in December 2015.

Attachment 2 contains the projections for the state and local revenues for FY16 that were used in developing the tax implications.

The Finance Committee voted 5-0 to approve the following reductions:

- **Reserve for Salaries Account 1990-57820 - \$250,000.00**
- **Electricity Account 1920-52120 - \$250,000.00**

The Finance Committee voted 5 - 0 to approve a \$500,000.00 reduction to the Mayor's FY16 budget of \$143,287,762.00. The Finance Committee voted 5 -0 to approved a FY16 budget of \$142,787,762.00. This represents a 4.16% increase from the FY15 budget or an increase of \$5,701,239.00.

From Personnel Committee

23. **Order No. 15-1006129 - The Appointment of Richard Cygan, to the Council on Aging for a four year term to expire from date of approval. Recommendation of the Personnel Committee is to approve the Appointment of Richard Cygan to the Council on Aging for a four year term to expire from date of approval. Motion made by Councilor Elder, seconded by Chair, to approve the appointment. The motion carried 3-0.**