



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
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JANUARY 23, 2017

Regular meeting of the City Council held on Monday, JANUARY 23, 2017 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juairé, Oram, Ossing, Robey, Doucette, Elder, Tunnera, Irish and Landers. Absent: Delano. Meeting adjourned at 8:25 PM.

ORDERED: That the Minutes of the City Council meeting January 9, 2017, **FILE AS AMENDED**; adopted.

ORDERED: That the City Council Regular Meeting Schedule & Committee Assignments, **FILE**; adopted.

ORDERED: That the Fire Department transfer request in the amount of \$615,629.11 which moves funds from Reserve for Salaries and Deputy Fire Chief to various accounts as noted below to fund the Memorandum of Agreement and reorganization of the Fire Department, refer to **FINANCE COMMITTEE**; adopted.

BUDGET TRANSFERS --										
DEPT:		FIRE				FISCAL YEAR:		2017		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$733,779.70	\$341,817.75	11990006	57820	Reserve for Salaries	\$128,735.47	12200001	50450	Firefighter	\$1,419,381.08	
	Reason:	Calculated amounts for contractual obligations								
					\$146,150.36	12200001	50334	Battalion Chief	\$0.00	
	Reason:									
					\$23,596.92	12200001	50800	Fire Captain	\$151,170.01	
	Reason:									
					\$43,335.00	12200001	50330	Assistant Chief	\$0.00	
	Reason:									
	\$341,817.75	Total			\$341,817.75	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		FIRE				FISCAL YEAR:		2017		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$733,779.70	\$92,803.72	11990006	57820	Reserve for Salaries	\$44,276.42	12200001	50810	Fire Lieutenant	\$591,276.47	
	Reason:	Calculated amounts for contractual obligations								
					\$18,940.40	12200003	51920	Sick Leave BuyBack	\$28,881.18	
	Reason:									
					\$20,166.57	12200003	51490	Holiday	\$182,255.69	
	Reason:									
					\$488.30	12200003	51481	Training Special Services	\$1,758.20	
	Reason:									
					\$8,932.03	12200003	51480	EMT	\$79,183.55	
	Reason:									
	\$92,803.72	Total			\$92,803.72	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		FIRE				FISCAL YEAR:		2017		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$733,779.70	\$82,538.96	11990006	57820	Reserve for Salaries	\$6,531.22	12200003	51450	Night Shift	\$42,489.82	
	Reason:	Calculated amounts for contractual obligations								
					\$13,530.40	12200003	51440	Educational Incentive	\$107,686.57	
	Reason:									
					\$55,953.53	12200003	51430	Longevity	\$54,492.14	
	Reason:									
					\$4,471.24	12200003	51226	First Responder	\$29,333.78	
	Reason:									
					\$2,052.57	12200003	51328	Call Fire Overtime	\$73,692.95	
	Reason:									
	\$82,538.96	Total			\$82,538.96	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --											
DEPT:		FIRE					FISCAL YEAR:		2017		
		FROM ACCOUNT:					TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:		Available Balance	
\$733,779.70	\$29,809.73	11990006	57820	Reserve for Salaries	\$29,809.73	12200003	51300	Overtime		\$120,733.91	
	Reason:	Calculated amounts for contractual obligations									
\$733,779.70	\$1,748.95	11990006	57820	Reserve for Salaries	\$1,748.95	12200003	51324	Overtime Vehicle Maint.		\$16,692.54	
	Reason:	Calculated amounts for contractual obligations									
\$733,779.70	\$1,910.00	11990006	57820	Reserve for Salaries	\$1,910.00	29022501	51420	Hazmat Overtime		\$18,723.95	
	Reason:	Calculated amounts for contractual obligations									
\$74,428.32	\$65,000.00	12200001	50335	Deputy Fire Chief	\$65,000.00	12200001	50330	Assistant Chief		\$0.00	
	Reason:	Calculated amounts for contractual obligations									
	\$98,468.68	Total			\$98,468.68	Total					

ORDERED: At a regular meeting of the Marlborough City Council on JANUARY 23, 2017, the following proposed amendment to the Code of the City of Marlborough, be further amended as follows:

Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough as amended, be further amended in Chapter 125, Section 6 “Salary Schedule” as follows:

Non Union Employees								
Position	Effective Date	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
		Start	6 months of service	1 year of service	2 years of service	3 yrs. of service	4 yrs. of service	5 yrs. of service
Assistant Chief	January 23, 2017							\$140,000.00
	July 1, 2017							\$142,800.00

Marlborough Fire Department		
Position	Effective Date	Base Salary
Battalion Chief	January 23, 2017	\$86,190.22
	July 1, 2017	\$87,914.02

Refer to **FINANCE COMMITTEE AND ADVERTISE**; adopted.

ORDERED: Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough (hereinafter, the "City Code"), as amended, be further amended as follows:

- A. The City Code is hereby amended in its entirety by deleting the words "Chief Engineer" as said words appear throughout the City Code, , and inserting in place thereof, throughout the entirety of the City Code, the words "Fire Chief."
- B. Chapter 74 is hereby amended by deleting the words "Assistant Engineer" as said words appear throughout the City Code, and inserting in place thereof, throughout the entirety of the City Code, the words "Assistant Chief."
- C. Section 125-17, entitled "Overtime Pay," is hereby amended in its entirety by deleting the words "First Assistant Engineer and Second Assistant Engineer in the Fire Department" and inserting in place thereof the following words: "Assistant Chiefs."
- D. Section 74-5, entitled "Permanent Department Force," is hereby amended as follows:

§ 74-5 Permanent Department Force

- A. The permanent force of the Fire Department shall consist of a Fire Chief; Assistant Chiefs; Battalion Chiefs; Captains; Lieutenants; and as many firefighters as the Mayor and City Council may from time to time order.

Refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the Walker Building Feasibility Study, refer to **URBAN AFFAIRS COMMITTEE & PLACE THE ELECTRONIC FILE OF SAME ON CITY'S WEBSITE**; adopted.

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

An Act exempting all positions in the fire department of the City of Marlborough from the Civil Service Law.

SECTION 1. Notwithstanding any general or special law to the contrary, all uniformed positions in the fire department of the City of Marlborough below the rank of Fire Chief, including assistant fire chiefs, deputy fire chiefs, fire captains, fire lieutenants, and fire fighters shall be exempt from the provisions of chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in section 1 on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

APPROVED; adopted.

ORDERED: That the Communication from the Mayor re: Dementia Friendly Community Initiative, refer to **OPERATIONS & OVERSIGHT COMMITTEE**; adopted.

ORDERED: That the Communication Attorney Bergeron regarding Acceptance of Bouffard Dr., X13-1005405, 14-1006010, 14-1006096, &16-1006425, refer to **PUBLIC SERVICE COMMITTEE & PLANNING BOARD**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, FEBRUARY 27, 2017** as **DATE FOR PUBLIC HEARING** on the Application for Special Permit from Mina Property Group LLC, to construct a commercial automotive facility on less than 1 acre of land, 408 Maple St., refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY FEBRUARY 6, 2017** as **DATE FOR PUBLIC HEARING** On the Petition from MA Electric & Verizon New England to relocate two Joint Owned P4 & Guy P4-84 25' west of existing location on Concord Rd. They will also be installing a line recloser on Pole 4 for reliability improvement, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Minutes, Conservation Commission, December 15, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Planning Board, November 14 & 28 & December 5, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, December 13, 2016, **FILE**; adopted.

ORDERED: That the Minutes, Assabet Valley Regional Technical High School, December 20, 2016, **FILE**; adopted.

ORDERED: That the following CLAIMS, refer to the **LEGAL DEPARTMENT**; adopted.

- a. Cindy Dorsey, 10 Page Circle., other property damage.
- b. Edwin Quiles, 440 North Ave. #276, Haverhill, pothole or other road defect.
- c. Derek Barber Shop, 195 Main St., other property damage.

Reports of Committees:

There were NO Reports of Committees.

ORDERED: Be it ordained by the City Council of the City of Marlborough, acting upon a recommendation of the Mayor, that the Code of the City of Marlborough (hereinafter, the “City Code”), as amended, be further amended by amending in Chapter 125, entitled “Personnel,” Section 6, entitled “Salary Schedule,” as follows:

- A. This salary schedule shall take effect January 1, 2017
- B. The position of Senior Clerk (nonunion) shall now be titled Administrative Assistant
- C. The position of Financial Assistant (nonunion) shall now be titled DPW Financial Analyst
- D. All positions on the 7 Step schedule shall work a 40-hour work week

Position	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7 / Max
	<i>Start</i>	<i>6 months of service</i>	<i>1 year of service</i>	<i>2 yrs. of service</i>	<i>3 yrs. of service</i>	<i>4 yrs. of service</i>	<i>5 yrs. of service</i>
Assistant City Solicitor	\$87,909.17	\$89,667.35	\$91,460.70	\$93,289.91	\$95,155.71	\$97,058.82	\$99,000.00
Recreation Director	\$71,037.71	\$72,458.46	\$73,907.63	\$75,385.79	\$76,893.50	\$78,431.37	\$80,000.00
Executive Director of the Council on Aging	\$69,261.77	\$70,647.00	\$72,059.94	\$73,501.14	\$74,971.16	\$76,470.59	\$78,000.00
DPW Financial Analyst	\$58,142.62	\$59,305.47	\$60,491.58	\$61,701.41	\$62,935.44	\$64,194.15	\$65,478.03

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

ORDERED: That the proposed amendment to the Code of the City of Marlborough, as amended, be further amended by amending Chapter 125, Section 6, non-union salaries in its entirety, **APPROVED;** adopted.

(Salary Ordinance on file in the City Clerk’s Office for viewing)

APPROVED; adopted.

First Reading, suspended; Second Reading, adopted; Passage to Enroll, adopted; Passage to Ordain; adopted. No objection to passage in one evening.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:25 PM.