



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
Lisa M. Thomas
140 Main St.
Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723**

MAY 22, 2017

Regular meeting of the City Council held on Monday, May 22, 2017 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Juaire, Oram, Robey, Delano, Doucette, Elder, Irish and Landers. Absent: Ossing, & Tunnera. Meeting adjourned at 9:07 PM.

ORDERED: That the Minutes of the City Council meeting May 8, 2017, **FILE**; adopted.

ORDERED: That the **PUBLIC HEARING** On the Petition of NGrid to install solely owned Pole 13 to be set approximately 64' from existing Pole 12. New Pole 13 will be used to serve new charging station at corner of parking area for Hannaford's Super Market in the approximate area of 193-199 Boston Post Road West, all were heard who wish to be heard, hearing recessed at 8:07 PM.

ORDERED: That the **PUBLIC HEARING** On the Petition from NGRID to relocate P6, Elm Street, 3.5' North at Marlborough's request for road improvement project, all were heard who wish to be heard, hearing recessed at 8:09 PM.

ORDERED: That the **PUBLIC HEARING** On the Petition from NGRID to relocate P20, Pleasant Street, 4.5' West, at Marlborough's request for road improvement project, all were heard who wish to be heard, hearing recessed at 8:11 PM.

ORDERED: That the transfer request in the amount of \$1,375,000.00 which moves funds from Undesignated to various Snow & Ice accounts as noted below to subsidize the Snow & Ice account deficits for FY17, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH BUDGET TRANSFERS --									
	DEPT:	DPW				FISCAL YEAR:	2017		
						FROM ACCOUNT:		TO ACCOUNT:	
Available	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available
Balance									Balance
\$6,750,790.00	\$1,375,000.00	10000	35900	Undesignated Fund	\$245,000.00	14001203	51390	Overtime-Snow & Ice	-\$242,036.93
	Reason:	To fund the snow & ice deficit for FY17							
					\$490,000.00	14001206	52960	Snow Removal	-\$487,847.13
	Reason:								
					\$640,000.00	14001206	57040	Operating Expenses	-\$634,827.88
	\$1,375,000.00	Total			\$1,375,000.00	Total			

ORDERED: That the transfer request in the amount of \$1,200,000.00 which moves funds from Undesignated to OPEB account as noted below, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Mayor					FISCAL YEAR:	2017		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$6,750,790.00	\$1,200,000.00	10000	35900	Undesignated Fund	\$1,200,000.00	87500	35900	OPEB Trust	\$6,220,593.17	
	Reason:	Transfer funds to OPEB trust								
	\$1,200,000.00	Total			\$1,200,000.00	Total				

ORDERED: That the transfer request in the amount of \$1,200,000.00 which moves funds from Undesignated to Undesignated Stabilization account as noted below to ensure the City's fiscal stability, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Mayor					FISCAL YEAR:	2017		
		FROM ACCOUNT:					TO ACCOUNT:			
Available										Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance	
\$6,750,790.00	\$1,200,000.00	10000	35900	Undesignated Fund	\$1,200,000.00	83600	32925	Undesignated Stabilization	\$9,974,839.25	
	Reason:	To increase undesignated stabilization funds								
	\$1,200,000.00	Total			\$1,200,000.00	Total				

ORDERED: That the FY17 year-end transfer requests in the amount of \$1,215,192.34 which moves funds from and to various accounts as noted below to fund the remainder of noted accounts for FY17, refer to **FINANCE COMMITTEE**; adopted.

BUDGET TRANSFERS --									
	DEPT:	Legal				FISCAL YEAR:	2017		
Available		FROM ACCOUNT:				TO ACCOUNT:			Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$15,070.00	\$12,000.00	11510006	57600	Claims & Judgements	\$68,000.00	11510004	53110	Legal Services	\$49,475.32
	Reason:	Fewer claims than anticipated				Fund Legal Services account through year end			
\$15,000.00	\$15,000.00	13860006	53110	ST Interest-Legal Fees	\$3,130.00	11510001	50172	Asst City Solicitor	\$10,199.02
		Funds available. Premiums to be used				To fund step increase effective 1/1/17			
\$20,000.00	\$20,000.00	60019904	53110	Sewer Bonds-Legal Fees					
	Reason:	Funds available. Premiums to be used							
\$5,000.00	\$5,000.00	61019904	53110	Water Bonds-Legal Fees					
	Reason:	Funds available. Premiums to be used							
\$3,000.00	\$3,000.00	13900006	50349	School Committee-Assabet					
	Reason:	Funds available							
\$316,025.00	\$16,130.00	17520006	59254	Interest on Ban					
	Reason:	Funds available							
	\$71,130.00	Total			\$71,130.00	Total			

CITY OF MARLBOROUGH BUDGET TRANSFERS --											
DEPT:		FIRE				FISCAL YEAR:		2017			
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance	
Amount	Org Code	Object	Account Description:			Amount	Org Code	Object	Account Description:	Available Balance	
\$311,228.15	\$47,246.69	12200001	50810	Fire Lieutenant			\$47,246.69	12200006	52560	Vehicle Repair & Maint.	\$14,761.55
	Reason:	Vacant positions					Unexpected repairs on aging fleet				
\$311,228.15	\$4,000.00	12200001	50810	Fire Lieutenant			\$4,000.00	12200003	51324	Overtime/Vehicle Maint.	\$3,991.34
	Reason:	Vacant positions					Unexpected repairs on aging fleet				
\$311,228.15	\$7,384.21	12200001	50810	Fire Lieutenant			\$7,384.21	12200007	58512	Fire Dept Equipment	\$10,827.68
	Reason:	Vacant positions					Ice rescue suits, LED Survivor lights, C/O Meters				
\$146,150.36	\$28,968.44	12200001	50334	Battalion Chief			\$28,968.44	12200007	58512	Fire Dept Equipment	\$10,827.68
	Reason:	Vacant positions					Portable radios for new Chiefs				
	\$87,599.34	Total				\$87,599.34	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --											
DEPT:		POLICE				FY:		2017			
Available Balance		FROM ACCOUNT:				TO ACCOUNT:				Available Balance	
Amount	Org Code	Object	Account Description:			Amount	Org Code	Object	Account Description:	Available Balance	
\$124,043.86	\$2,000.00	12100001	50820	POLICE SERGEANTS			\$2,000.00	12100001	50435	POLICE SPECIALIST	\$4,364.71
	Reason:	SURPLUS- VACANT POSITIONS					FUND SALARY %				
\$80,982.54	\$21,000.00	12100003	51342	LONGEVITY			\$10,000.00	12100003	51490	HOLIDAY	\$24,455.50
	Reason:	SURPLUS- VACANT POSITIONS					SALARY- MEMORIAL DAY				
						\$6,000.00	12100006	51975	INITIAL EQUIPMENT	\$0.00	
	Reason:						2 NEW OFFICERS- JUNE ACADEMY				
						\$5,000.00	12100006	52560	VEHICLE REPAIR & MAINT.	\$408.25	
	Reason:						REPAIR OF OLDER CRUISERS/NEW ONES ORDERED				
	\$23,000.00	Total				\$23,000.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Comptroller				FISCAL YEAR:		2017		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$2,286,037.47	\$400,000.00	11980006	51750	Health/Life Insurance	\$20,000.00	11980006	51752	Medicare Insurance	\$58,523.85	
	Reason:	Surplus			Reason:	Shortfall				
\$316,025.00	\$25,000.00	17520006	59254	Interest on BAN	\$300,000.00	13100003	51751	Health Ins School	\$1,328,115.83	
	Reason:	Surplus			Reason:	Shortfall				
					\$80,000.00	13100003	51753	Medicare School	\$55,475.38	
	Reason:				Reason:	Shortfall				
					\$25,000.00	11330006	53460	Postage	\$22,513.43	
	\$425,000.00	Total			\$425,000.00	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Department of Public Works/Public Facilities				FISCAL YEAR:		2017		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$3,934	\$1,795	14001002	50770	Senior Clerk	\$44	14001002	50520	Principal Clerk	\$6,240	
	Reason:	Vacant position				Step Increase				
					\$326	14001101	50108	GIS Administrator	\$9,930	
	Reason:					Cost of living adjustment				
					\$650	14001101	50660	Asst City Engineer	\$23,271	
	Reason:					Step increase				
					\$387	14001401	50692	Supt of Automotive	\$11,807	
	Reason:					Cost of living adjustment				
					\$388	14001501	50680	General Foreman	\$11,807	
	Reason:					Cost of living adjustment				
	\$1,795	Total			\$1,795	Total				

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Department of Public Works/Public Facilities				FISCAL YEAR:	2017			
		FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$113,220.00	\$110,000	14001406	54830	Fuel & Lubricants	\$35,000	14001406	54810	Rep/Maintenance	\$24	
	Reason:	Decrease in fuel costs				Anticipated costs to cover remainder of FY 2017				
\$25,709.00	\$10,000	14001503	51240	Temporary Help	\$40,000	11920006	52200	Natural gas-city	\$840	
	Reason:	vacant positions				Anticipated costs to cover remainder of FY 2017				
					\$45,000	11920006	53420	Telephone-city	\$14	
	Reason:					Anticipated costs to cover remainder of FY 2017				
\$187,349.00	\$60,000	13032006	52200	Natural gas-school	\$10,000	13032006	53420	Telephone-school	\$33,055	
	Reason:					Anticipated costs to cover remainder of FY 2017				
					\$50,000	14001506	54640	Parks Maintenance	\$531	
	Reason:					Anticipated costs to cover remainder of FY 2017				
	\$180,000	Total			\$180,000	Total				

CITY OF MARLBOROUGH										
	DEPT:	Department of Public Works/Public Facilities				FISCAL YEAR:	2017			
		FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$261,212.00	\$260,000	61090006	52320	MWRA Water	\$140,000	11920006	52120	Electricity	\$117,322	
	Reason:	Chemical costs paid from separate account				Anticipated costs to cover remainder of FY 2017				
					\$120,000	61090006	55740	Water meters	\$23,171	
	Reason:					Purchase additional water meters				
\$24,377.00	\$10,000	11920001	50291	Director	\$35,000	14001505	54610	General Materials	\$516	
	Reason:	vacant position				Anticipated costs to cover remainder of FY 2017				
\$25,530.00	\$10,000	11920001	50292	Building Craftsman						
	Reason:	vacant position								
\$25,193.00	\$15,000	13032002	50141	Clerk						
	Reason:	vacant position								
	\$295,000	Total			\$295,000	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Department of Public Works/Public Facilities				FISCAL YEAR:		2017		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$11,500.00	\$10,000	14001002	50062	Financail Analyst	\$870	60080001	50580	Assistant Chemist	\$6,965	
	Reason:	Vacant position				Step increase				
\$27,239.00	\$18,363	14001101	50710	Jr Civil Engineer	\$5,443	60085001	50850	Treatment Plant Operators	\$31,149	
	Reason:	Vacant position				Cost of Living adjustment				
\$36,975.00	\$7,000	13032001	50386	HVAC Tech	\$31,355	600850013	51920	Head Treat Sewer-SLBB	\$478	
	Reason:	Vacant position				Retirement/SLBB				
\$12,955.00	\$9,305	13032001	50291	Director	\$7,000	13032001	50385	Electricians	\$10,700	
	Reason:	Vacant position				Cost of living adjustment				
	\$44,668	Total			\$44,668	Total				

CITY OF MARLBOROUGH BUDGET TRANSFERS --										
DEPT:		Department of Public Works/Public Facilities				FISCAL YEAR:		2017		
FROM ACCOUNT:						TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$44,487.00	\$30,000.00	60086006	52920	Rubbish Collection	\$30,000.00	11920006	52130	Street Lights		
	Reason:	Contract increase less than anticipated				Anticipated costs to cover remainder of FY 2017				
\$24,317.00	\$20,000.00	60086006	53142	Protection Services	\$30,000.00	14001504	53140	Contract services		
	Reason:	Decrease hours of services provided				Anticipated costs to cover remainder of FY 2017				
\$10,000.00	\$10,000.00	60086006	52940	Transfer station	\$27,000.00	11920006	52469	Repair/maintenance		
	Reason:	Expenses paid from solid waste				Anticipated costs to cover remainder of FY 2017				
\$36,976.00	\$12,000.00	13032001	50386	HVAC Tech						
	Reason:	vacant position								
\$18,905.00	\$15,000.00	60081001	50750	Equipment operator						
	Reason:	vacant position								
	\$87,000	Total			\$87,000	Total				

ORDERED: That the transfer request in the amount of \$660,077.00 which moves funds from Economic Development to MEDC Funding account as noted below to fully fund MEDC operations for FY18, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Mayor					FISCAL YEAR:	2017		
		FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$1,129,032.43	\$660,077.00	27000099	42440	Economic Development	\$660,077.00	11740006	53950	MEDC Funding	\$0.00	
	Reason:	To allow the MEDC to continue it's work in promoting the economic development of the City for FY18								
	\$660,077.00	Total			\$660,077.00	Total				

ORDERED: That transfer request in the amount of \$337,500.00 which moves funds from Undesignated to Future Growth Stabilization account as below to invest in projects that increase property values and attract economic development, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	Mayor					FISCAL YEAR:	2017		
		FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$6,750,790.00	\$337,500.00	10000	35900	Undesignated Fund	\$337,500.00	83600	32727	Stabilization-Future Growth	\$337,500.00	
	Reason:	Final mitigation payment from the Preserves @ Ames Brookview Village for the City Revenue Growth Enhancement Fund								
	\$337,500.00	Total			\$337,500.00	Total				

ORDERED: That the transfer request in the amount of \$80,000.00 which moves funds from Undesignated to DPW Capital Outlay-Sewer Maintenance account as noted below to fund future upgrades to the sewer pump station at the eastern end of Donald Lynch Boulevard, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	DPW				FISCAL YEAR:	2017			
		FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$6,750,790.00	\$80,000.00	10000	35900	Undesignated Fund	\$80,000.00	19300006	55650	Capital Outlay-Sewer Maint	\$0.00	
	Reason:					Mitigation payment from NE Sports Center for costs of future upgrades to the sewer pump station at the eastern end of Donald Lynch Blvd				
	\$80,000.00	Total			\$80,000.00	Total				

ORDERED: That the transfer request in the amount of \$50,000.00 which moves funds from Undesignated to DPW Energy Conservation account as noted below to fund energy efficiency/conservation improvements for the City, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
	DEPT:	DPW				FISCAL YEAR:	2017			
		FROM ACCOUNT:					TO ACCOUNT:			
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$6,750,790.00	\$50,000.00	10000	35900	Undesignated Fund	\$50,000.00	29010201	56640	Energy Conservation	\$46,350.00	
	Reason:					Payment from Iron Horse Solar to be used for energy efficiency improvements				
	\$50,000.00	Total			\$50,000.00	Total				

ORDERED: That the transfer request in the amount of \$22,000.00 which moves funds from Undesignated to Stabilization-Open Space account as noted below to move wireless antenna receipts from FY16 to Open Space Stabilization, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	Mayor				FISCAL YEAR:	2017		
		FROM ACCOUNT:				TO ACCOUNT:			
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$6,750,790.00	\$22,000.00	10000	35900	Undesignated Fund	\$22,000.00	83600	32918	Stabilization-Open Space	\$1,003,054.51
	Reason:	To transfer annual wireless antennae payments received by the City in fiscal year 2016 to Open Space Stabilization							
	\$22,000.00	Total			\$22,000.00	Total			

ORDERED: That the transfer request in the amount of \$13,000.00 which moves funds from COA Contract Services & Transportation to Capital Outlay Building Repairs account as noted below for construction of a new patio, refer to **FINANCE COMMITTEE**; adopted.

CITY OF MARLBOROUGH									
BUDGET TRANSFERS --									
	DEPT:	Council on Aging				FISCAL YEAR:	2017		
		FROM ACCOUNT:				TO ACCOUNT:			
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$5,986.29	\$3,000.00	15410004	53140	COA-Contract Services	\$13,000.00	19300006	54310	Capital Outlay-Bldg Repairs	\$0.00
	Reason:								
\$11,834.94	\$10,000.00	15410006	57075	COA-Transportation					
	\$13,000.00	Total			\$13,000.00	Total			

ORDERED: That the transfer request in the amount of \$5,000.00 which moves funds from Undesignated to the Donation/Flags account as noted below, **APPROVED**; adopted.

CITY OF MARLBOROUGH										
BUDGET TRANSFERS --										
DEPT:		Public Facilities				FISCAL YEAR:		2017		
FROM ACCOUNT:					TO ACCOUNT:					
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$6,750,790.00	\$5,000.00	10000	35900	Undesignated Fund	\$5,000.00	29024001	55851	Donations/Flags	\$0.00	
Reason:					ATT special permit condition 175 Maple Street					
	\$5,000.00	Total			\$5,000.00	Total				

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the FY17 MA Decontamination Unit Grant acceptance in the amount of \$2,515.00 from MA Executive Office of Health & Human Services Department to facilitate field deployment, training, and operational readiness of the MA Decontamination Unit; adopted.

ORDERED: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLBOROUGH THAT, UPON THE RECOMMENDATION OF THE MAYOR, THE CITY CODE OF THE CITY OF MARLBOROUGH, AS AMENDED, BE FURTHER AMENDED BY AMENDING CHAPTER 67 PURSUANT TO THE PROVISIONS OF § 53E½ OF CHAPTER 44 OF THE GENERAL LAWS OF THE COMMONWEALTH OF MASSACHUSETTS, AS AMENDED BY THE MUNICIPAL MODERNIZATION ACT ST. 2016, C. 218, SECTION 86, AS FOLLOWS:

- Chapter 67 is further amended by inserting after § 67-26 a new section, entitled “Departmental Revolving Funds,” as follows:

§ 67-27. Departmental Revolving Funds.

A. Purpose. This ordinance establishes and authorizes revolving funds for use by City departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by § 53E½ of Chapter 44 of the Massachusetts General Laws, as amended.

- B. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against, and spend monies from, a revolving fund established and authorized by this ordinance without appropriation subject to the following limitations:
1. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
 2. No liability shall be incurred in excess of the available balance of the fund.
 3. The total amount spent during a fiscal year shall not exceed the amount authorized by the City Council on or before July 1 of said fiscal year, or any increased amount of said authorization which is later approved by the City Council and Mayor during that fiscal year.
- C. Interest. Interest earned on monies credited to a revolving fund established by this ordinance shall be credited to the General Fund.
- D. Procedures and Reports. Except as provided in § 53E½ of Chapter 44 of the Massachusetts General Laws, as amended, and this ordinance, the laws, charter provisions, ordinances, rules, regulations, policies or procedures governing the receipt and custody of City monies and the expenditure and payment of City funds shall apply to the use of a revolving fund established and authorized by this ordinance. The City Auditor shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the City Auditor provides the department, board, committee, agency or officer on appropriations made for its use.
- E. Authorized Revolving Funds.
1. Parks and Recreation Revolving Fund.
 - a. Fund Name. There shall be a separate fund called the Parks and Recreation Revolving Fund for the use of the Department of Public Works.
 - b. Revenues. The City Auditor shall establish the Parks and Recreation Revolving Fund as a separate account and credit to the fund all payments, fees and/or rental income due the City from owners of antennae and related telecommunications equipment located or co-located at wireless communications facilities situated on property under the care, custody, management and control of the City of Marlborough.
 - c. Purposes and Expenditures. During each fiscal year, the Commissioner of Public Works may incur liabilities against, and spend monies from, the Parks and Recreation Revolving Fund for the purposes of maintenance and improvement of municipal parks and municipal recreational facilities.
 - d. Reports. The Commissioner of Public Works shall prepare a year-end report identifying funds received, funds expended, a description of expenditures, and the year-end balance.

- e. Fiscal Years. The Parks and Recreation Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.
2. Council on Aging Revolving Fund.
 - a. Fund Name. There shall be a separate fund called the Council on Aging Revolving Fund for the use of the Council on Aging.
 - b. Revenues. The City Auditor shall establish the Council on Aging Revolving Fund as a separate account and credit to the fund all donations received by the Council on Aging/Senior Center.
 - c. Purposes and Expenditures. During each fiscal year, the Executive Director of the Council on Aging may incur liabilities against, and spend monies from, the Council on Aging Revolving Fund for the purposes of Council on Aging/Senior Center programming.
 - d. Reports. The Executive Director of the Council on Aging shall prepare a year-end report identifying funds received, funds expended, a description of expenditures, and the year-end balance.
 - e. Fiscal Years. The Council on Aging Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.
 3. Public Safety Revolving Fund.
 - a. Fund Name. There shall be a separate fund called the Public Safety Revolving Fund for the use of the Mayor of the City.
 - b. Revenues. The City Auditor shall establish the Public Safety Revolving Fund as a separate account and credit to the fund all emergency dispatch fee due the City pursuant to its contract with Patriot Ambulance, unless otherwise directed by the Massachusetts General Laws.
 - c. Purposes and Expenditures. During each fiscal year, the Mayor may incur liabilities against, and spend monies from, the Public Safety Revolving Fund for the purposes of public safety training.
 - d. Reports. The Mayor shall prepare a year-end report identifying funds received, funds expended, a description of expenditures, and the year-end balance.
 - e. Fiscal Years. The Public Safety Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

Refer to **FINANCE COMMITTEE**; adopted.

Councilor Oram recused as it relates to the Revolving Fund for the Recreation Department.

ORDERED: That Appointment of Police Chief David Giorgi as the Keeper of the Lockup, **APPROVED**; adopted.

ORDERED:

Eminent Domain Order of Taking

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that legal interests in certain portions of land located on West Hill Road, as more particularly described herein, be taken for the purpose of the reconstruction, construction, and maintenance of improvements to West Hill Road, and for other municipal purposes, and that the taking by eminent domain is reasonable and necessary to carry out the aforementioned purposes; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the easement interests in the land for the purposes and duration described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the easement interests or fee simple interest in the following described land, including all trees and other vegetation thereon.

DESCRIPTION OF LAND TAKEN

1. Street address: 161 West Hill Road, Marlborough, MA 01752

Permanent easement for roadway widening purposes: Being an approximately 687 S.F. portion of the property located on 161 West Hill Road, Marlborough, MA, known and numbered as Map 41, Parcel 64 on the Assessors' Map of the City of Marlborough and shown on a sketch plan attached herewith as Exhibit "A" prepared by the City of Marlborough Department of Public Works, Engineering Division, 135 Neil Street, Marlborough, MA 01752.

OWNER: Ulman Chouinard
161 West Hill Road
Marlborough, MA 01752

2. Street Address: 151 West Hill Road, Marlborough, MA

Permanent easement for roadway widening purposes: Being an approximately 960 S.F. portion of the property located at 151 West Hill Road, Marlborough, MA, known and numbered as Map 41, Parcel 65 on the Assessors' Map of the City of Marlborough, and shown on a sketch plan attached herewith as Exhibit "B" prepared by the City of Marlborough Department of Public Works, Engineering Division, 135 Neil Street, Marlborough, MA 01752.

OWNERS: Ronald E. Jacques and MaryEllen Jacques
151 West Hill Road
Marlborough, MA 01752

The ownership of said parcels and each of them are supposed to be as stated herein, but said easements and each of them are hereby taken whether the ownership is as stated herein or otherwise. We determine that the damages, set forth in the Table of Awards below, have been sustained by the owners of said parcels upon which said easements, so taken, are located.

TABLE OF AWARDS

The City Council hereby makes the following awards for damages for the owner or owners of record:

<u>OWNERS</u>	<u>MARLBOROUGH ASSESSORS' MAP/PARCEL</u>	<u>AREA (OF TAKING OF EASEMENT)</u>	<u>AWARD</u>
Ulman Chouinard 161 West Hill Road Marlborough, MA 01752	41/64	±687 S.F.	\$1,718
Ronald E. Jacques & MaryEllen Jacques 151 West Hill Road Marlborough, MA 01752	41/65	±960 S.F.	\$2,400

Refer to **LEGISLATIVE AND LEGAL AFFAIRS COMMITTEE**; adopted.

Councilor Irish recused.

ORDERED: That the Communication from City Solicitor, Donald Rider, re: Application for Special Permit, Trustees of Royce Road Museum Realty Trust, 91 Royce Road, to build an addition to the existing single-family dwelling in proper legal form, Order No. 17-1006869A, **MOVED TO REPORTS OF COMMITTEE**; adopted.

ORDERED: That the Communication from the Planning Board re: Proposed Zoning Amendment, Expansion and Modification of HRMUOD, Order No.16/17-1006443P, **FILE**; adopted.

ORDERED: That the Communication from Walker Realty LLC re: Waiver pursuant to Section 650-35H to allow for three building signs for proposed 110 Grill to be located at 115 Apex Drive, Order No. 16/17/-1006443P refer to **URBAN AFFAIRS COMMITTEE**; adopted.

ORDERED: That the Communication from Attorney Cipriano on behalf of Tiger Cat Properties LLC, re: request to extend time limitations on Application for Special Permit to construct a multifamily dwelling at 487 Lincoln Street, until 10:00 PM on September 12, 2017, **APPROVED**; adopted.

ORDERED: That the Communication from Pat Scorzelli on behalf of Mina Property Group LLC, re: request to extend time limitations on Application for Special Permit to construct a commercial automotive facility at 408 Maple Street, until 10:00 PM on September 12, 2017, **APPROVED**; adopted.

ORDERED: That the Communication from the Executive Office of Energy and Environmental Affairs re: Environmental Notification Form, Sudbury-Hudson Transmission Reliability Project, Sudbury, Stow, Marlborough, & Hudson, MA, **FILE**; adopted.

(Project report is available for viewing in the City Clerk's Office)

ORDERED: That the Communication from NSTAR Electric Company d/b/a Eversource Energy re: Notice of Adjudication and Notice of Public Comment Hearing, **FILE**; adopted.

ORDERED: That the Communication from Sudbury Companies of Minute and Militia re: permission to place temporary sign on City property at the corner of US Rt. 20 and Hager Street at the Wayside Inn turn and change date from date of Saturday, September 23, 2017 to date of Sunday, October 1, 2017, **APPROVED**; adopted.

ORDERED: That the Minutes, Recreation Commission, February 1, 2017 & March 8, 2017, **FILE**; adopted.

ORDERED: That the Minutes, Board of Health, March 7, 2017, **FILE**; adopted.

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

- a. Michelle Garcia, 87 Stacey Road, pothole or other road defect.
- b. Carol Turner, 254 Vega Road, residential mailbox claim 2(a) & other property damage.
- c. Anne & Tom Gove, 215 Clover Hill Street, other property damage and/or personal injury.
- d. Peter Stevens, 60 Mosher Lane, residential mailbox claim 2(a).

Reports of Committees:

Councilor Delano reported the following out of the Urban Affairs Committee:

Meeting Name: City Council Urban Affairs Committee

Date: May 9, 2017

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

Convened: 5:40 PM – Adjourned: 6:13 PM

Present: Chairman Delano; Urban Affairs Committee Members Councilors Elder, Juaire, Tunnera and Landers; and Councilors Clancy, Doucette, and Robey

Also Present: **Peter Bemis** (Engineering Design Consultants, Inc.); **Donald Rider** (City Solicitor, City of Marlborough); **Pat Scorzelli** (Mina Property Group)

Order No. 17-1006869: Application for Special Permit from Patrick Mauro of Royce Road Museum Realty Trust to build an addition to a single-family residence, 91 Royce Road. The Urban Affairs Committee met with Peter Bemis of Engineering Design Consultants, Inc. and the Mauro Family for a review of their application for an addition to a single-family residence. Chairman Delano explained the request was required due to zoning changes over the years that changed the home's location from Zone A-2 to Commercial Automotive. Councilors had no objections to the request and Chairman Delano explained there were four conditions and read the following condition for the record, "*C. At no time shall the proposed addition be rented out as a separate unit, and the proposed addition must remain as an open floor plan integrated with the existing single-family dwelling.*" **Motion made by Councilor Juaire, seconded by Chair, to approve the final draft of conditions of the Special Permit. The motion carried 5-0.**

Motion made by Councilor Elder, seconded by Chair, to send the final draft of conditions of the Special Permit to the City Solicitor to place in proper legal form and include on the May 22, 2017 City Council Agenda. The motion carried 5-0.

Motion made by Councilor Juaire, seconded by Chair, to adjourn. The motion carried 5-0. The meeting adjourned at 6:13 PM.

Councilor Robey reported the following out of the Legislative and Legal Affairs Committee:

City Council Legislative and Legal Affairs Committee

Tuesday, May 9, 2017, 5:00 PM– In Council Chambers

Minutes and Report

Present: Chairman Katie Robey, Councilor Delano, Councilor Juaire, & Councilor Clancy. Also attending were Cynthia Panagore Griffin, Assistant City Solicitor & Tom DiPersio, City Engineer.

Reports of Committees Cont'd:

Order No. 17-1006894 Communication from Assistant Solicitor Cynthia Panagore Griffin together with Order of Taking by Eminent Domain, Route 85 – Maple Street Reconstruction Project that supersedes Order No 17-1006788.

In January, 2017, this item was referred to Legislative & Legal Affairs Committee as Order No. 17-1006788 with understanding that changes would be coming as there would be further assessment on the proposed takings. Therefore, the original Order is now superseded by Order No. 17-1006894 with final takings, maps and assessments of sixty-three pieces of property, with 3-year temporary and/or permanent takings. This Order of Eminent Domain Taking is needed for the reconstruction, construction, and maintenance improvements to Maple Street for a MA Department of Transportation Highway Division Project. Funding for this project was approved by the City Council under Order No. 17-1006885. Once approved, the bid will be issued in June of 2017 with projected start date for utility work the fall of 2017 and construction to continue thru 2018.

After discussion of the project, Councilor Delano recused himself due to a conflict of interest.

Councilor Juaire moved to recommend approval of Order No. 17-1006894, Eminent Domain Order of Taking of land for the purpose of reconstruction, construction, and maintenance improvements to Maple Street as described in the Order of Taking.

The motion carried 2-0. It was agreed that a Suspension of rules would be requested for the May 22nd Council meeting for adoption of the Eminent Domain Order of Taking so that the project can move forward.

It was moved and seconded to adjourn; motion carried 2-0. The meeting adjourned at 5:20 PM.

Councilor Robey reported the following out of the Finance Committee:

**Marlboro City Council Finance Committee
Monday May 15, 2017
In Council Chambers**

Present: Chairman Ossing; Finance Committee Members Councilors Oram, Doucette and Irish. Councilor Robey was absent. Councilors Clancy, Landers, Elder and Juaire were also in attendance. The meeting convened at 7:02 PM.

1. Order #17-1006903 – Transfer \$23,900.00 from Interest on BAN Account to fund the Marlboro DPW Foreman Contract for FY16, 17 and 18: The Finance Committee reviewed the Mayor's letter dated May 4, 2017 requesting a transfer of \$23,900.00 from the Interest on BAN Account to fund the Marlboro DPW SEIU Local 888 Contract for FY16, 17 and 18. The Finance Committee voted 4 - 0 to approve the transfers.

The Finance Committee agreed to support suspending the rules at the May 22, 2017 City Council meeting to approve the transfers.

Reports of Committees Cont'd:

2. Order #17-1006905 – Marlboro Library Renovation Project: The Finance Committee reviewed the Mayor's letter dated May 4, 2017 requesting the approval of two orders related to the Marlboro Public Library project grant application. The Finance Committee took the following action:

- That the City Council of the City of Marlboro authorizes the Marlboro Public Library, by and through its Trustees, to apply for, accept, and expend any state funds which may be available for the proposed construction project at the Marlboro Public Library. The Finance Committee voted 4 - 0 to approve the order.
- That the City Council of the City of Marlboro approves the preliminary architectural design entitled "Marlboro Public Library Conceptual Schematic, Feasibility Study, January 2017," by LLB Architects, 161 Exchange Street, Pawtucket, RI for the proposed project at the Marlboro Public Library. The Finance Committee voted 4 - 0 to approve the order.

The Finance Committee adjourned at 8:31 PM.

Councilor Irish reported the following out of the Personnel Committee:

Meeting Name: City Council Personnel Committee

Date: May 9, 2017

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

Convened: 7:30 PM – Adjourned: 7:45 PM

Present: Chairman Tunnera; Personnel Committee Members Councilors Irish and Elder; Councilors Clancy, Landers and Robey

Also Present: Linda Clark, Samantha Khosla, Pamela Wilderman, Lee Wright, Robert Fagone, and George LaVenture

Order No. 17 -1006891: Communication from Mayor Vigeant for the reappointment of Linda Clark to the Board of Election Registrars for a term of three years to expire April 1, 2020. Recommendation of the Personnel Committee is to approve the reappointment of Linda Clark to the Board of Election Registrars. **Motion made by Councilor Elder, seconded by the Chair, to approve the reappointment of Linda Clark. The motion carried 3-0.**

Order No. 17-1006839: Communication from Mayor Vigeant for the appointments of Samantha Khosla, Alan Slattery and Pamela Wilderman and the reappointment of Lee Wright to the Historical Commission for terms of three years to expire from the date of City Council confirmation. Recommendation of the Personnel Committee is to approve the appointments of Samantha Khosla and Pamela Wilderman and the reappointment of Lee Wright to the Historical Commission. Alan Slattery was unable to attend the meeting and his appointment remained in the Personnel Committee. **Motion made by Councilor Elder, seconded by the Chair, to approve the appointments of Samantha Khosla and Pamela Wilderman and the reappointment of Lee Wright. The motion carried 3-0.**

Reports of Committees Cont'd:

Order No. 17-1006892: Communication from Mayor Vigeant for the appointment of Robert Fagone to the Historical Commission for a term to expire three years from the date of City Council confirmation. Recommendation of the Personnel Committee is to approve the appointment of Robert Fagone to the Historical Commission. **Motion made by Councilor Elder, seconded by the Chair, to approve the appointment of Robert Fagone. The motion carried 3-0.**

Order No. 17 -1006893: Communication from Mayor Vigeant for the appointment of George LaVenture to the Planning Board for a term of FIVE years to expire February 7, 2022. Recommendation of the Personnel Committee is to approve the appointment of George LaVenture to the Planning Board. **Motion made by Councilor Elder, seconded by the Chair, to approve the appointment of George LaVenture. The motion carried 3-0.**

The Personal Committee agreed to support suspending the rules at the May 22, 2017 City Council meeting to approve the appointments of Samantha Khosla, Pamela Wilderman, and Robert Fagone and the reappointment of Lee Wright to the Historical Commission as well as the appointment of George LaVenture to the Planning Board.

Motion made by Councilor Elder, seconded by the Chair, to adjourn. The motion carried 3-0. The meeting adjourned at 7:45 PM.

ORDERED: That the Communication from City Solicitor, Donald Rider, re: Application for Special Permit, Trustees of Royce Road Museum Realty Trust, 91 Royce Road, to build an addition to the existing single-family dwelling in proper legal form, Order No. 17-1006869A, **FILE**; adopted.

Suspension of the Rules requested – granted

ORDERED:

**DECISION ON AN APPLICATION FOR SPECIAL PERMIT
ROYCE ROAD MUSEUM REALTY TRUST
91 Royce Road, Marlborough, MA**

**CITY OF MARLBOROUGH
CITY COUNCIL ORDER No. 17-1006869B**

The City Council of the City of Marlborough hereby GRANTS the Application for Special Permit of Applicant (the "Application"), as provided in the Decision and SUBJECT TO THE FOLLOWING FINDINGS OF FACT AND CONDITIONS:

EVIDENCE

1. The Applicant, David C. Mauro, Mary Ann Mauro and Patrick Mauro, Trustees of Royce Road Museum Realty Trust, u/d/t dated May 24, 2001, is a duly organized and existing Massachusetts real estate trust with a principal mailing address of 379 South Street, Marlborough, MA 01752 (the "Applicant").

2. The location of the proposed project is 91 Royce Road, Marlborough, MA and more particularly identified on the City of Marlborough Assessor's Maps as Parcel 28 on Plate 72, and furthermore particularly described in deeds recorded with the Middlesex South District Registry of Deeds, Book 33194, Page 214 (the "Site").
3. The owner of the Site is the Applicant.
4. The single-family dwelling located on the Site was constructed in 1955, when the Site was situated within a residential zoning district and thus satisfied the provisions of the then-applicable zoning ordinance as to use. The single-family dwelling later went out of compliance as to use when the zoning district in which it was situated was changed in 1985 from residential to Business, which does not allow any residential uses; see Marlborough City Council Order No. 85-451E. Thus, the use of 91 Royce Road as a single-family dwelling became legally nonconforming in 1985. The existing dwelling itself conforms to the dimensional requirements of the Zoning Ordinance of the City of Marlborough.
5. The Applicant proposes a building addition to the existing single-family dwelling that will more than double the dwelling size, while remaining dimensionally conforming. The Building Commissioner has determined that the proposed increase or intensification of the legally nonconforming use of the Site requires a special permit from the City Council.
6. The Applicant has complied with all the Rules and Regulations promulgated by the Marlborough City Council as they pertain to the Application for permission to construct an addition to the existing single-family residence on the Site. Specifically, the Application filed on March 23, 2017 with the City Clerk's office consisted of an original and two copies of the following: (a) Application to the City Council for Issuance of Special Permit; (b) Special Permit-Summary Impact Statement; (c) filing fee check; (d) plan delivery certification; (e) tax payment certification; (f) abutters list; (g) the proposed site plan and architectural plans, further described hereinbelow; (h) and the certification of the Building Commissioner on behalf of the Planning Director as to the Application's having complied with the provisions of Section 650-59, C. (7) (a), (b) and (c) of the City's Zoning Ordinance.
7. A public hearing was held on May 8, 2017, in compliance with the requirements of the City's Zoning Ordinance and the provisions of MGL Chapter 40A, as amended. All necessary abutters were provided notice as required by law, as certified by the Office of the Marlborough Assessors office. The time for the City Council to take final action on the Application is August 6, 2017.
8. The Applicant presented oral testimony and demonstrative evidence at the public hearing, and represented that the Project meets all applicable special permit criteria provided by MGL Chapter 40A, as amended, and the City's Zoning Ordinance.

9. The site plan submitted with the Application is entitled, "Proposed Site Plan in Marlborough, Massachusetts (Middlesex County); Prepared for Royce Road Museum Realty Trust, 91 Royce Road, Marlborough, MA;" Prepared by Engineering Design Consultants, Inc., 32 Turnpike Road, Southborough, MA 01772, scale 1" = 50', dated February 27, 2017 (the "Site Plan"), attached hereto as "Attachment A."
10. The architectural plans submitted with the Application are entitled "Mauro Residence, 91 Royce Road, Marlborough, MA," by Daniel J. Wezniak, Architect, dated February 28, 2017 and are attached hereto as "Attachment B."

BASED ON THE ABOVE, THE MARLBOROUGH CITY COUNCIL MAKES THE FOLLOWING FINDINGS OF FACT AND TAKES THE FOLLOWING ACTIONS:

- A. The City Council finds that it may grant a Special Permit (Special Permit) subject to such terms and conditions as it deems necessary and reasonable to protect the citizens of the City of Marlborough (also referenced herein as the "City").
- B. The City Council finds the Application for the Special Permit does not derogate from the intent or purpose of the Zoning Ordinance of the City of Marlborough, or MGL c. 40A.
- C. The City Council finds that the legally nonconforming residential use of the Site, as increased or intensified by the proposed expansion of the existing single-family dwelling, is an appropriate use, and is in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough. The construction of the addition will complement the nature of the abutting properties and the surrounding neighborhood.
- D. In particular, the proposed expansion of the existing single-family dwelling is not substantially more detrimental to the neighborhood than the existing dwelling.
- E. The Applicant has complied with all the procedural rules and regulations of the City Council of the City of Marlborough and Chapter 650 (Zoning Code) of the City of Marlborough and MGL Chapter 40A, Sections 9 and 11.

GRANT OF SPECIAL PERMIT WITH CONDITIONS

The City Council, pursuant to its authority under MGL Chapter 40A and the City of Marlborough Zoning Ordinance, Chapter 650, **GRANTS** the Applicant a Special Permit, **SUBJECT TO THE FOLLOWING CONDITIONS:**

- A. Construction of the building addition to the existing single-family residence is to be done in accordance with all applicable building codes in effect in the City of Marlborough as of the time when the building permit application is submitted to the Building Commissioner.

- B. All work performed at the Site shall be in compliance with this Special Permit decision.
- C. At no time shall the proposed addition be rented out as a separate unit, and the proposed addition must remain as an open floor plan integrated with the existing single-family dwelling.
- D. In accordance with the provisions of MGL c. 40A § 11, the Applicant at its expense shall record this Special Permit in the Middlesex South District Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant shall apply to the Building Commissioner for a building permit concerning the proposed expansion. Applicant shall provide a copy of the recorded Special Permit to the City Council's office, to the Building Department, and to the City Solicitor's office.

Yea: 9 – Nay: 0 – Absent: 2

Yea: Clancy, Delano, Doucette, Elder, Irish, Landers, Juairé, Oram, & Robey

Absent: Tunnera & Ossing

Suspension of the Rules requested – granted

ORDERED: That the Attached Order of Taking (available in City Clerk's office) by Eminent Domain and Plans relating to the Rt. 85 Maple St. Reconstruction Project, **APPROVED**; adopted.

Councilor Delano recused.

Suspension of the Rules requested – granted

ORDERED: That the DPW transfer request in the amount of \$23,900.00 which moves funds from Interest on Ban to various DPW accounts as noted below to fund the recently ratified Memorandum of Agreement between City of Marlborough and the DPW Foreman, SEIU, Local 88 for Fiscal Years 2016, 2017 & 2018, **APPROVED**; adopted.

		FROM ACCOUNT:				TO ACCOUNT:				
Available Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Available Balance	
\$389,500.00	\$23,900.00	17520006	59254	Interest on Ban	\$6,000.00	14001301	50690	Foreman-Streets	\$47,968.70	
	Reason:	Calculated amounts for contractual obligations								
					\$2,100.00	14001401	50690	Foreman-Repair Shop	\$13,683.11	
					\$7,900.00	14001501	50690	Foreman-Parks	\$54,732.38	
	Reason:									
					\$7,900.00	61090001	50690	Foreman-Water	\$42,351.15	
	\$23,900.00	Total			\$23,900.00	Total				

Suspension of the Rules requested – granted

ORDERED: That the Appointment of Robert Fagone to the Historical Commission for a term of three-years to expire from the date of City Council confirmation, **APPROVED**; adopted.

Suspension of the Rules requested – granted

ORDERED: That the Appointment of George LaVenture to the Planning Board for a term of five-years to expire Monday, February 7, 2022, **APPROVED**; adopted.

ORDERED: That the Mayor be requested to communicate with TransitX expressing interest in developing a TransitX Public Transportation network in the City of Marlborough; and, it is herewith further Ordered: that the Mayor be requested to forward communications to the Commonwealth’s Department of Transportation and Department of Energy Resources, the Mass Clean Energy Center and the Metropolitan Area Planning Council, and others as deemed appropriate and necessary, to help the city evaluate the impact this technology would have on transportation in the city (i.e. traffic studies), allow access to the Route 495 Corridor for this transportation network, the projected transportation emission reduction in relation to achieving the goals of the Massachusetts Global Warming Solutions Act, and identify any state funds that can help fund rail path preparation for the initial network, including the cost for underground wiring of Route 20 west of Interstate 495, refer to **PUBLIC SERVICES COMMITTEE**; adopted.

Councilor Elder opposed.

President Clancy called a recess at 9:04 PM and returned to open meeting at 9:06 PM.

ORDERED: That the Application for Renewal of Junk Dealer's License, Kristi Carlson on behalf of Best Buy Stores, LP #820, 769 Donald Lynch Boulevard, **APPROVED;** adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:07 PM.