



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK**

**Lisa M. Thomas
140 Main St.**

**Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723
JULY 26, 2010**

Regular meeting of the City Council held on Monday, JULY 26, 2010 at 8:00 p.m. in City Council Chambers, City Hall. City Councilors present: Levy, Ossing, Pope, Vigeant, Delano, Ferro, Elder, Tunnera, Seymour, Clancy, and Landers. Meeting adjourned at 9:03 p.m.

ORDERED: That the minutes of the City Council Meeting June 28, 2010, **FILE AS AMENDED**; adopted.

ORDERED: Now being the time set for the PUBLIC HEARING On the Application for Wireless Special Permit from Attorney Valeriani, on behalf of Verizon Wireless, to construct a Wireless Communications Facility at 303 Boundary St. as it is located within the Water Supply District, all were heard who wish to be heard, hearing recessed at 8:07 p.m.; adopted.

ORDERED: At President Vigeant's request to recess at 8:08 PM and returned to open meeting at 8:10 PM, **APPROVED**; adopted.

ORDERED: That the PUBLIC HEARING for Wireless Special Permit from Attorney Valeriani, on behalf of Verizon Wireless, to permit, construct, operate and maintain a Wireless Communication Facility consisting of a 130' antenna-monopole-tower at 800 Bolton St., Order No. 10-1002623 **OPEN AND CONTINUE HEARING WITHOUT ANY EVIDENCE BEING HEARD TO THE AUGUST 23, 2010 MEETING WITH THE CONDITION THAT THE BALLOON TEST IS CONDUCTED PRIOR TO THE AUGUST 23, 2010 MEETING**; adopted.

ORDERED: That the following sum, designated as City appropriations, is hereby reduced as a supplementary budget in the City of Marlborough: one million one hundred sixty one thousand seven hundred fifty nine dollars (\$1,161,759.00), refer to **FINANCE COMMITTEE**; adopted.

This sum is to be removed from the budgetary line items as defined below:

Account Number	Description	Amount
13800006-59948	1999 Multi-Purpose	\$792,000.00
13850006-58948	1999 Multi Purpose Int.	\$369,759.00

ORDERED: That City Council Order No. 04-100540 authorizing the appropriation of four hundred ninety five thousand dollars (\$495,000.00) for the purpose of purchasing land known as Frye Land through the issuance of Bonds is hereby rescinded, refer to **FINANCE COMMITTEE**; adopted.

ORDERED: That the transfer request in the amount of \$27,098.49 which moves funds from Fringes to Head Clerk associated with an employee's retirement, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 11990006-51500 \$27,098.49

Fringes

TO:

Acct. # 11620002-50550 \$27,098.49

Head Clerk

ORDERED: That the transfer request in the amount of \$2,000.00 which moves funds from Library Director to Professional & Technical Services to fund part-time temporary help during the search for a new Library Director, refer to **FINANCE COMMITTEE**; adopted.

FROM:

Acct. # 16100001-50230 \$2,000.00

Library Director

TO:

Acct. # 1610004-53180 \$2,000.00

Professional & Technical Services

ORDERED: That the 60 day extension of temporary appointment of Jack Gracey for Director of Council on Aging, **FILE**; adopted.

ORDERED: That the reappointment of reappointment of Walter Bonin to the License Commission for a six-year term from date of approval, refer to **PERSONNEL COMMITTEE**; adopted.

ORDERED: That Marlborough's bond rating has been changed from Aa3 to Aa2 due to a change in its rating scale, **FILE**; adopted.

ORDERED: The Communication from the Comptroller re: refinancing of two General Obligation Bonds dated June 15, 1999 and June 15, 2001 in which the City reduced the principal amount of the bonds from \$16,154,789.00 with an average rate of 5% to a principal amount of \$6,540,000.00 with an average interest of 2.30%, **FILE**; adopted.

ORDERED: The Communication from the Comptroller re: Notification from the Massachusetts Water Pollution Abatement Trust pertinent to selling \$4,103,500.00 worth of bonds, **FILE**; adopted.

ORDERED: The Communication from the Comptroller re: competitive bids from note underwriters on June 8, 2010 for a \$7,874,957.00 one year bond anticipation note, **FILE**; adopted.

ORDERED: The Communication from the Chief Procurement Officer re: Request for Proposal for Wireless Telecommunication Leasing Project at 115 Onamog St., **MOVED TO ITEM 19 OF THE JULY 26, 2010 AGENDA**; adopted.

ORDERED: That the Communication from the Planning Board re: Proposed Zoning Map Change for Map 78, Parcels 12, 38 & 39 and Map 89, Parcel 77, Order No. 10-1002512, **MOVED TO REPORTS OF COMMITTEES**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, AUGUST 23, 2010** as date for a **PUBLIC HEARING** on the Application for Special Permit from Attorney Bergeron on behalf of Crosspoint Associates, seeking a 24 hour drive-thru window in connection with a banking institution at 133 East Main St., refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

ORDERED: That there being no objection thereto set **MONDAY, SEPTEMBER 13, 2010** as date for a **PUBLIC HEARING** on the amended Special Permit from Attorney Gadbois on behalf of Fore Kicks II Inc., seeking to allow the applicant to serve alcoholic beverages on Site for the following reasons:

- To be competitive with similar recreation centers within the market area;
- To attract state and national events;
- To attract larger regional clients;
- To accommodate clients who desire to hold fund raising events for its teams;
- To accommodate clients who desire to hold private parties for its teams;
- To attract adult teams to participate in adult leagues;
- To accommodate families who desire to hold private functions such as birthday parties, Christmas parties, bat mitzvahs and similar type private events, refer to **URBAN AFFAIRS COMMITTEE AND ADVERTISE**; adopted.

Councilor Elder abstained

ORDERED: That there being no objection thereto set **MONDAY, AUGUST 23, 2010** as date for a **PUBLIC HEARING** on the from MetroPCS Massachusetts LLC, to install a telecommunications facility onto an existing building at 157 Union St, refer to **WIRELESS COMMUNICATIONS COMMITTEE AND ADVERTISE**; adopted.

Councilor Seymour abstained

ORDERED: That the City Council of the City of Marlborough hereby authorizes the Chief Procurement Officer to issue a Notice of Award to Clear Wireless LLC, a Nevada Limited Liability Company ("Clearwire") located at 4400 Carillon Point, Kirkland, WA 98033, in the amount of \$25,000.00 for the first year of the lease, increasing annually by three (3%) on each anniversary of the Rent Commencement Date, subject to the approval of the Commissioner of Public Works as to the proposal and the location on the tower at the site, and the approval of a Special Permit by the City Council pursuant to the applicable Articles and Sections of the Marlborough Zoning Ordinance; and it is **FURTHERED ORDERED**: that, if and when a Special Permit is approved, the Mayor is then authorized to negotiate a lease, subject to obtaining all necessary permits and licenses, with Clearwire for the placement of antennas on the water tank along with associated wires and ground equipment at the Fairmount Hill Water Tank site, located at 115 Onamog Street, Marlborough, MA 01752, shown on Assessors' Map 81, Parcel 238. Said municipal property has been declared available for disposition by City Council Order No. 01-9384, refer to **WIRELESS COMMUNICATIONS COMMITTEE**; adopted.

ORDERED: That the Application for Special Permit from Clear Wireless LLC, to modify wireless communication facility at 115/109 Onamog St, **TABLED UNTIL THE AUGUST 23, 2010 CITY COUNCIL MEETING**; adopted.

ORDERED: That the communication from Andy Candiello, on behalf of Metro PCS Massachusetts, LLC, re: request to extend time limitations to install a Telecommunications Facility onto the existing utility pole at 257 Donald Lynch Blvd. to December 22, 2010 at 11:00 PM, **APPROVED**; adopted.

ORDERED: That there being no objection thereto set **AUGUST 23, 2010** as date for a **PUBLIC HEARING** on the Petition from Massachusetts Electric Co. and Verizon New England, Inc. to install P.5 and relocate P.4 on Madison St., refer to **PUBLIC SERVICES COMMITTEE**; adopted.

ORDERED: That the Communication from Patriot Ambulance re: EMS Education, **FILE**; adopted.

ORDERED: That the Communication from Alex Pitochelli, on behalf of Backyard Lacrosse, to extend permit a half hour from 9:15 PM to 9:45 PM on August 12, 2010, to ensure that the games will be finished, **APPROVED**; adopted.

ORDERED: That the Communication from Central Massachusetts Mosquito Control Project re: investigating resident's complaints on June 30, July 8, 14, 21, 28, August 4, 11, 18, 25 and September 1, **FILE**; adopted.

ORDERED: That the minutes, Traffic Commission, May 25, 2010, **FILE**; adopted.

ORDERED: That the minutes, Planning Board, June 7, 2010, **FILE**; adopted.

ORDERED: That the minutes, Board of Assessors, April 14 and July 13, 2010, **FILE**; adopted.

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

A. Nicole Alger, 90 Grove St., pothole or other road defect

Reports of Committees:

Councilor Delano reported the following out of the Personnel Committee:

Order No.10-1002606 - Reappointment of Diane Smith to the position of City Auditor for three year term from the date of confirmation. Recommendation of the Personnel Committee is to approve the reappointment of Diane Smith to the position of City Auditor for a three year term from date of confirmation 2-0.

Councilor Ossing reported the following out of the Finance Committee:

The Finance Committee continued the discussion on the following capital bond packages:

- **Order No. 10-1002472A – FY10 Capital Bond Package - \$21,156,388**
- **Order No. 10-1002473A – Sudbury Street Bond for \$4,000,000**
- **Order No. 10-1002474 – DPW Equipment Bond for \$1,236,280**

Attachment 1 identifies each bond, the amount, and the Finance Committee recommendations. A summary of the meeting is presented below:

The Finance Committee continued the discussions on the FY10 capital bonds from July 12, 2010. All votes taken were to obtain a sense of the Finance Committee position on each bond. The bonds will go through a final vote after all the bonds have been reviewed. Finance Committee members were asked to determine the dollar amount that they would be comfortable with supporting.

DPW Equipment Bond - \$1,236,280 – five year bond

- The Finance Committee voted 3 – 0 to approve \$1,091,080 bond. This amount excludes the 4 pickup trucks and one van identified as Equipment # 13, 61, 65, 67 and 84.

Street Bond – Reconstruction Portion - \$9,886,000 – ten year bond

- The Finance Committee reviewed the DPW Commission spreadsheet that divided the street reconstruction projects over a three year period.
- The Finance Committee voted 3 – 0 to approve \$2,090,000 to bond the streets that will be reconstructed in 2011. The street that will be funded by this bond include: Wood Road, Berkeley Street (entire length), Gates Ave (entire length), Royce Road, Washington Street (remaining portion), Ferrechia Drive (entire length), Ellis Ave (entire length), Mountain Ave (entire length), Cortland Drive, First Road (entire length), Russet Lane, Maple Terrace (entire length), and Raffaele Road (entire length).
- The Finance Committee agreed that if sufficient progress is made in 2011, then the 2012 road reconstruction projects would be considered.

Street Bond – Other – part of the \$9,886,000 bond – ten year bond

- The Finance Committee reviewed the DPW Commission spreadsheet that divided the street other projects over a three year period.
- The Finance Committee voted 3 – 0 to approve \$1,150,000 to bond the following projects for 2011: Edinboro Street (Maple Street to Church Street) overlay, paving Poirier Drive at the High School, paving at the Middle School, crack sealing at various streets, Farm Road right of way, and East Main Street right of way.
- The Finance Committee agreed that if sufficient progress is made in 2011, then the 2012 street other projects would be considered.
- The total street bond approval \$3,240,000 (1,150,000 plus 2,090,000).

Sidewalk Construction and Repair Bond - \$1,100,000 – five year bond

- The Finance Committee voted 3 – 0 to approve \$200,000 to bond various sidewalk construction and repair projects for 2011.

Sewer Construction Bond - \$1,535,000 – thirty year bond

- The Finance Committee voted to approve \$475,000 to bond the following sewer construction projects: Country Lane (replace pump station), Hosmer Street (replace generator pump station), and the three pieces of equipment at the Easterly Wastewater Treatment Plant.

Water Main Construction Bond - \$3,716,000 – forty year bond

- The Finance Committee approved correcting the bond request to reflect the bond duration is forty year. This is to be corrected on the version that will be advertised.
- The Finance Committee voted 3 – 0 to approve \$1,626,000 to bond the following water projects: Replace lead services, Bolton street, and Route 85 (replace 6” with 8” water main, phase 2)
- The DPW Commissioner indicated that there are 199 lead services to be replaced.

Sudbury Street Sewer Construction - \$4,000,000 – thirty year bond

- The Finance Committee voted 2 – 1 (Ossing opposed) to approve \$1,800,000 for the first phase of the Sudbury Street sewer project. The DPW Commissioner indicated that this would be a six year project.

The Finance Committee voted 3 – 0 to request a suspension of the rules to recommend at the July 26, 2010 meeting to advertise all the bonds so that the bonds could be available to be voted on at the August 23, 2010 meeting. There were two changes to the text of the bonds:

- **Recommend the \$350,000 computer bond be changed from a 10 year bond to a five year bond.**
- **Correct the Water Main Construction bond to spell out the word “forty”. It currently states “thirty (40)”.**

The Finance Committee agreed to meet again in August with the full Finance Committee to go over the results of the July 12 and July 19, 2010 meetings on the capital bond requests. In addition, the FINANCE COMMITTEE requested the Mayor provide the following information prior to the next FINANCE COMMITTEE meeting:

- Provide the impact on the FY11 BAN accounts if the bond total for FY11 is \$12,121,584.
- Provide the impact on the water and sewer bill that includes the Westerly Treatment Plant, the water and sewer bonds in Attachment 1 and estimate for the Easterly Treatment Plant.
- Provide the projected debt service if the bonds in Attachment 1 are approved on the debt service for FY12 to FY32.
- Provide the status of the existing bonds to determine if any of the funds can be used to offset the FY10 bond request.
- Provide the impact of refinancing the school bond of \$9,580,170. Identify the funds that will be available for potentially offsetting the FY10 bond request.

ATTACHMENT 1
FY10 Capital Bonds
Summary of Finance Committee Recommendation

Bond Number Description	Bond Amount \$	Finance Committee Recommendation \$	Reduction \$	Comments
1. Department Equipment	445,388	389,504 App 5-0	55,884	Mayor requested the vehicle for the Code Enforcement, Veterans, and IT be removed from the bond.
2. Street Construction	9,886,000	3,240,000	6,646,000	Approve the items that can be completed in 2011 on the DPW spreadsheet
3. Sidewalk Construction	1,100,000	200,000	900,000	Approved various sidewalk repair only.
4. Sewer Construction	1,535,000	475,000	1,060,000	See list of projects in meeting minutes
5. Water Meters	200,000	200,000 App 5-0	0	Will purchase 1142 meters at \$175 per meter
6. Water	3,716,000	1,626,000	2,090,000	See list of projects in meeting minutes
7. Parks	864,000	Tabled 5 -0		
8. Design	80,000	Tabled 5 - 0		
9. Computers	350,000	350,000 App 5-0		
10. Buildings	2,980,000	275,000 App 5-0	230,000	\$30,000 for DPW generator not required. \$200,000 for Walker building tabled pending discussions with the Mayor
11. DPW Equipment	1,236,280	1,091,080	145,200	Excludes 4 pickup trucks and one van
12. Sudbury Street	9,943,000	1,800,000	8,143,000	First phase of project
Total	32,335,668	12,121,584	19,270,084	Does not include the Parks and Design Bonds that were tabled.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$445,388 (four hundred forty five thousand three hundred eighty eight) dollars be and is hereby appropriated for departmental equipment.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$445,388.

Pursuant to the provisions of Chapter 44, Section 7 (9) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$9,886,000 (nine million eight hundred eighty six thousand) dollars be and is hereby appropriated for street construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$9,886,000.

Pursuant to the provisions of Chapter 44, Section 7 (5) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$1,100,000 (one million one hundred thousand) dollars be and is hereby appropriated for sidewalk construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$1,100,000.

Pursuant to the provisions of Chapter 44, Section 7 (6) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$1,535,000 (one million five hundred thirty five thousand) dollars be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$1,535,000.

Pursuant to the provisions of Chapter 44, Section 8 (15) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than thirty (30) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$200,000 (two hundred thousand) dollars be and is hereby appropriated for water meters.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$200,000.

Pursuant to the provisions of Chapter 44, Section 8 (7A) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than ten (10) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$3,716,000 (three million seven hundred sixteen thousand) dollars be and is hereby appropriated for water main construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$3,716,000.

Pursuant to the provisions of Chapter 44, Section 8 (5) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than forty (40) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$864,000 (eight hundred sixty four thousand) dollars be and is hereby appropriated for park reconstruction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$864,000.

Pursuant to the provisions of Chapter 44, Section 7 (25) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than fifteen (15) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$80,000 (eighty thousand) dollars be and is hereby appropriated for park engineering and architectural design.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$80,000.

Pursuant to the provisions of Chapter 44, Section 7 (22) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$350,000 (three hundred fifty thousand) dollars be and is hereby appropriated for computer hardware.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$350,000.

Pursuant to the provisions of Chapter 44, Section 7 (28) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$2,980,000 (two million nine hundred eighty thousand) dollars be and is hereby appropriated for building renovations.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$2,980,000.

Pursuant to the provisions of Chapter 44, Section 7 (3A) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than twenty (20) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

Ordered: That the sum of \$1,236,280 (one million two hundred thirty six thousand two hundred eighty) dollars be and is hereby appropriated for departmental equipment.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$1,236,280.

Pursuant to the provisions of Chapter 44, Section 7 (9) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than five (5) years from its date of issue.

Suspension of the Rules requested – granted as the following BOND was Ordered Advertised:

ORDERED: That the sum of \$4,000,000 (four million) dollars be and is hereby appropriated for sewer construction.

That to meet said appropriations, the Comptroller/Treasurer, with the approval of the Mayor, is hereby authorized to issue bonds or notes of the City of Marlborough in the amount of \$4,000,000.

Pursuant to the provisions of Chapter 44, Section 8 (15) of the Massachusetts General Laws as amended, each issue of such bonds or notes shall be payable in not more than thirty (30) years from its date of issue.

ORDERED: That the favorable Communication from the Planning Board re: Proposed Zoning Map Change for Map 78, Parcels 12, 38 & 39 and Map 89, Parcel 77, Order No. 10-1002512A, **FILE**; adopted.

Suspension of the Rules requested - granted

ORDERED: Be it ordained by the City Council of the City of Marlborough that the Code of the City of Marlborough, as amended, be further amended by amending the Zoning Map established by Chapter 650 Zoning Article III Establishment of Districts Section 650-8 "Boundaries Established; Zoning Map". Said map is amended by extending the Business District shown on the City of Marlborough Massachusetts Zoning Map by including in said Business District all of Map 78, Parcels 12 and 38, except that the portion of Parcels 12 and 38 which is located within fifty (50') feet of Glen Street shall remain in the Limited Industrial District, all of Map 78 Parcel 39 and all of Map 89 Parcel 77 of the City of Marlborough Massachusetts Assessor's Map; provided, however, that the Zoning Map, as hereinabove amended, also state in the Map's legend the following notation pertaining to this amendment: "Section 650-9.F of the City Code, which otherwise would extend the regulations for the Business District portion of Parcels 12 and 38 into the fifty-foot Limited Industrial portion of Parcels 12 and 38, shall not be applicable to said fifty-foot portion", **APPROVED**; adopted.

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

Councilor Tunnera abstained

NOTE: Councilor Pope initially objected to passage in one evening but reconsidered to allow passage in one evening and requested to be recorded in opposition.

ORDERED: That all municipal vehicles be marked with the official city seal and numbered on the back for identification purposes, **TABLED UNTIL AUGUST 23, 2010**; adopted.

ORDERED: That the reappointment of Dianne Plummer to the City Scholarship committee for a term expiring three years from date of confirmation, **APPROVED**; adopted.

Councilor Vigeant abstained

ORDERED: That the reappointment of Edward Clancy and Dennis Demers to the Conservation Commission for three years expiring March 5, 2013, be and is herewith **APPROVED**; adopted.

Councilor Clancy abstained

ORDERED: That the reappointment of Linda Clark as Registrar of Voters expiring April 1, 2013, **APPROVED**; adopted.
Councilor Ferro abstained

ORDERED; At Councilor Levy's request to recess at 8:55 PM and returned to open meeting at 8:59 PM, **APPROVED**; adopted.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 9:03p.m.; adopted.