

**CITY OF WOBURN
APRIL 15, 2014 - 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gaffney
Concannon	Gately
DiTucci	Mercer-Bruen
Drapeau	Raymond
Haggerty	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE.

MAYOR'S COMMUNICATIONS:

A communication dated April 9, 2014 with attachments was received from His Honor the Mayor Scott D. Galvin as follows:

Dear President Haggerty and Members of the Woburn City Council:

I have recently requested Auditor Surette to reconsider his decision to retire at the end of this month. I am pleased to report that he has decided to continue his employment with the City. Over the next 18 months, the City will be dealing with a number of financial issues that will benefit from the experience, knowledge and stability that Gerald Surette brings to the Auditor's office.

I have submitted an order requesting that I be authorized by the Honorable Members of the City Council to enter an employment contract with Mr. Surette for the provision of services in accordance therewith.

I have attached the contract for your review. The contract will extend Auditor Surette's employment until 9-30-2015, with the same terms and conditions of his current employment. The only change under the submitted employment contract allows him to receive his previously approved sick leave buy back on April 30, 2014.

If you have any questions please feel free to call.

Sincerely, s/Scott D. Galvin, Mayor

A communication dated April 9, 2014 was received from City Auditor Gerald W. Surette as follows:

Subject: Reconsideration of retiring from City Hall

At the request of Mayor Scott Galvin, I am submitting this letter to the Woburn City Council stating that I and Mayor Galvin have made a decision to continue with my employment as City Auditor for the City of Woburn.

For me, the decision to continue as City Auditor for the City of Woburn is not a very difficult one, but a decision that there is so much more to do for the City of Woburn.

I would hope that by vote of the Woburn City Council that I would receive the continued support of the City Council and allow me to continue with my employment as City Auditor for the City of Woburn.

Thank you all in advance for your consideration and support in this matter.

Sincerely and respectfully, s/Gerald W. Surette, City Auditor

Attached thereto was a contract entitled "City of Woburn – Personal Services Contract – City Auditor" dated April 15, 2014 and the following proposed Order:

ORDERED Be it ordained by the City Council of the City of Woburn that the mayor be authorized pursuant to M.G.L. c.41, §108N, to enter into an employment contact with Gerald W. Surette for the provision of City Auditor services in accordance therewith.

s/Alderman _____
Per request of the Mayor

ORDERED That the amount of \$200,000.00 be and is hereby appropriated from BLS/Ambulance Receipts Acct #31359-590000 \$200,000.00 to Fire/Overtime Acct #0122051-513100 \$100,000.00, Fire/Ambulance Salary Acct #0122051-511500 \$100,000.00, Total \$200,000.00

I hereby recommend the above: s/Scott D. Galvin, Mayor
I hereby approve the above: s/Timothy J. Ring, Chief, Fire Department
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/Alderman _____

ORDERED That the amount of \$3,000.00 be and is hereby appropriated from Fire Telephone Acct #0122052-534100 \$3,000.00 to Fire/Fuel & Oil Acct #0122052-521301 \$3,000.00

I hereby recommend the above: s/Scott D. Galvin, Mayor
I hereby approve the above: s/Timothy J. Ring, Chief, Fire Department
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/Alderman _____

ORDERED That the sum of \$3,500,000.00 be and is hereby appropriated from Water & Sewer Enterprise Retained Earnings Acct #642-359000 (Free Cash) \$3,500,000.00 to Water Meters Acct #630058-581269 \$3,500,000.00 – Purpose: To use an alternate source of revenue as allowed by bond authorization.

I do hereby recommend the above: s/Scott D. Galvin, Mayor
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/Alderman _____

ORDERED That the Order of this Council adopted on April 17, 2007, and approved by the Mayor on April 20, 2007, approving the borrowing of \$33,850,000 to pay costs of the following water system improvement project, in the following amounts:

<u>Project</u>	<u>Amount</u>
Shaker Glen Pump Station	\$ 800,000.00
Rag Rock Tank	\$ 5,900,000.00
Water Quality Capital Impr.	\$ 5,378,000.00
Fire Protection Capital Impr.	\$ 5,972,000.00
Water Treatment Plant Design and Construction	\$15,800,000.00

Is hereby amended to permit the expenditure of funds authorized to be borrowed thereunder, but which are no longer needed to pay costs of completing certain of the projects described above, to pay additional costs of the Shaker Glen Pump Station Project in the amount of \$300,000.00 and additional costs of the Water Quality Capital Improvement Project in the amount of \$4,900,000.00

s/Mayor Scott Galvin

s/Alderman _____

PUBLIC HEARINGS:

On the petition to consider whether to lay out as public ways the following streets: Mentas Circle and Josam Lane. PUBLIC HEARING OPENED. A communication dated April 9, 2014 was received from Tina P. Cassidy, Planning Director, Woburn Planning Board as follows:

Re: Acceptance of Mentas Circle and Josam Lane as public ways

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on April 8, 2014, the Planning Board vote to recommend to the City Council that Mentas Circle and Josam Lane be accepted as public ways in the City of Woburn.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Respectfully, s/Tina P. Cassidy, Planning Director

On the petition by Peter Mamakos, 43 Almont Street, Medford, Massachusetts for a special permit to amend a special permit pursuant to Section 5.1.29 of the 1985 Woburn Zoning Ordinances, as amended to allow alteration of the floor plan and amend the plan of record at 487-489 Main Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "Ought to pass, as amended, with the conditions as follows:

1. That the condition #11 of the Special Permit issued April 7, 2005 be stricken and in its place be inserted a new condition #11 as follows "11. That the special permit be limited to Peter Mamakos for "The Restaurant" and that the allowable occupancy may not exceed 117 persons as per the Building Code".
2. That all conditions of the City Council Special Permit issued on April 7, 2005 and amended on March 11, 2011 shall remain in full force and effect unless further modified by this decision.
3. That the aforesaid Special Permit, as amended, be further amended to reflect plan dated 9/17/2013 Revised 2/24/2014, Prepared by Seger Architects, Inc. 10 Derby Square, Salem, MA
4. That any additional changes to the existing floor plan of record shall require City Council approval."

On the petition by C.N. Wood Realty LLC, 200 Merrimac Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow an addition to be constructed on the existing building as an extension or alteration of a pre-existing non-conforming structure or use at 200 Merrimac Street. PUBLIC HEARING OPENED. A report was received from the

Committee on Special Permits as follows: “Ought to pass, as amended, with the conditions as follows:

1. That the Plan of Record shall be “Building Addition for 200 Merrimac Street, Woburn, MA 01801” Sheets Cover Sheet, ABB-1, ABB-2, EX-1, C-2, C-3, C-4, D-1, D-2 dated January 28, 2014 and Sheet C-1 dated March 6, 2014 prepared by Allen and Major Associates, Inc, 100 Commerce Way, Woburn, MA 01888; and
2. That the Operation and Maintenance Plan shall be in accordance with and outlined within the “Development Impact Statement” prepared by Allen and Major Associates, Inc. dated January 28, 2014; and
3. That the developer provide the Engineering Department with the mitigation fee as outlined in the Development Impact Statement dated January 28, 2014 by Allen and Major Associates prior to the issuance of a building permit; and
4. That all dumpsters shall be enclosed by a sight impervious fence; and
5. That the Engineering Department shall review and approve the drainage calculations submitted by the developer prior to the issuance of a building permit, and
6. That all conditions outlined in the Development Impact Statement dated January 28, 2014 Prepared by Allen & Major Associates, Inc. be made part of the Special Permit.

On the petition by Boston Electrometallurgical Corp., 6C Gill Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.41 to allow for research and testing of master alloys at 6C Gill Street. PUBLIC HEARING OPENED. A communication dated April 9, 2014 was received from Tina P. Cassidy, Planning Director, Woburn Planning Board as follows:

Re: Boston Electrometallurgical Corp. – 6C Gill Street – to allow for use of existing space for master alloys research and testing laboratory pursuant to Section 5.1.41

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on April 8, 2014, the Planning Board vote to send a favorable recommendation to the City Council on the Special Permit application of Boston Electrometallurgical Corp. to allow for use of existing space at 6C Gill Street for a master alloys research and testing laboratory.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Respectfully, s/Tina P. Cassidy, Planning Director

CITIZEN’S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Order to transfer the sum of \$730.00 from Parks/Pick-Up Truck Acct to Parks Dept/Sod Cutter Acct, committee report was received “ought to pass”.

PUBLIC SAFETY AND LICENSES:

On the petition by St. Anthony Parish for a Special Event Permit, committee report was received “ought to pass”.

On the petitions for renewal of Taxi Cab Licenses by Ali A. Saleh dba Metro Cab, Maqsd Shaikh dba Bombay Taxi, and Woburn Cab Company, committee report was received “ought to pass”.

On the petitions for renewal of Livery Licenses by Patricia Porrazzo dba Hollywood Limousine Service, and American Classic Limo Inc., committee report was received “ought to pass”.

On the petition by TransAction Corporate Shuttles, Inc. on the petition for a new Common Carrier License, committee report was received “ought to pass, conditioned upon providing registrations.”

ORDINANCES:

On the Order to further amend 1989 Woburn Municipal Code, as amended, Sections 15-5 Building Permit Fees, 15-6 Electrical Permit Fee and 15-14 Plumbing and Gas Permit Fees, committee report was received “Ought to pass, as further amended by adding the words ‘and other remedies at law or equity’ at the end of Section 15-5 Miscellaneous (3), at the end of Section 15-6 Miscellaneous (6) and at the end of Section 15-14 Miscellaneous (3).”

On the Order to amend Section 2-180 of the 1989 Woburn Municipal Code, as amended, relative to the salary of the Mayor, committee report was received “Ought to pass as amended, with the amendment as follows: ‘1. That the salary of Mayor be listed as follows: Effective January 15, 2016 \$93,000.00, effective July 1, 2016 \$103,000.00, effective July 1, 2017 \$113,000.00, effective July 1, 2018 \$123,000.00’.”

On the Order to amend Section 6-10 relative to late fee for dog registration, committee report was received “ought not to pass.”

NEW PETITIONS:

Petition by YMCA of Greater Boston-North Suburban Branch, 137 Lexington Street for a Special Event Permit to allow a road race on June 29, 2014 in the Horn Pond area.

Petition by Social Capital Inc., 165M New Boston Street, Suite #233 for a Special Event Permit to allow a concert series on June 27, 2014, July 11, 2014, July 25, 2014, August 1, 2014, and August 22, 2014 with rain dates to be determined at the northern end of Horn Pond.

Petition by Boston Tours, Inc., 56 William Street, Waltham, Massachusetts 02453 for renewal of Common Carrier License.

Petition by Checker Cab of Woburn, Inc., 289R Salem Street for renewal of Livery License.

Petition by Checker Cab of Woburn, Inc., 289R Salem Street for renewal of Taxi Cab License.

Petition by City of Woburn, c/o Engineering Department for a special permit pursuant to 1989 Woburn Zoning Ordinances, as amended, Sections 5.1.79 and 15 to allow for construction of a bathroom/concession stand at Gonsalves Park and Groundwater Protection District.

Petition by New England Orienteering Club, Inc., 9 Cannon Road for a Special Event Permit to allow map and compass orienteering event on August 24, 2014 in the Horn Pond Area.

COMMUNICATIONS AND REPORTS:

A communication dated March 31, 2014 was received from William Gibbons, PG, LSP, Senior Project Manager, The Vertex Companies, Inc., One Congress Street, Boston, Massachusetts 02114 advising that pursuant to 310 CMR 40.0183(5) of the Massachusetts Contingency Plan (MCP) Joseph Blucher filed a Downgradient Property Status Opinion with the Massachusetts Department of Environmental Protection with regard to a release of oil and/or hazardous material at 24 Torrice Drive.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS:

A communication dated April 3, 2014 was received from Director of Human Resources Jan Robbins Cox advising the City Council as her appointing authority of her intention to retire from the position of Woburn Director of Human Resources with an anticipated retirement date of September 10, 2014.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That the City Council Regular Meetings summer session shall be held on July 15, 2014 and August 12, 2014 and all other meetings scheduled for July 2014 and August 2014 are hereby canceled.

s/President Haggerty

ORDERED That pursuant to 1989 Woburn Municipal Code, as amended, Title 3, Article I, Section 3-6 the City Clerk is hereby authorized to dispose of a Dell PC with serial number CN-0G1494-70821-343-33F8 which the City Clerk has determined is of no value to the department and which no other department has expressed an interest in obtaining.

s/Alderman _____

ORDERED Be it ordained by the City Council of the City of Woburn that Title 2, Administration and Personnel, Article XXVI, City Ambulance Service, Section 2-174 Rates of Service, of the Woburn Municipal Code be amended as follows (deletions in strikethrough, additions in bold):

2-174 Rates of service.

- A. The following fees shall be charged for all persons transported to the hospital by the City ambulance service: Current Medicare Fee Schedule plus **300%**.

s/Alderman _____

Per request of the Mayor

Motion made and 2nd to ADJOURN.