

**CITY OF WOBURN  
APRIL 5, 2016 – 7:00 P.M.  
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
Campbell	Higgins
Concannon	Mercer-Bruen
Gaffney	Tedesco
Haggerty	

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

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**MAYOR'S COMMUNICATIONS:**

A communication dated March 30, 2015 with attachments was received from City Solicitor Ellen Callahan Doucette as follows:

Re: License to Enter and Use Property and Conservation Restriction(s)

At the Mayor's request, I am submitting to the City Council an Order the approval of which, will authorize the Mayor to execute a License to Enter and Use Property with de maximus, inc. which will allow for remedial actions to be taken on property owned by the City of Woburn in accordance with a Consent Decree entered into with respect to Wells G & H. Once the remedial actions have been completed, the City will grant a Conservation Restriction ("CR") for the property located at 280 Salem Street Rear to be held by the Commonwealth's Department of Conservation and Recreation ("DCR").

To assist the City Council in its review, I have attached hereto the proposed License together with Exhibits A, B and C. The CR will be negotiated at a later time and in accordance with the DCR's guidelines. I have also attached two maps which depict the boundaries of the properties involved.

Please advise if there are any questions or if further information is required.

Sincerely, s/ Ellen Callahan Doucette

Attached thereto was the following Order:

**ORDERED** Be it ordained by the City Council of the City of Woburn that the Mayor be authorized to enter into a License to Enter and Use Real Property between the City of Woburn and de maximus, inc., for the

purpose of conducting remedial action and the ensuing operation, maintenance and monitoring of 20 acres of land located off Rifle Range Road and identified as 280 Salem Street Rear, Woburn; and 23.1 acres of land known as the Cranberry Bog Conservation Area located off Washington Circle, Woburn, pursuant to the Consent Decree entered by the United States District Court on November 24, 2008 in the matter of U.S. v. Bayer CropScience, Inc. and Pharmacia Corporation (Civil Action No. 1:08-cv-10325), and further, to authorize the Mayor to grant a Conservation Restriction(s) pursuant to M.G.L. c.184, §32 for the aforementioned property(ies), to the Department of Conservation and Recreation or some other suitable holder such as a charitable corporation or land trust.

s/Alderman \_\_\_\_\_

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**ORDERED** That the sum of \$125,000.00 be and is hereby appropriated as so stated from BLS Ambulance Receipts Acct #31359-595000 \$125,000.00 to Fire Ambulance Salary Acct #0122051-511500 \$100,000.00, Medical Attention/Fire Acct #0122054-558103 \$10,000.00, Equipment/Fire Acct #0122058-585000 \$15,000.00, Total \$125,000.00

I hereby recommend the above. s/Scott D. Galvin, Mayor  
I hereby approve the above: s/Timothy Ring, Chief Fire Department  
I have reviewed the above: s/Charles E. Doherty, City Auditor

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**PUBLIC HEARINGS:**

On the petition by NSTAR Electric Company dba Eversource Energy for a grant of right in a way to install approximately 1563 feet of conduit in Presidential Way easterly from MH30183 (new MH) approximately 498 feet east of Woburn Street and to install three new manholes MH30183, MH30184 and MH30185. PUBLIC HEARING OPENED.

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On the petition by Kiwanis Club of Woburn, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.75 to allow for the annual Flag Day celebration and carnival on June 17, 2016 and June 18, 2016 at Library Park, 0 Harrison Avenue. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “ought to pass”.

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On the petition by Uno Restaurants of Woburn Inc. dba Uno Chicago Grill, 100 Charles Park Road, West Roxbury, Massachusetts 02132 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1 Note 22 to allow for forty-five (45)

ziosk machines at 300 Mishawum Road. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “ought to pass, as amended, with the condition as follows: 1. That the special permit shall be granted to Uno Restaurants of Woburn Inc. dba Uno Chicago Grill only and shall not be transferable.”

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On the petition by New Creek II LLC, 3333 New Hyde Park Road, New Hyde, New York 11042 for special permits pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.7.6, 7.3, 8.2.5, 8.6.3 and 13.5 to allow for the alteration of the existing nonconforming structure and use (shopping center) to provide for: 1. Medical office building containing approximately 4,500 square feet more or less; 2. Reduction in required parking from 535 parking spaces to 481 parking spaces; 3. Alterations to the petitioner’s nonconforming signage; and 4. Exception to landscaping and area requirements to provide for alternative screening devices at 425 Washington 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. The Plan of Record for this petition shall be “Site Plans Issued for Local Approvals of Proposed Medical Office Building at 425 Washington Street Woburn, Massachusetts; Prepared for Kimco Realty Corporation 3333 New Hyde Park Road, Suite 100 New Hyde Park NY 11042; Prepared By VHB 101 Walnut Street Watertown, MA 02471; Sheets C-1, C-2, C-3, C-4, C-5, C-6, L-1, Dated February 1, 2016; revised March 16, 2016; Project No# 12661.07”; 2. The dumpster be enclosed with a 6’ sight impervious fence; 3. A snow storage plan be filed with the Building Commissioner; 4. The Special Permit be issued to New Creek II LLC only and shall not be transferrable; 5. That all signage shall comply with local zoning regulations; 6. That the hours of operation shall be Sunday through Saturday from 9:00 am to 9:00 pm.; and 7. That there shall be no storage of narcotics on site.” A communication dated March 21, 2016 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Special Permit Petition of New Creek II LLC, 425 Washington Street, Woburn, Massachusetts

Dear Bill:

On behalf of New Creek II LLC, I hereby request leave to withdraw without prejudice the special permits requested pursuant to Section 5.7.6 and 8.6.3. Those requests are no longer necessary as a result of the relocation of the proposed medical office building.

Very truly yours, s/Joseph R. Tarby, III

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**CITIZEN’S PARTICIPATION:** None.

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**COMMITTEE REPORTS:**

**FINANCE:**

On the Order to transfer the sum of \$111,496.58 from School Department Energy Receipts Reserved for Appropriation Account to an account established by the Mayor and City Auditor for the payment of past electric bills which were under review for the Joyce Middle School, committee report was received “ought to pass.”

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**PUBLIC SAFETY AND LICENSES:**

On the petition by Cambridge Road Auto Service, Inc. dba Woburn Plaza Shell for renewal of Second Class Motor Vehicle Sales License, committee report was received “ought to pass”.

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**INFRASTRUCTURE AND PUBLIC LANDS:**

On the Order to authorize the Mayor to enter into a License Agreement between the City of Woburn and Paul Paris for use of 23,750 s.f. of land, more or less, with frontage on Locust Street for agricultural purposes, committee report was received “ought to pass, as amended, to read as follows:

ORDERED   Whereas, the City Council unanimously voted to authorize the Mayor to enter into a License Agreement between the City of Woburn and Paul Paris for the use of 23,750 s.f. of land, more or less, with frontage on Locust Street (the “Locust Street Property”) for agricultural purposes;

Whereas, on May 28, 2015 the Title to approximately 2.11 acres of land from the Surrey Realty Trust was conveyed to the City of Woburn (the “Surrey Property”);

Whereas, Mr. Paris has historically used, with permission, the Surrey Property adjacent to his home and the Locust Street Property for growing plants solely for agricultural purposes in connection with Paris Farm;

Whereas, the use of the Surrey Property property is a significant and integral part of the operation of Paris Farm;

Whereas, the use of the Surrey Property was not before the City Council when it voted to authorize the Mayor to enter into a License Agreement between the City of Woburn and Paul Paris for the use of the Locust Street Property for agricultural purposes;

Whereas, the agricultural use of the Surrey Property is low impact, provides benefits to the community and is, upon information and belief, the sole remaining farm in operation in the City of Woburn;

Whereas, the agricultural use of the Surrey Property is critical to the success of Mr. Paris' agricultural/farming operation and Paris Farm;

ORDERED Be it ordained by the City Council of the City of Woburn that in addition to the 23,750 s.f. of land previously authorized, the Mayor be authorized to enter into a License Agreement between the City of Woburn and Paul Paris for the use of an additional 32,500 s.f. portion of the Surrey Property for agricultural purposes as shown on the attached plan which shall be attached to the License Agreement as Exhibit A; and

ORDERED Mr. Paris shall remove any and all debris, vehicles and supplies from the City's property between Kelly Drive and 0 Locust Street that is not part of the license agreement within 30 days and that the city solicitor and building commissioner shall be notified of this order and requested to enforce it if it is not complied with."

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On the Conservation Easement and Restriction received from Hammond Place Condominium Trust, pursuant to Sections 31, 32 and 33 of Chapter 184 of the Massachusetts General Laws granting, with quitclaim covenants, to the City of Woburn in perpetuity and exclusively for conservation purposes a Conservation Restriction on a parcel of land located in the City of Woburn, Massachusetts, approximately 138,230 square feet, being shown on a plan entitled "Conservation Easement for land located at 201 Bedford Road, Woburn, Massachusetts" dated September 30, 1994, prepared by North Shore Survey Corporation and Patrowicz Land Development Engineering said area being shown as shaded area depicted as "CR" (the Premises), committee report was received "back for action." A communication dated March 30, 2016 was received from City Solicitor Ellen Callahan Doucette as follows:

Re: Conservation Restriction – Hammond Place Condominium Trust

I received the Committee's request to review the Conservation Restriction ("CR") associated with the Hammond Place Condominium Trust for the property off of Bedford Road.

Please be advised that I reviewed and/or revised this CR prior to its submission to the Conservation Commission for approval. It is in acceptable form, and ready for the City Council's approval as well.

Sincerely, s/ Ellen Callahan Doucette

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**NEW PETITIONS:**

Petition by Checker Cab of Woburn, Inc. for renewal of Livery License.

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Petition by Checker Cab of Woburn, Inc. for renewal of Taxi Cab License.

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Petition by TransAction Corporate Shuttles, Inc. for renewal of Common Carrier License.

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Petition by M&L Transit Systems Inc. for renewal of Common Carrier License.

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Petition by Woburn Bowladrome for renewal of Bowling Alley License.

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Petition by Woburn Autotrade LLC for transfer of a Second Class Motor Vehicle Sales License from Jean B. Louis dba Woburn Motors.

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Petition by Rental Services Inc. for relinquishment of Inflammable License to store 4,000 gallons gasoline underground at 919 Main Street.

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Petition by NSTAR Electric Company dba Eversource Energy for grant of right in a way to install one joint occupancy pole 87/3 and anchor guy on Fremont Street southerly sider approximately 40 feet west of Mack Road.

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Petition by Cellco Partnership dba Verizon Wireless, 118 Flanders Road, Westborough, Massachusetts 01581 for a grant of right in a way to attach wireless communications equipment consisting of one JMR Wireless Small Cell Antenna (Model No. CYL-X7CAP-2), one Alcatel-Lucent B4 RRH2x60-4R Remote Radio Head/Cabinet, one power meter and associated equipment to existing Eversource/Verizon Telephone Utility Pole #5 located on Dewey Avenue (adjacent to 1 Dewey Avenue).

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Petition by Cellco Partnership dba Verizon Wireless, 118 Flanders Road, Westborough, Massachusetts 01581 for a grant of right in a way to attach wireless communications equipment consisting of one Andrew Dualband Omni Metro Cell Antenna (Model No. NH360QM-DG-2XR), one Commscope dixplexer (Model No. E15S09P69), one Alcatel-Lucent RRH2x60 AWS Remote Radio Head, one Alcatel-Lucent B25 RRH4x30-4R PCS Remote Radio Head, one power meter and associated equipment to existing Eversource/Verizon Telephone Utility Pole #235-17 located on South Bedford Street (adjacent to 50 South Bedford Street, along Willow Street).

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Petition by Andrew Matrundola and Katherine Matrundola, 19 South Gateway, Winchester, Massachusetts 01890 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.56, Note 15 to construct a four bay garage with door height eight feet six inches at 69 Kilby Street.

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Petition by Mahavir Realty Trust, 42 Stillman Road, Lynnfield, Massachusetts 01940 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.7.6, 7.3 and 13.5 to allow for the alteration of the existing nonconforming structure to provide for 1. Office building containing approximately 1,200 square feet more or less; 2. Alterations to the petitioner's nonconforming signage, and 3. Exception to landscaping and area requirements to provide for alternative screening devices, at 546 Main Street.

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Petition by Christopher Keane, 3 Hope Lane, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.56 to allow enlargement of garage to 1,056 square feet with doors not exceeding eight feet in height at 3 Hope Lane.

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Petition by Madison Woburn Holdings LLC, 20 Park Place Plaza, Suite 433, Boston, Massachusetts 02116 for special permits and site plan approval pursuant to 1985 Woburn Zoning Ordinances, as amended, to allow for construction of a fast food restaurant as follows: 1. Special Permit pursuant to Section 5.1.20a to allow for a Mixed Use Hotel/Restaurant Use; 2. Special Permit pursuant to Section 5.1.29 and Section 11.6.10 to allow for a fast food restaurant with a drive up customer service facility; 3. Special Permit pursuant to Section 8.7.6 to allow for a reduction in off street loading requirements; 4. Site Plan Approval pursuant to Section 12.2.1 and Section 12.3.2 to allow for a fast food restaurant; and 5. Site Plan Approval pursuant to Section 12.2.4 and Section 12.3.2 to allow for construction in excess of 15,000 square feet and more than 100 parking spaces, at 369 Washington Street.

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**COMMUNICATIONS AND REPORTS:**

A communication dated March 29, 2016 was received from Charles O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

Council Members,

In accordance with Massachusetts General Laws Chapter 90, Section 20½ I am submitting the following parking ticket report. Figures cited below are for the Month of February 2016: Number of violations issued 155, Numbers of violations paid 82, Number

of violations outstanding 66, Amount collected and submitted to Collectors Office \$7,072.20, Parking fines referred to the Handicap Commission \$2,300.00.

There is a backlog of 1,675 unpaid tickets dating from January 2004 to Feb. 2016. After 28 days, if the fine still has not been paid, that information is forwarded to the Registry of Motor Vehicles for administrative action.

Respectfully submitted, s/Charles O'Connor, Parking Clerk

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A communication dated March 29, 2016 was received from Joanne Collins, Director, Woburn Council on Aging along with a copy of the Director's Report and the minutes of the Council on Aging meeting for the months of February 2016 and March 2016.

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A communication dated March 8, 2016 was received from Chris Kisiel, Chairman, Woburn School Committee as follows:

Dear Alderman Haggerty:

The School Committee has requested that a letter be sent to the City Council to determine if there is any interest in discussing the establishment of a shared Human Resources position between the City and the School Department. Please let us know the thoughts of the Council.

Sincerely, s/Chris Kisiel, Chairman, School Committee

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A communication dated March 14, 2016 with attachments was received from John R. Romano, Director, MassDOT, Office of Outdoor Advertising, Ten Park Plaza, Room #6141, Boston, Massachusetts 02116 advising of a public meeting on April 14, 2016 concerning an application by Logan Digital for two electronic permits for the construction of and electronic billboard at 10 Forbes Road facing I-93 with the physical location in the town of Stoneham and the street address at 10 Forbes Road in Woburn.

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A communication dated March 23, 2016 with attachment was received from Attorney Shirin Everett, Kopelman and Paige, P.C., 101 Arch Street, Boston, Massachusetts 02110 as follows:

Re: Sacramento Avenue – Return of Recorded Documents

Dear Ms. Harris:

Enclosed please find, for your records, the original Quitclaim Deed recorded with the Middlesex South Registry of Deeds in Book 51362, Page 388, pursuant to which the City acquired the property located at Sacramento Avenue.

Please let me know if you have any questions.

Very truly yours, s/Shirin Everett

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**UNFINISHED BUSINESS OF PRECEDING MEETING:**

A communication dated March 29, 2016 was received from Alderman Darlene Mercer-Bruen advising of her notice of intent to move for reconsideration of her vote in support of a motion not to accept the Order for a Special Act relative to the temporary use of the Clapp School for discussion purposes.

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

RESOLVED That in view of the importance of their missions and contributions to the community, the City Council reaffirms its commitment to working with the Woburn Public Library and the James L. McKeown Boys and Girls Club of Woburn, Inc. to find suitable temporary space for their organizations during the renovation and construction of their respective facilities.

s/Alderman Campbell

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RESOLVED Whereas, the Woburn Public Library will begin a major renovation and reconstruction project which will require the daily operations of the library to be moved from the existing facility on Pleasant Street; and

Whereas, the Woburn Public Library is an important City institution which provides much needed services to our community on a daily basis and the library's continued operation is required by the Massachusetts Board of Library Commissioners as part of the \$9.9 million dollar state funded construction grant; and

Whereas, the former Plympton School site would provide a safe, secure, and desirable location to temporarily house the Woburn Public Library during the renovation and construction project; and

Whereas, the proposed use of the former Plympton School may provide the City with the opportunity to invest municipal money in a building or portion of a building that will not be torn down and that could be used as a permanent archive facility for the City in future years; and

Whereas, the use of the former Plympton school will provide savings for the city's taxpayers by utilizing an existing municipal building rather than renting from a private company;

Now Therefore Be It Resolved by the Woburn City Council that we encourage the Mayor to take all necessary steps to temporarily move the Woburn Public Library to the former Plympton School during the renovation and construction project; and

Be It Further Resolved that the Woburn City Council shall take all necessary steps and work with the Mayor to expedite the effort of using the former Plympton School site for a temporary library use.

s/President Haggerty, Alderman Gaffney,  
Alderman Mercer-Bruen and Alderman Tedesco

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RESOLVED Whereas, the Woburn City Council is committed to assisting the James L. McKeown Boys and Girls Club of Woburn, Inc. in locating suitable temporary space for its operation during the renovation and construction of its facility and to the continuance of its services to the residents of the community during the construction phase;

Now Therefore Be It Resolved by the Woburn City Council that we encourage the Mayor to investigate the feasibility of using the former Spence Farm building as temporary quarters for the James L. McKeown Boys and Girls Club of Woburn, Inc. including the addition of modular units to the building to assist in accommodating the needs of the organization and that the Woburn City Council shall take all necessary steps and work with the Mayor to expedite the effort of using the former Spence Farm building if found suitable.

s/Alderman Gately and Alderman Campbell

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ORDRED That the Committee on Liaison meet with the Chair of the Woburn School Committee and the Superintendent of Public Schools.

s/President Haggerty

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ORDERED That the Committee on Infrastructure and Public Lands meet with Scott Seaver to discuss issues regarding the Elm Avenue water main leak and that such meeting be held on April 11, 2016 at the request of the residents on Elm Avenue.

s/Alderman Gately and Alderman Mercer-Bruen

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ORDERED That pursuant to Section 2-184(D) of the 1989 Woburn Municipal Code, as amended, the Committee on Ordinances review the salaries of the non-union department heads.

s/President Haggerty and Alderman Anderson

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ORDERED That by virtue of the authority granted in Section 14 and Section 32 of Chapter 172 of the Acts of 1897, as amended, Be It Ordained by the City Council of the City of Woburn that the 1989 Woburn Municipal Code, as amended, be and is hereby further amended by adding a new Section 2-5(D) as follows:

When the City Council or a committee thereof requests a written report from a department head concerning a matter within the jurisdiction and purview of the respective department, it shall be the duty of the department head to provide such written report by the date requested or if no date is specified within a reasonable time and to provide a complete response to the request based on the expertise and knowledge of the department head. When the City Council or a committee thereof requests that a department head provide documents within the custody and possession of the department, it shall be the duty of the department head to provide such documents by the date requested or if no date is specified within a reasonable time. When the City Council or a committee thereof requests the presence of a department head before the City Council or a committee thereof, it shall be the duty of the department head to appear before the City Council or committee thereof at the time and place designated and to be prepared to address the issues raised in the notice of the meeting within the jurisdiction and purview of the respective department based on the expertise and knowledge of the department head.

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From the Woburn Traffic Commission:

ORDERED Be it ordained by the Woburn Traffic Commission that Schedule 1 Parking Restrictions of the 2016 Woburn Traffic Code be amended, as follows by adding the following:

MAIN STREET – Handicapped accessible parking space be established westerly side beginning at a point forty (40) feet north of the northerly curb line of Park Street a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point thirty (30) feet south of the southerly curb line of Walnut Street southerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point fifty (50) feet north of the northerly curb line of Walnut Street northerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point at the northerly end of the extended curb at 389 Main Street a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point forty (40) feet north of the northerly curb line of Salem Street northerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established westerly side beginning at a point directly opposite the southerly curb line of Everett Street northerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established westerly side a distance of seventeen (17) feet south of the southerly curb line of Hovey Street southerly a distance of 20 feet; and

Further, that the following regulations be deleted from Schedule 1:

MAIN STREET – Handicapped accessible parking space easterly side at the extended curb at 355 Main Street in a southerly direction a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space easterly side beginning at a point 46 feet north of Salem Street northerly for 20 feet;

MAIN STREET – One handicapped accessible parking space shall be established on the southerly side at 415 Main Street; and

Further, that the parking spaces indicated in the parking plan prepared by the City Engineer entitled “City of Woburn, Massachusetts – Chapter 90 Roadway Improvements 2015 – Contract 4-16-IFB-008 – Main Street Repaving Project” Sheets 1 through 6 dated July 2015 (hereinafter “the Plan”) and prepared by the Woburn City Engineering Department be

adopted as the lawful parking spaces as designated on the Plan and that the Plan be annexed to the 2016 Woburn Traffic Code as Schedule 9.

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From the Woburn Traffic Commission:

ORDERED That the no heavy commercial vehicle restriction on Holton Street between the hours of 10:00 p.m. and 6:00 a.m. be repealed.

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From the Woburn Traffic Commission:

ORDERED Be it Ordered that Section 5-1 of the 2016 Woburn Traffic Code be amended as follows:

1. By adding a new Section 5-1 General Prohibitions a new paragraph (p) as follows:
  - p. Outside of or across an official line or mark designating a parking space, or between such lines in a maneuvering area.
2. By adding to Section 9-1 Penalties the following:

Parking outside parking space line or in maneuvering area  
\$15.00

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From the Woburn Traffic Commission:

ORDERED Be it Ordered that Schedule 1 Parking Restrictions of the 2016 Woburn Traffic Code be amended by making the following technical corrections:

1. By striking “No Parking” after “Montvale Avenue - No parking southerly side from Eastern Avenue westerly a distance of 400 feet” and insert in its place “Two Hours between 8:00 a.m. and 2:00 p.m.”
2. By striking “Montvale Avenue – one hour parking southerly side starting at a point 40 feet easterly of Main Street to Prospect Street any time between the hours of 8:00 a.m. and 9:00 p.m. any day except Sundays and public holidays – One Hour”

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**SUPPLEMENTAL FILINGS**

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ORDERED Be it ordained by the City Council of the City of Woburn that a petition be filed with the General Court that legislation be adopted as follows provided that The General Court may make clerical or editorial changes of form to reasonably effectuate the purposes set forth herein

**AN ACT RELATIVE TO THE TEMPORARY USE OF THE CLAPP SCHOOL IN THE CITY OF WOBURN**

SECTION 1. Notwithstanding the provisions of Chapter 71 of the Acts of 2010 or any other general or special law to the contrary, the building and adjacent lower parking area located west of the building commonly known as the Clapp elementary school located at the intersection of Hudson street and Arlington road in the city of Woburn, shall be made available for use by the James L. McKeown Boys and Girls Club of Woburn, Inc. on a temporary basis, and only until such time as the demolition, construction, reconstruction, remodeling and repair of the existing James L. McKeown Boys and Girls Club of Woburn, Inc. located at Charles Gardner Lane, Woburn, have been completed and the new facilities are ready for occupancy or July 15, 2017, whichever comes first, at which time, the Clapp elementary school shall be vacated and any building or buildings thereon shall be demolished and the land restored to its natural state and utilized solely for recreational and park uses by October 15, 2017. In no event shall the Clapp school building be utilized for public library or any other use or purpose.

SECTION 2. That the temporary use of the Clapp elementary school by the James L. McKeown Boys and Girls Club of Woburn, Inc. shall be exempt from and not subject to, any and all applicable state and local land use regulations, statutes and ordinances including, but not limited to, zoning, subdivision control and wetlands, except for all applicable building and fire protection regulations; and from all state and local regulations, statutes and ordinances pertaining to the disposition of real property by lease or license including, but not limited to, section 3 of chapter 40 and section 16 of chapter 30B. The temporary use and occupancy described herein shall be upon terms and conditions as the Mayor shall deem appropriate.

SECTION 3. Notwithstanding that the use of the Clapp elementary school under section 1 is temporary only, to ensure a no-net loss of lands for natural resource purposes for land diverted from an open space, park or recreational use under Sections 1 and 2, the land located on Russell Street, Woburn and owned by the city for general municipal purposes pursuant to a deed dated May 30, 1979 from the commonwealth of Massachusetts

department of public works and recorded in the Middlesex south registry of deeds in book 13780, page 31, shall be under the control of the recreation commission to be used solely for active or passive recreational uses including but not limited to, community gardens, trails, noncommercial youth and adult sports and park, playground or athletic field purposes; provided, however, that recreational use of such land shall not include horse or dog racing or the use of the land for a stadium, gymnasium or similar structure.

SECTION 4. It is the express intention of this act that except for the temporary use of the Clapp Elementary School by the James L. McKeown Boys and Girls Club of Woburn, Inc., as set forth herein, the land commonly known as the Clapp school and surrounding fields acquired by the city on or about 1909 and located at the intersection of Hudson street and Arlington road in the city of Woburn, shown on assessors map 59 as block 26, lot 20, containing 2.92 acres more or less, and shown on a plan entitled "Use and Limitation Plan" dated September 2, 2009, prepared by Leblanc Survey Associates, Inc. shall be under the care, custody and control of the Woburn recreation commission to be used solely for active or passive recreational uses including, but not limited to, community gardens, trails, noncommercial youth and adult sports and park, playground or athletic field purposes; provided, however, that recreational use of such land shall not include horse or dog racing or the use of the land for a stadium, gymnasium or similar structure and that Chapter 71 of the Acts of 2010 is hereby ratified and confirmed.

SECTION 5. This act shall take effect upon its passage.

s/President Haggerty

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RESOLVED Whereas, Patti Robichaud joined the Woburn Lodge of Elks #908 B.P.O.E. in October 2006 and has spent many years as a leader within the Elks organization and has strongly supported countless community efforts in Woburn and surrounding towns; and

Whereas, The Benevolent and Protective Order of Elks is an American fraternal order founded by Joseph M. Norcross in 1868 originally as a social club in New York City, United States; and

Whereas, Patti Robichaud was elected by her colleagues on February 23, 2016 to lead their community organization as the Exalted Ruler and is the first woman in the 112 year history of the organization to hold this position; and

Whereas, Patti Robichaud enjoys life with her husband Daniel and sons Chris and Joe; and

Whereas, Patti Robichaud has been recognized by her peers for her tireless efforts on behalf of the Elks organization and has been recognized as 'Citizen of the Year' and 'Elk of the Year';

Now, Therefore, Be It Resolved by the City Council of the City of Woburn that the Woburn City Council recognizes the many achievements, accomplishments and contributions of Patti Robichaud, to the citizens of the City of Woburn and surrounding communities, thanks her for her service to the community and her organization, and extends the best wishes of the community for continued health, happiness and success in her new role as Exalted Ruler of the Woburn Lodge of Elks.

s/President Haggerty, Alderman Mercer-Bruen  
and Alderman Tedesco

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Motion made and 2<sup>nd</sup> to ADJOURN.