

**CITY OF WOBURN
JULY 31, 2007 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Ciriello	Galvin
Denaro	Gately
Drapeau	Gonsalves
Dwyer	Mercer-Bruen
Doherty	

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

MAYOR'S COMMUNICATIONS: None.

PUBLIC HEARINGS:

On the petition by Boys & Girls Club of Woburn, Inc., Charles Gardner Lane, Woburn, Massachusetts 01801 for a special permit to continue the six day carnival of May 15 to May 20, 2007 to September 12 to September 16, 2007 at 25 Middlesex Canal Park Drive. PUBLIC HEARING OPENED. A communication dated July 5, 2007 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Boys & Girls Club of Woburn – 25 Middlesex Canal Park-Special Permit to conduct carnival

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on June 26, 2007, the Board voted to forward a favorable recommendation to the City Council on the Special Permit request of the Boys & Girls Club of Woburn to conduct a carnival from September 12 to 16, 2007 at 25 Middlesex Canal Park subject to the condition that the applicant comply with Note 14 of the Notes to Section 5.1 of the 1985 Zoning Ordinance as amended.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Alderman James Dwyer and Alderman Scott Galvin concerning the building or buildings located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 10 Lowell Street, Woburn, Massachusetts for the purposes of determining whether said building or buildings are a public nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED.

On the petition by Rohm and Haas, 185 New Boston Street, Woburn, Massachusetts 01801 pursuant M.G.L. Ch. 148, Section 13 and Section 8-8 of the 1989 Woburn Municipal Code, as amended, to amend an Inflammable License to allow for the aboveground storage of 35,000 cu. ft. of hydrogen gas at 185 New Boston Street. PUBLIC HEARING OPENED.

On the petition by Sam Gandor, 290 Turnpike Road, Suite 354, Westborough, Massachusetts 01581 for a special permit pursuant to Section 7.1.3 of the 1985 Woburn Zoning Ordinances, as amended, for reconstruction or structural change to a pre-existing and non-conforming four family frame residential dwelling to allow the construction of a deck or porch structure at the rear elevation of principal dwelling at 11-13 Porter Street. PUBLIC HEARING OPENED.

On the petition by Manuel Jose and Maria Celeste Jose, 7 Dewey Avenue, Woburn, Massachusetts 01801 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended to allow the alteration of a pre-existing nonconforming three-family residence to allow for a re-configuration of units basement and parking at 40-42 Porter Street. PUBLIC HEARING OPENED. A communication dated July 5, 2007 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Manuel and Maria Celeste Jose – 40-42 Porter St. – To allow re-configuration of units, basement, and parking of pre-existing 3 family house under Section 7.3 of the Woburn Zoning Ordinance

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on June 26, 2007, the Board voted to forward a favorable recommendation to the City Council on the Special Permit request to allow for the re-configuration of the units, basement, and parking of the pre-existing 3 family house at 40-42 Porter Street under Section 7.3 of the Woburn Zoning Ordinance in accordance with the following conditions:

1. That six parking spaces shall be provided those spaces being spaces 1-3 and 6-8 as shown on the plot plan;
2. That the basement shall not be allowed for living purposes only storage, laundry and mechanical purposes;
3. That the units shall be in compliance with fire safety recommendations of the Fire Department.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A copy of a communication dated June 25, 2007 from Brett F. Gonsalves, Senior Engineer, Engineering Department to Edmund P. Tarallo, Planning Director was received as follows:

Subject: 40-42 Porter Street Reconfiguration of Units and Parking Special Permit
Special Permit Dated June 6, 2007
Plot Plan Dated May 10, 2007
Previous Special Permit Application Dated January 30, 2007
Previous Plot Plan Dated August 21, 2006

This office has reviewed the special permit application for the above referenced location and offers the following comments.

The special permit application outlines the reconfiguration of units and parking in the existing 3 family house.

The proposed basement plan shows two kitchen areas that have no appliances but base cabinets and counters to remain. This area could have the potential of being used as a living space regardless of the notations stating otherwise.

If it is the intent of the applicant not to utilize the kitchen areas for their designed use and the basement area not to be living space, the utilities in the basement kitchen areas should be cut and capped in accordance with the Woburn Plumbing Inspectors requirements.

The plot plan shows parking expansion at the rear of the building at the north westerly portion of the property. It appears that this additional pavement area is for the relocation of parking that is currently in the front of the building.

This office takes no exception to the plans submitted other than the above mentioned items.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS: None.

NEW PETITIONS:

Petition by Raymond Airhart dba Oriental Medical Therapy Assoc., 73 Green Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.33b of the 1985 Woburn Zoning Ordinances, as amended, to allow massage/muscular therapy as an adjunct to medical services at 350 Washington Street, 208 West Cummings Park, First Floor.

Petition by 112 Commerce Way LLC, c/o National Development, 2310 Washington Street, Newton Lower Falls, Massachusetts 02462 for special permits pursuant to Section 5.1.22, 5.1.23 and 5.1.29 of the 1985 Woburn Zoning Ordinances, as amended, to allow for: 1. a retail shopping center in excess of 15,000 square feet (47,010 square feet); and 2. a fast food restaurant at 112 Commerce Way.

Petition by Woburn Armory LLC, 286 Main Street aka 300 Main Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.69 and Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for change, extension and alteration of the Woburn Armory building to allow twenty-five (25) residential dwelling units at 286 Main Street aka 320 Main Street.

COMMUNICATIONS AND REPORTS:

A report dated July 20, 2007 was received from John E. Corey, Jr., PE, City Engineer relative to South End Water Main Cleaning and Relining – Project Progress Report.

A communication was received from Patricia Cronin, Superintendent-Director, Northeast Metropolitan Regional Vocational School, 100 Hemlock Road, Wakefield, Massachusetts 01880 seeking members for a school building committee.

A copy of a communication dated July 12, 2007 to Carl Batchelder, Superintendent of Public Schools from Katherine P. Craven, Executive Director, Massachusetts School Building Authority, 3 Center Plaza, Suite 430, Boston, Massachusetts 02108 was received relative to the statement of interest prioritization.

UNFINISHED BUSINESS OF PRECEDING MEETING:

On the Order to transfer the sum of \$269,999.00 from I&I Reserve Sewer Enterprise Fund to various Department of Public Works Accounts.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

Ordered That the following list of Wardens, Clerks and Inspectors be approved for all Elections between September 1, 2007 and August 31, 2008:

Ward/Precinct	Name	Office	Address
1-1	Barbara Fagan	Warden	33 Dix Rd. Ext.
1-1	Gail Burke	Clerk	6 Janis Terrace
1-1	Carol Lynch	Inspector	125 Russell St
1-1	Helen Buss	Inspector	15 Plympton St
1-1	John Cain	Inspector	72 Bedford Rd
1-1	Peter Aspesi	Inspector	31 Hudson Street
1-1	Roberta Bengtson	Inspector	6 Samoset Rd
1-1	Sharon Flynn	Inspector	6 Thornton Street
1-1	Loretta Schuck	Inspector	44 Leonard Street
1-1	Paul Walsh	Inspector	11 Hillside Avenue
1-2	Keith Sullivan	Warden	4 Marlboro Road
1-2	Margaret Wallace	Clerk	4 Lakeview Terrace
1-2	Betty Parechanian	Inspector	7 Hope Lane
1-2	Janet Paleologos	Inspector	19 Rumford Pk Ave
1-2	Joanne Byrne	Inspector	10 Kennedy Road
1-2	Carol Beckwith	Inspector	27 Buttaro Road
1-2	Sophie Davidson	Inspector	37 Arlington Road
1-2	Colleen Ward	Inspector	442 Russell Street
1-2	Rodney Flynn	Inspector	6 Thornton Street
1-2	Eleanor Cunniff	Inspector	93 Waltham Street
2-1	Sandra Luther	Warden	19 Cummings Ave
2-1	Catherine DiPanfilo	Clerk	20 Innitou Road
2-1	Dorothy O'Halloran	Inspector	4 Colonial Road
2-1	Helen King	Inspector	4 Bedford Road
2-1	John Lindsey	Inspector	59 Spring Ct. Ext.
2-1	Roy Luther	Inspector	19 Cummings Ave
2-1	Arthur J. Cumming, Jr.	Inspector	27 Anna Road
2-1	Phyllis McInnis	Inspector	66 Kilby Street
2-1	Theresa Smith	Inspector	25-0 Arlington Rd 4
2-1	Connie Pandolph	Inspector	9 Park Drive
2-2	Patricia McCuish	Warden	14 Scott Street
2-2	Donald McCuish	Clerk	14 Scott Street

2-2	Elizabeth Ober	Inspector	39 Forest Park Rd.
2-2	Florence Cameron	Inspector	23 Green Street
2-2	Janice Pandolph	Inspector	37 Elijah Street
2-2	Jean Mernin	Inspector	2 Walnut Court
2-2	Judith Nagle	Inspector	8 Thomas Street
2-2	Natalie O'Connor	Inspector	13 Cummings Ave
2-2			27 Arlington Road, Bld1, Unit
	Barbara Sullivan	Inspector	1
2-2	Paul Cunniff	Inspector	93 Waltham Street
3-1	Patricia Scalley	Warden	13 Scott Street
3-1	Helen Simonds	Clerk	45 Eaton Avenue
3-1	Elizabeth A. Simonds	Inspector	3 Court Street
3-1	Gertrude Reil	Inspector	11 Veteran Road
3-1	Janet Barbas	Inspector	45 Union Street
3-1	Marie Price	Inspector	9 Hinston Road
3-1	Mary McElhiney	Inspector	13 Ash Street
3-1	Stella Di Girolamo	Inspector	9 Lee Road
3-1	Richard Tobin	Inspector	44 Green Street
3-1	Janet Irwin	Inspector	37 Waltham Street
3-2	Thelma Anthony	Warden	41 Brentwood Road
3-2	Sheila Tracey McElhiney	Clerk	7 Sonrel Street
3-2	Dianne DiRienzo	Inspector	24 Carson Road
3-2	Barbara Picazio	Inspector	3 Meadow Lane
3-2	Hilda Abreu	Inspector	81 Garfield Avenue
3-2	Jean Rooney	Inspector	59 Campbell St #506
3-2	Joyce Wentworth	Inspector	17 Highet Ave
3-2	John Matheson	Inspector	66 Central Street
3-2	Doris Stanton	Inspector	18 Nichols Street Ext.
3-2	Paul Johnson	Inspector	7 Dearborn Terrace
4-1	Jean MacDonald	Warden	123 Washington St
4-1	Madeline Heslin	Clerk	36 Clinton Street
4-1	Adeline Matheson	Inspector	66 Central St
4-1	Albert Galante	Inspector	4 Oneil Rd
4-1	Daniel Brady	Inspector	3 Munroe Street
4-1	Florence McManus	Inspector	5 Buck Street
4-1	Margie Richardson	Inspector	4 Gatta Circle
4-1	Marjorie Stevenson	Inspector	61 Pearl Street
4-1	Mary McElhiney	Inspector	10 Pilgrim Road
4-1	Mary McLaughlin	Inspector	6 Carroll Road
4-2	Margaret Donahue	Warden	176 Bedford Road
4-2	Anne McGarry	Clerk	3 Innitou Road
4-2	Beatrice Armato	Inspector	6 Forest Glen Road
4-2	Geraldine Moscaritolo	Inspector	200 Bedford Rd #20E
4-2	Jeanne Lingblom	Inspector	18 Day Circle
4-2	Joan MacIsaac	Inspector	18R Newbury Street
4-2	Stella Kiklis	Inspector	1 Cliffside Terr
4-2	Kasey Ward	Inspector	120 Russell Street
4-2	Betsy McGrath	Inspector	5 Ingalls Street
4-2	Janice R. Sylvia	Inspector	2 Bay Street
5-1	Joyce Marshall	Warden	5 Elijah Street
5-1	Linda Olsson	Clerk	60 Water Street

5-1	Beverly McCue	Inspector	51R Central Street
5-1	Claire Regan	Inspector	8 Howard Court
5-1	Harold Parechianian	Inspector	7 Hope Lane
5-1	Karen Olson	Inspector	11 Floyd Street
5-1	Marie Giangrande	Inspector	6 Flint Circle
5-1	Mary Sandvick	Inspector	2 Park Drive Ext.
5-1	Maureen Vallis	Inspector	4 Clifford Terrace
5-1	Rosemarie Delaney	Inspector	5 Larch Road
5-2	Helen Hatch	Warden	14 Marlboro Road
5-2	Theresa Nardone	Clerk	3R James Terr - PO Box 180
5-2	William Coady	Inspector	35 Glenwood Avenue
5-2	Irene DeCata	Inspector	57 Wood Street
5-2	Marguerite Rebal	Inspector	111 Spring Ct Ext
5-2	May Famiglietti	Inspector	22 Buttaro Road
5-2	Shirley Butler	Inspector	28 Felton St
5-2	Sophie Morrison	Inspector	17 Dewey Avenue
5-2	Myles Collins	Inspector	19 Squanto Road
5-2	Janet Galante	Inspector	3A Kearsarge Avenue
6-1	Nancy Darby	Warden	20 Ward Street
6-1	John Decata	Clerk	57 Wood Street
6-1	Albina Cain	Inspector	72 Bedford Road
6-1	Barbara Ridley	Inspector	129 Place Lane
6-1	James O'Donnell	Inspector	442 Russell Street
6-1	Joan Mann	Inspector	15 Floyd Street
6-1	Josephine Wallace	Inspector	55 Vernon Street
6-1	Loretta Cianchi	Inspector	32 Dix Road
6-1	Ralph Garvey	Inspector	10 Mt. Pleasant Street
6-1	Jane Linn	Inspector	204 School Street
6-2	Dianne Autenzio	Warden	23 Milan Avenue
6-2	Francis Hancock	Clerk	13 Pearl Street
6-2	Antoinette Allen	Inspector	273 Cambridge Rd Apt 208
6-2	Carolyn Grammer	Inspector	27-0 Arlington Rd, #1
6-2	Elizabeth Hancock	Inspector	13 Pearl Street
6-2	Marjorie Amato	Inspector	24 Mountain St
6-2	Mary O'Doherty	Inspector	134 Bedford Road
6-2	Rita Stone	Inspector	63 Merrimac St
6-2	Dr. Michelina F. DeAngelis	Inspector	255 Lexington Street
6-2	Eleanor J. Collins	Inspector	19 Squanto Road
7-1	Michael Parise	Warden	244 Russell Street
7-1	Alfred Magro	Clerk	9 Rich Road
7-1	Camille Maccini	Inspector	3 Pheasant Lane
7-1	Dorothy Curran	Inspector	1 Dix Road
7-1	Ellen Magro	Inspector	9 Rich Road
7-1	Florence Tully	Inspector	5 Hiawatha Road
7-1	Julie Murphy	Inspector	17 Churchill Road
7-1	Nancy Nardone	Inspector	12 Roman Road
7-1	Thomas O'Rourke	Inspector	15 Highet Road
7-1	Barbara Callahan	Inspector	32 Van Norden Road
7-2	Gloria Hildebrandt	Warden	17 Grace Road
7-2	M. Joyce O'Donnell	Clerk	442 Russell Street

7-2	Helen Foti	Inspector	10 Morningside Drive
7-2	Jean Lally	Inspector	29 Hart Street
7-2	Laura Morrow	Inspector	15 South Bedford Street
7-2	Phyllis Flight	Inspector	99 Middle Street
7-2	Rita Allitto	Inspector	11 Morningside Drive
7-2	Veronica Croke-Golden	Inspector	12 Warren Avenue
7-2	Sharon Lee	Inspector	14 Henderson Road
7-2	Nancy Mathews	Inspector	11 Albert Street

I hereby approve the above: s/Thomas L. McLaughlin, Mayor

s/Alderman _____

ORDERED Be it Ordained by the City Council of the City of Woburn that the 1989 Woburn Municipal Code, as amended, be further amended by striking Title 3, Article VI, Section 3-26 in its entirety and replacing same with the following:

VI. Water and Sewer Enterprise Fund

City Council	2%
Mayor	4.5%
City Auditor	7%
Purchasing Agent	7%
Assessors	1%
City Treasurer/Collector	12.50%
City Solicitor	5%
Data Processing	5%
City Clerk	1%
Human Resources	4.5%
Conservation	4.5%
Planning	5%
Police	0%
Fire	0%
Inspection Services	0%
City Engineer	40%
DPW Administration Salary	35%
DPW Building Salary	8%
DPW Highway Salary	18%
DPW Overtime	20%
DPW Admin Maintenance	20%
DPW City Hall Maintenance	0%
DPW Vehicle Insurance	25%
DPW Surface Drainage	0%
DPW Street Maintenance	10%

DPW Snow Removal	5%
DPW Traffic Control	0%
DPW Street Lighting.....	0%
DPW Repair and Resurface	10%
DPW Sidewalk Repair	20%
DPW City Garage	20%
DPW Telephone.....	0%
DPW Gas and Oil.....	20%
DPW Trucks and Equipment	25%
DPW Public Buildings Maintenance	10%
DPW Outlays	20%
Board of Health.....	5%
Retirement.....	1.5%
Non-Contributory Retirement.....	1.5%
Workers Compensation.....	1.5%
Unemployment Compensation.....	1.5%
Health Insurance	1.5%
Medicare	1.5%

s/Alderman Gately

ORDERED Be It Ordained by the City Council of the City of Woburn that Title 3 of the 1989 Woburn Municipal Code, as amended, be further amended, as follows:

1. By striking the title of Section 3-3 “Council to receive copy of annual budget” and inserting in its place the title “Budget”.
2. By changing the numbering of Section 3-3C relative to a public hearing on the annual budget to Section 3-3D.
3. By striking the numbering of Section 3-26 “Water and Sewer Enterprise Fund” and inserting in its place the numbering Section 3-3E.
4. By adding a new Section 3-3F entitled “Appropriations, Transfers or Loans” as follows:

“F. Appropriations, Transfers or Loans - Any original appropriation or appropriation by transfer or loan in a sum in excess of Ten Thousand Dollars (\$10,000.00) filed with the city council for approval shall have attached thereto a written report prepared by the department head setting forth a reasonable cost estimate of the project, materials, supplies and/or labor for which the appropriation shall be used and any supplemental documentation that will support the estimate.”

s/Alderman Gately

ORDERED That Rule 25 of the Rules and Orders of the City Council be and hereby is further amended by striking the current rule and inserting in its place the following:

Rule 25. Appropriations Referred to Committee on Finance

When application shall be made for an appropriation or an appropriation to be provided for by transfer or loan, such appropriation shall not be made until the matter has been referred to and reported upon by the Committee on Finance. Any appropriation, transfer or loan in a sum in excess of Ten Thousand Dollars (\$10,000.00) filed with the city council for approval shall not be placed on the agenda of the Committee on Finance until a written report prepared by the department head setting forth a reasonable cost estimate of the project, materials, supplies and/or labor for which the transfer shall be used and any supplemental documentation that will support the estimate is filed with the Committee on Finance.

s/Alderman Gately

RESOLVED That the Traffic Commission institute traffic calming measures for Washington Street from the intersection of Salem Street and Washington Street to the intersection of Montvale Avenue and Washington Street due to excess speed of motor vehicles on the roadway and several motor vehicles accidents that occurred in this area during the last month.

s/Alderman Mercer-Bruen

ORDERED Be it ordained by the City Council of the City of Woburn that Title 13 of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. That Article III, Section 13.3.9.A.1 be amended by striking the numbers "\$137.00" and inserting in its place the numbers "\$161.00";
2. That Article II, Section 13.2.35.A.1 be amended by striking the words "eighty dollars" and inserting in its place the words "ninety-six dollars";
3. That Article II, Section 13.2.5.B.1 be amended by striking the words "three dollars and twenty-five cents" and inserting in its place the words "three dollars and eighty-three cents"; and

4. That Article II, Section 13.2.35.B.8 be amended by striking the words “eighty dollars” and inserting in its place the words “ninety-six dollars”.

s/Alderman _____

Motion made and 2nd to ADJOURN.