

**CITY OF WOBURN
AUGUST 11, 2009 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Denaro	Gonsalves
Drapeau	Mercer-Bruen
Galvin	Raymond
Gately	Wall
Doherty	

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

MAYOR'S COMMUNICATIONS:

A copy of a communication dated August 4, 2009 from His Honor the Mayor Thomas L. McLaughlin to Treasurer and Receiver General Timothy Cahill was received expressing the thanks of the City of Woburn for the recent approval of a Project Funding Agreement that will allow the construction of a new Goodyear School.

ORDERED That the Woburn City Council hereby authorizes the Department of Public Works to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Section 53½ . The Department of Public Works may spend funds received without further appropriation during Fiscal Year 2010 for the purpose of the Liberty Elm Tree Program. The "Liberty Elm Tree Revolving Fund", is to be credited with all fees, charges and donations not to exceed \$10,000.00 received during Fiscal Year 2010 from donations and monies collected. Any remaining balance at June 30, 2010 is to revert to the General Fund, unless the fund is re-established. The "Liberty Elm Tree Revolving Fund" under M.G.L. Chap. 44 Section 53½ must be re-established on a year-to-year basis. The City Council, upon recommendation of the mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/Alderman _____

ORDERED That \$26,500,000.00 be and is hereby appropriated for the construction, equipping and furnishing of a new elementary school on the site of the present Goodyear Elementary School at 41 Orange Street, including planning, design and architectural costs, original equipment, and related site improvements including the demolition of the current building, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, said sum to be expended under the direction of the School Building Committee; that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow \$26,500,000.00 under Chapter 44 of the General Laws, Chapter 70B of the General Laws or any other enabling authority; that the City acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that the City may receive from the MSBA for the project shall not exceed the lesser of (1) fifty four point twenty one percent (54.21%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA: and that the amount of borrowing authorized pursuant to this order shall be reduced by any amounts received or expected to be received from the MSBA prior to the issuance of any bonds or notes under this order, as well as, any funds appropriated by the City from its Stabilization Fund for this purpose.

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

s/Alderman _____

PUBLIC HEARINGS:

On the petition by NStar Electric Company for a grant of right in a way to install conduit in Mishawum Road northwesterly at pole 30/12 approximately 395 feet west of Commerce Way a distance of about 4 feet. PUBLIC HEARING OPENED.

On the petition by Alderman Scott Galvin concerning the structure or structures located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 17-19 Franklin Street, Woburn, Massachusetts for the purposes of determining whether said structure or structures 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 President Doherty and Alderman Gately to further amend the Zoning Map of the City of Woburn by amending the present zoning district of a certain parcel of land owned by the City of Woburn containing approximately 2.8 acres of land shown on the assessors' map and designated as 59-26-20, located at 40 Hudson Street and known as Flemming Field and the site of the Clapp Elementary School from the R-2 zoning district to the O-S zoning district. PUBLIC HEARING OPENED. A communication dated August 5, 2009 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Alderman Charles Doherty and Alderman Richard Gately – Flemming Field & Clapp Elementary School– Amend Zoning Map from R-2 to O-S

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on August 4, 2009, the Board voted to forward a favorable recommendation to the City Council to approve the zoning map change from R-2 to O-S for a certain parcel of land owned by the City of Woburn containing approximately 2.8 acres of land as shown on the City of Woburn Assessors Map 59, Block 26, Parcel 20, located at 40 Hudson Street and known as Flemming Field and the site of the Clapp Elementary School. In addition, the Board requests that the City Council consider a future zoning map amendment connecting the OS zone across Arlington Rd. with the proposed OS zone at Flemming Field & Clapp Elementary School.

If you have any questions or concerns regarding this matter, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Parmjit Singh Bhatti, 470 Main Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.29 of the 1989 Woburn Zoning Ordinances, as amended, to allow fast food at 470 Main Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “that the petition be denied.”

On the petition by M&L Transit Systems, Inc., 60 Olympia Avenue, Woburn, Massachusetts 01801 for a special permit to amend a special permit dated April 27, 2000, as amended by a special permit dated October 17, 2002, pursuant to 1985 Woburn Zoning Ordinances, as amended Sections 5.1.44, 5.1.69 and 7.3 to allow for the alteration and extension of the existing nonconforming use to allow for a commercial vehicle inspection bay and commercial vehicle wash bay at 60 Olympia Avenue. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “back for action.” A copy of a communication dated August 4, 2009 from Brett

F. Gonsalves, Senior Engineer to Edmund Tarallo, Planning Director was received as follows:

Subject: 60 Olympia Avenue Truck Wash and Vehicle Inspection Station Special Permit – Special Permit Application Dated June 15, 2009 – Parking Plan Dated August 29, 2002 – Site Improvements Plan Dated August 3, 2009 – Response Memo from Applicant’s Engineer Dated August 3, 2009 – Previous Memo Dated June 22, 2009

The applicant is seeking a special permit under section 5.1 and 7.3 to allow for the alteration and extension of an existing non conforming use to allow for a commercial vehicle inspection bay and commercial vehicle wash bay at the above referenced location.

Upon review of all the subject matter, the only outstanding item that has not been addressed was the comments back from DEP and MWRA with regards to the permitting. The applicant’s engineer stated in the response memo that it was their understanding that the oil/water separator was to MWRA standards and once they had confirmed this with the MWRA/DEP the city will be copied on all correspondence and permits. This should not hold up the approval process and the remaining information can be submitted prior to issuance of an occupancy permit.

All other comments from our previous memo dated June 22, 2009 have been addressed.

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

A communication dated August 5, 2009 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re M&L Transit Systems, Inc. – 60 Olympia Avenue – To amend the Special Permit dated April 27, 2000 and amended October 17, 2002 to allow for the alteration and extension of the existing nonconforming use for a commercial vehicle inspection bay and wash bay pursuant to Sections 5.1.44 and 5.1.69

Dear Mr. Campbell and members of the City Council:

At the meeting held on August 4, 2009, the Planning Board voted to forward a favorable recommendation to the City Council on the Special Permit application of M&L Transit Systems, Inc., to amend the Special Permit dated April 27, 2000 and amended October 17, 2002 to allow for the alteration and extension of the existing nonconforming use for a commercial vehicle inspection bay and wash bay pursuant to Sections 5.1.44 and 5.1.69 regarding the property at 60 Olympia Avenue.

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 Anthony K. Paone, Trustee of Harrison Avenue Realty Trust, 141 Sylvester Avenue, Winchester, Massachusetts 01890 for a special permit pursuant to Sections 5.1.71 and/or 5.1.72, 5.5 and 8.3.2 to finish grading and filling of lot and to utilize same for parking purposes, for rental to other businesses, on a commercial basis at 7 Harrison Avenue. PUBLIC HEARING OPENED. A copy of a communication dated August 4, 2009 from Brett F. Gonsalves, Senior Engineer to Edmund Tarallo, Planning Director was received as follows:

Subject: 7 Harrison Avenue – Commercial Parking & Earth Removal & Filling Special Permit – Previous Memo Dated June 8, 2009 – Special Permit Application Dated may 4, 2009 – Plot Plan Dated November 6, 2008 – Proposed Grading Plan Dated August 8, 2008 – Proposed Parking Lot Plan Dated June 22, 2009 – Revised Parking Lot Plan Dated July 14, 2009

This office has reviewed the subject materials for the above referenced project and offers the following comments.

The applicant is seeking permission to allow for the parking of commercial vehicles at the above referenced location as well as earth removal and filling.

The applicant has submitted a parking lot plan in conjunction with the special permit application for review. The subject property is located within a groundwater protection district and will need to comply with section 15 of the Woburn Zoning Ordinance. A narrative from the applicants engineer outlining how this property will comply with stormwater management regulations and groundwater protection requirements will need to be submitted to this office.

The parking plan has a narrative on the operation and maintenance requirements to which this office takes no exception to.

The plan shows an ingress/egress along the south westerly portion of the site onto a bituminous concrete driveway. This private drive way is owned by the Middlesex Canal Historical Society. The applicant should demonstrate that he has rights to use this roadway for the intended purpose.

The plan shows a proposed invert elevation on an existing drain manhole near Harrison Avenue. The plan does not show any other proposed utility information to ascertain what purpose this is serving. Additional utility information is needed to show what the applicant's intent is.

The property line information should be shown on the plan in order to determine whether the parking setbacks conform to zoning regulations.

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

A communication dated August 4, 2009 was received from Attorney Robert F. Matson, McElhiney and Matson, 607 Main Street, Woburn, Massachusetts 01801 as follows:

Re: Anthony K. Paone, Trustee of Harrison Avenue Realty Trust
7 Harrison Avenue, Woburn, MA

Dear Mr. Campbell:

Please consider this letter a request to extend the above referenced matter, scheduled for the Committee on Special Permits on August 10, 2009, and the City Council on August 11, 2009, until their next scheduled dates.

As reason, the Planning Board meeting scheduled for August 4, 2009 has been continued until September 8, 2009, pending a resolution of outstanding matters raised by the City Engineer and review by the director of the Planning Board.

I thank you for your consideration.

Very truly yours, s/Robert F. Matson

A report was received from the Committee on Special Permit as follows: “that the matter be left in committee.”

On the petition by Fabio A. de Souza, 12 Sheridan Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.44 of the 1985 Woburn Zoning Ordinances, as amended, to allow auto repair at 235 Salem Street. PUBLIC HEARING OPENED. A copy of a communication dated August 4, 2009 from Brett F. Gonsalves, Senior Engineer to Edmund Tarallo, Planning Director was received as follows:

Subject: 235 Salem Street Automobile and Truck Repair Garage Special Permit – Special Permit Application Dated June 22, 2009 – Plot Plan Dated January 13, 1994

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

The applicant is seeking permission to allow for an automobile and truck repair garage at the noted location. The accompanying plot plan shows the existing buildings and property lines; however it does not indicate the location or the number of parking spaces that are sought after.

The applicant should submit a plan showing the location of the parking spaces and the location that are associated with the proposed use.

The applicant should also consult with the plumbing inspector to determine whether the existing facilities has the appropriate grease traps or floor drains to accommodate the intended use.

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

On the petition by President Charles Doherty to amend the 1985 Woburn Zoning Ordinances, as amended, by establishing a new Section 23 entitled Commerce Way Corridor Overlay District as set forth in the petition (Clerk's Note: See City Council Journal dated July 10, 2008 for a full recitation of the text of the ordinance). PUBLIC HEARING OPENED. A report was received from the Committee on Ordinances as follows: "That the Planning Director be requested to provide a presentation of the proposal to the City Council at its Regular Meeting on September 15, 2009."

On the petition by Alderman Scott Galvin to further amend the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. By adding at the end of Section 7.1.5, the following "... except for small-scale additions per New Section 7.1.7." 2. By adding at the end of Section 7.1.6, the following "... except for small-scale additions per New Section 7.1.7." 3. By adding a new Section 7.1.7, "to any small-scale alterations, additions, or renovations to a single or two-family dwelling on a residentially zoned lot, which does not cause an intensification of the existing non conformity. In addition, there must be no further reduction of any legally existing setbacks and no further conflicts with the table of dimensional regulations (excluding ground coverage and useable open space). Examples of said small-scale alterations, additions, or renovations that do not cause an intensification of the non-conformity are; attached garages, enclosed porches, decks and family rooms." And by further deleting the following: "A residential structure, used as a residence, and conforming to the zoning district in which it lies, shall not be non conforming by virtue of the lot on which it sits comprising less than the existing minimum square footage for the district." PUBLIC HEARING OPENED. A communication dated August 5, 2009 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Alderman Scott Galvin – Zone Change – Section 7.1 regarding small-scale additions to single and two family dwellings

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on August 4, 2009, the Board voted to forward a favorable recommendation to the City Council regarding the proposed zoning amendments to Section 7.1 regarding small-scale additions to single and two family

dwellings proposed by Alderman Galvin with the following change: eliminating the words "New Section" in the proposed amendments to Sections 7.1.5 and 7.1.6 and replacing them with the word "subsection".

If you have any questions or concerns regarding this matter, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

ORDINANCES:

On the Order to amend Title 5, Article V, Sections 5-30 through 5-39 relative to transient vendors, hawkers and peddlers, committee report was received "ought to pass, as amended, with the amendments as follows: 1. That the licensing fee in Section 5-33 be reduced from \$200.00 to \$100.00, and 2. That a sixth paragraph be added to Section 5-33 stating as follows: "The City Clerk shall issue to the transient vendor, hawker or peddler, a decal or sticker containing the vendor number and expiration date which shall be affixed to the vehicle used by the transient vendor, hawker or peddler in the transaction of business."

On the communication dated July 7, 2009 from His Honor the Mayor Thomas L. McLaughlin, the committee report was that the following Order be returned "back for action and that a public hearing be held on the matter at the Regular Meeting on August 11, 2009:

ORDERED That the city of Woburn amend its local room occupancy excise under G.L. c. 64G, §3A to the rate of six (6) percent.

s/Alderman _____

FINANCE:

On the Order to transfer the sum of \$150,000.00 from BLS Receipts Account to Fire Ambulance Salary Account and Ambulance Maintenance Account, committee report was received "ought to pass."

On the Order to transfer the sum of \$165,000.00 from ALS Ambulance Receipts Account to Ambulance Account and Jaws Replace Account, committee report was received “ought to pass.”

On the Order to appropriate the sum of \$30,000.00 from City Stabilization Fund Account to Leland Park Account for Weston & Sampson site evaluation, committee report was received “that the matter be given leave to withdraw.”

MUNICIPAL LANDS:

On the petition relative to release of fee interest/retention of sewer easement/Rainin Road property, committee report was received “back for action.”

On the petition to discontinue a portion of Central Street near the Goodyear School, the committee returned the following three matters to the City Council with the recommendation that each “ought to pass.”

ORDERED That the City Council hereby declares that the parcel of land shown as “Area of Proposed Discontinuance of Central Street” on a plan entitled “Discontinuance Plan Portion of Central Street Montvale Ave – Orange Street, Woburn, Massachusetts,” dated March 30, 2003, prepared by the City of Woburn Engineering Department, currently held by it for public way purposes, is no longer needed for such purposes.

s/Alderman _____

RESOLVED That the City Council of the City of Woburn hereby determines that common convenience and necessity require, and hereby votes to accept, the relocated and altered layout of a portion of Central Street, as laid out by the City Council, and to include within the layout of Central Street the parcel of land shown as “Central Street” on a plan entitled “Discontinuance Plan Portion of Central Street Location Montvale Ave – Orange Street Woburn, Massachusetts,” dated March 30, 2003, prepared by the City of Woburn Engineering Department, on file with the City Clerk, and to exclude from the layout of said way the parcel of land shown as “Area of Proposed Discontinuance of Central Street” on the above-mentioned plan; and, further, the City Council hereby transfers the care, custody, management and control of the aforesaid discontinued parcel of land, which parcel is no longer required for public way purposes, from the City Council for public way purposes to the School Committee for school purposes; or take any other action relative thereto.

s/Alderman _____

Order of Relocation and Alteration of Layout of a Portion of Central Street

ORDERED Whereas, the City Council of the City of Woburn, acting pursuant to G.L. c.82, §§21-24, having deemed that common convenience and necessity require the relocation and alteration of the layout of a portion of Central Street as a public way, hereby relocates and alters the portion of Central Street to include within the layout of Central Street the parcel of land shown as “Central Street” on a plan entitled “Discontinuance Plan Portion of Central Street Location Montvale Ave – Orange Street Woburn, Massachusetts,” dated March 30, 2003, prepared by the City of Woburn Engineering Department, on file with the City Clerk, and to exclude from the layout of said way the parcel of land shown as “Area of Proposed Discontinuance of Central Street” on the above-mentioned plan.

Whereas the boundaries of said way as thereby relocated, altered and laid out are shown on the aforesaid plan, which plan was referred to the Planning Board and the Committee on Municipal Lands/Highways and is hereby adopted as a part of this Order, and all land lying within the boundaries of Central Street is hereby laid out as a City way, and the parcel of land lying outside the boundaries of Central Street and shown as “Area of Proposed Discontinuance of Central Street” on the above-referenced plan is to be discontinued as a City way.

The aforementioned relocation and alteration of layout plan is hereby forwarded to the City Clerk for filing and the foregoing layout relocation and alteration are hereby accepted.

s/Alderman _____

NEW PETITIONS:

Petition by NSTAR Electric, 101 Linwood Street, Somerville, Massachusetts 02143 to change the name on an Inflammable License to store inflammable fluids on Cove Street from Boston Edison Company to the new name NSTAR Electric Company.

Petition by Atlantic Express Transportation Group, Inc., 280 Salem Street, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 5.1.57b and 7 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the parking of petitioner’s commercial vehicles at 280 Salem Street.

COMMUNICATIONS AND REPORTS:

A confidential communication dated May 5, 2008 was received from Attorney Jonathan Silverstein, Kopelman and Paige, PC relative to pending litigation, namely A.L. Prime Energy v. City Council of the City of Woburn, et. al., Land Court No. 08-MISC-370678.

Charles L. O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

In accordance with Massachusetts General Laws Chapter 90, Section 20½, I am submitting a report to you on the parking violations in the City of Woburn for the period ending June 2009: number of parking violations issued 963, number of violations paid 519, number of violations outstanding 347, amount collected and submitted to the Office of the Collector \$30,965.80. There exists a backlog of 4,783 tickets for 1982 through 2008. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$5,550.00.

Respectfully submitted, s/Charles L. O'Connor, Parking Clerk City of Woburn

A communication dated August 4, 2009 with attachments was received from Joanne Collins, Director, Woburn Council on Aging along with the minutes of the July meeting of the Council on Aging and the Director's report for the month of July.

A communication dated July 27, 2009 was received from Attorney Michele E. Randazzo, Kopelman and Paige, P.C. relative to amendments to the Americans with Disabilities Act (ADA).

A communication dated August 6, 2009 was received from Attorney Lauren F. Goldberg, Kopelman and Paige, P.C. relative to provisions of the FY2010 State budget applicable to municipalities.

A communication dated August 6, 2009 was received from Attorney John W. Giorgio, Kopelman and Paige, P.C. relative to Chapter 30 of the Acts of 2009 Exceptions to Public Construction Laws.

A communication dated July 16, 2009 was received from Building Inspector Quinn, Inspectional Service Department relative to a special permit to allow sale of used cars at 183 Cambridge Road.

A communication dated July 2009 was received from His Excellency the Governor Deval L. Patrick relative to the 2020 Commonwealth Capital Policy “an initiative that uses state funding as an incentive for municipalities to work toward achieving consistency with the Commonwealth’s Sustainable Development Principles.

A communication dated July 2009 was received from the U.S. Environmental Protection Agency entitled “W.R. Grace (Acton Plant) Superfund Site Community Update” regarding activities ongoing at the W.R. Grace Superfund site in Concord and Acton, Massachusetts.

A communication dated July 31, 2009 was received from Attorney John D. McElhiney, McElhiney and Matson, 607 Main Street, Woburn, Massachusetts 01801 as follows:

Re: Request for modification of special permit
Applicant: Robert W. Murray, Trustee of 330 Lexington Street Realty Trust
Premises: 330 Lexington Street, Woburn, MA

Dear Members of the City Council:

As you know, your Honorable Body recently granted a Special Permit to the above named applicant for the development of ten townhouse units at the above referenced property, subject to various conditions.

Circumstances have now presented themselves whereby the developer believes it is in the best interests of the development to downsize the number of units from ten to eight, albeit with each of the units being slightly larger. The essential layout and location of the common driveways, guest parking, and location of the structures remains essentially the same, with only slight modifications. In addition, the end unit will still be turned to face Lexington Street, in accordance with the previous plans and conditions of the approval.

I am enclosing herewith a revised site plan on which is shown both the old layout of the ten units (marked in blue), and the new layout of the eight units (marked in red), so you can easily compare and see that the essential design of the project has remained unchanged. Also attached are renderings showing the style of the proposed townhouses, which are again essentially unchanged except that they are slightly larger units, with more space between the driveways than on the previous plans.

Given that the number of units are decreasing, and that the layout and roadway are essentially the same, we believe that there would be less impact on traffic and infrastructure issues.

We are hopeful that the Council will consider accepting these plans and this letter as a minor modification and amendment to the previously issued Special Permit. Except as

changed by this plan, all conditions of the Special Permit would still apply, including the affordable housing requirements of Section 11.11 of the ordinance.

If the Council is agreeable, we would ask for a vote to accept these plans as the new plan of record, subject to all previously imposed conditions.

Thank you for your courtesy and cooperation. I will be present at your meeting on August 11, 2009 in the event there are any questions with respect to this request.

P.S. Also attached for your edification is a copy of the previously issued Special Permit.

Sincerely, s/John D. McElhiney

Attached thereto was an artist's rendering entitled "Front Elevation – Building A – Lexington Street Townhouses, Woburn, MA" dated July 2, 2009 prepared by Mangel Architects, Inc., an artist's rendering entitled "Side Elevation – Building A – Lexington Street Townhouses, Woburn, MA" dated July 28, 2009 prepared by Mangel Architects, Inc., a copy of the Landowner's Decision and Notice of Special Permit dated June 11, 2009 issued to Robert W. Murray, Trustee of 330 Lexington Street Trust, and a plan entitled "Plan of Land in Woburn and Lexington, 330 Lexington Street, Middlesex County, Massachusetts" dated January 30, 2009, revised July 28, 2009 prepared by Commonwealth Engineering, Inc.

A communication was received from Jacquelyn Miller, 3 Harvard Street requesting enforcement of dog and litter regulations in the Horn Pond conservation area.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS:

A communication dated July 20, 2009 was received from His Honor the Mayor Thomas L. McLaughlin as follows:

Re: John Franson – Historic District Commission

Dear Mr. Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint John Franson of 89A Pleasant Street as an alternate member of the Historic District Commission for a period of three years.

Mr. Franson's appointment will be effective on the date of confirmation by the City Council; Mr. Franson's appointment term will expire three years from that date.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin, Mayor

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That the Superintendent of the Department of Public Works and/or the City Engineer forward to the City Council a copy of the Intermunicipal Agreement between the City of Woburn and the Town of Burlington regarding the sewer connection in the Cummingsville area of the city and the MWRA flow records for the Burlington and Woburn meters to Horn Pond for the last three years.

s/Alderman Wall, Alderman Gately
and President Doherty

ORDERED WHEREAS, there presently exists a structure or structures located in the City of Woburn, Massachusetts known and numbered as 14 Felton Street; and

WHEREAS, the condition of said building or buildings has been allowed to deteriorate and the property is generally not being maintained;

NOW, THEREFORE, BE IT ORDERED be the City Council of the City of Woburn that the City Clerk and Clerk of the City Council schedule a public hearing pursuant to Mass. General Laws Ch. 139, Sec. 1, et. seq., and give notice thereof to the owner of said building or buildings, said hearing to be conducted for the purposes of determining whether said building or buildings are a nuisance, a nuisance to the neighborhood, dilapidated or dangerous building or buildings or other structure or structures, as said terms are used in Mass. 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.

s/Alderman Mercer-Bruen

ORDERED That a Committee on Liaison meeting be scheduled with the City Engineer and the Superintendent of the Department of Public Works to determine the reason for hiring an engineer from Weston & Sampson Engineers, Inc. at the rate of \$105.00 per hour to oversee various pipe relining projects and water main replacements as this work has historically been handled by

the Superintendent of the Department of Public Works and the City Engineer at no extra cost to the city of Woburn.

s/Alderman Galvin

ORDERED Be it Ordained by the City Council of the City of Woburn that Title 2, Article XII, Section 2-79 of the 1989 Woburn Municipal Code, as amended be further amended by adding a new paragraph C as follows:

C. In addition to any other city and state requirements, no person shall be placed on the reserve fire force unless they have first been certified as a paramedic.

s/Alderman Galvin

ORDERED That in accordance with Massachusetts General Laws Chapter 54, as amended, the City Clerk is hereby authorized and directed to notify and to warn such of the inhabitants of the City of Woburn as are qualified to vote in Municipal Elections to assemble at the polling places in their respective wards as designated herein, on TUESDAY, the TWENTY-SECOND DAY OF SEPTEMBER 2009 from 7:00 a.m. to 8:00 p.m., then and their to cast their votes in the MUNICIPAL PRELIMINARY ELECTION for the candidates for the following offices:

WARD ONE	MAYOR, WARD ALDERMAN
WARD TWO	MAYOR
WARD THREE	MAYOR, WARD ALDERMAN
WARD FOUR	MAYOR, WARD ALDERMAN
WARD FIVE	MAYOR
WARD SIX	MAYOR
WARD SEVEN	MAYOR

<u>Ward-Precinct</u>	<u>Polling Place Location</u>
1-1	Joyce Middle School Library, 55 Locust Street
1-2	Clapp Elementary School Cafeteria, Hudson Street and Arlington Road
2-1	Shamrock Elementary School Gymnasium, 60 Green Street

- 2-2 Shamrock Elementary School Gymnasium, 60 Green Street
- 3-1 Hurd Elementary School Gymnasium, 75 Bedford Road
- 3-2 Hurd Elementary School Gymnasium, 75 Bedford Road
- 4-1 Wyman Elementary School Auditorium, Main Street and Eaton Avenue
- 4-2 White Elementary School, 36 Bow Street
- 5-1 Goodyear Elementary School Gymnasium 41 Orange Street
- 5-2 Goodyear Elementary School Gymnasium 41 Orange Street
- 6-1 Altavesta Elementary School Gymnasium, 990 Main Street
- 6-2 Altavesta Elementary School Gymnasium, 990 Main Street
- 7-1 Reeves Elementary School Gymnasium, 240 Lexington Street
- 7-2 Reeves Elementary School Gymnasium, 240 Lexington Street

s/Alderman _____

Received as adopted from Woburn Traffic Commission:

ORDERED FRANCES ROAD - Stop sign on Frances Road in a southwesterly direction at the intersection with Sendick Road.

Received as adopted from the Woburn Traffic Commission:

ORDERED MAYWOOD TERRACE – Restriction permitting resident traffic only on Maywood Terrace.

RESOLVED That the Planning Director of the Woburn Planning Board be invited to attend a meeting of the Committee on Special Permits to discuss bio-medical uses at TradeCenter 128, Sylvan Road.

s/Alderman Drapeau

RESOLVED That His Honor the Mayor, working with the Conservation Commission and the Department of Public Works, study the feasibility of covering the brook that runs between Carroll Road and Anna Road, which abuts the property on Melo Road and Carson Road.

s/Alderman Drapeau

RESOLVED That His Honor the Mayor supply each Alderman a copy of Powers and Sullivan's report on Woburn's financial statements, their management letter, and their report on federal awards for the fiscal years ending 2007, 2008 and 2009, and that the Committee on Finance review these reports.

s/Alderman Gonsalves

RESOLVED That the City Council review the oversight, construction and the responsibilities and activities of the project manager at the Clapp School site.

s/President Doherty

RESOLVED That the City Council review the roadway pavement program.

s/President Doherty

RESOLVED That reviewing the summer help program.

s/President Doherty

Motion made and 2nd to ADJOURN.