

**CITY OF WOBURN  
MARCH 1, 2011 - 7:30 P.M.  
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
DiTucci	Haggerty
Drapeau	Mercer-Bruen
Gaffney	Raymond
Denaro	

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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:**

**ORDERED** That the sum of \$182,260.00 be and is hereby appropriated as so stated from Insurance Reimbursement Account #211-359000 \$182,260.00 to Goodyear School Acct #21158-585008 \$182,260.00 – Insurance reimbursement for Goodyear

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

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

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**ORDERED** That the sum of \$40,000.00 be and is hereby transferred as so stated from Hurld Boiler Replacement Acct #0112158-586669 \$25,000.00, Hurld Handicap Acct #0112158-586553, \$15,000.00, Total \$40,000.00 to School ADA Citywide Acct #0112158-586671

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

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**PUBLIC HEARINGS:**

On the petition by Alderman Drapeau relative to the structure or structures located at 33 Sylvanus Wood Lane, Woburn for the purposes of determining whether said building or buildings are a nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or buildings or other structure, 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. PUBLIC HEARING OPENED.

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On the petition by Avalon WFS, LLC, c/o Avalon Bay Communities, Inc., 51 Sleeper Street, Suite 750, Boston, Massachusetts 02110 for a special permit to modify a special permit issued April 5, 2005, extended December 21, 2006 and extended January 8, 2009, pursuant to Section 5.1.4 of the 1985 Woburn Zoning Ordinances, as amended, by amending Conditions 1, 20, 21, 22, 23, 24 and 25 as shown in petition to allow for 34 apartment units at 0 Inwood Drive, Lot 1. PUBLIC HEARING OPENED. A copy of a communication dated February 24, 2011 from Brett F. Gonsalves, Senior Engineer, Engineering Department to Edmund Tarallo, Planning Director was received as follows:

Subject: Inwood Drive Lot 1 Site Plan Modification Special Permit – Site Plans Dated January 25, 2011 – Drainage Calculations dated January 27, 2011

The applicant is proposing modification of Lot 1 from the previously approved special permit in 2004.

Upon review of the site plans and drainage calculations, this office offers the following comments:

Water:

The proposed building #1 will be service by a 4” fire service and a 4” domestic water service from existing water main on Inwood Drive.

This office takes no exception to the water services as shown.

Sewer:

The proposed sewer for building #1 will be connected to the existing sewer main on Inwood Drive via an 8” PVC sewer service.

This office takes no exception to the sewer connection as shown.

Drainage:

The applicants engineer has submitted drainage calculations that demonstrate the post development runoff conditions are slightly higher than the predevelopment conditions. This is due to new method of analyzing stormwater runoff. The increase is minimal and does not adversely impact the overall site drainage system.

The utility plan shows a proposed stormceptor, which improves water quality prior to discharge into the resource area.

This office takes no exception to the drainage design or calculations as submitted.

This project was previously approved in 2004 and the minimal changes on lot 1 do not have an adverse impact on the site.

This office takes no exception to the special permit as submitted.

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

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**CITIZEN’S PARTICIPATION:** None.

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**COMMITTEE REPORTS:** None.

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**NEW PETITIONS:**

Petitions for renewal of Livery Licenses by Patricia Porrazzo dba Hollywood Limousine, 4 Skyview Lane and Ram Electrical Consulting & Contracting Corp., 128 New Boston Street, Suite E.

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Petition by M&L Transit Systems, Inc., 60 Olympia Avenue for renewal of Common Carrier License.

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Petition by Saeed Rajabi dba Sky Taxi of Woburn, 21 Cummings Park #232 for renewal of Taxi Cab License.

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A Conservation Easement and Restriction was received from George W. Gately, Jr. and Edward A. Hovsepian, Trustees of G&H Realty Trust pursuant to Sections 31, 32 and 33 of Chapter 184 of the Massachusetts General Laws granting to the City of Woburn in perpetuity and exclusively for conservation purposes a Conservation Restriction on a parcel of land containing 4,761 acres, more or less, shown as a portion of Lot 11 on a plan entitled “Definitive Subdivision Plan, 84 Lowell Street” dated August 25, 2005 and prepared by Borselli Engineering & Development, Inc., 110 Winn Street, Suite 209, Woburn, MA recorded with Middlesex South District Registry of Deeds as Plan Number 1194 of 2006 being a portion of the premises described in deeds recorded with Middlesex South District Registry of Deeds in Book 48197, Page 382, and Book 47347, Pages 328, 329 and 330.

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**COMMUNICATIONS AND REPORTS:**

A communication dated January 2011 was received from 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 January 2011: number of parking violations issued 224, number of violations paid 65, number of violations outstanding 123, amount collected and submitted to the Office of the Collector \$5,945.40. There exists a backlog of 5,702 tickets for 1982 through 2010. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$1,600.00.

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

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A communication dated March 1, 2011 with attachments was received from Sarah A. Stanton, Purchasing Director as follows:

Re: Fuel Efficient Vehicle Policy

Dear Honorable Members of the City Council:

As you may, or may not be aware, the City of Woburn is in the process of compiling a grant application to be designated a "Green Community," by the Massachusetts Department of Energy Resources. As part of the "Green Communities" grant program, the City of Woburn must adopt five State mandated criteria. Each criterion, unique in nature, works towards the ultimate goal of energy reduction, and long-term City sustainability.

Of the mandated criterion, section four requires that the City of Woburn make a formal commitment, and policy adoption, to only purchase fuel efficient vehicles. The purpose of this goal is to reduce carbon dioxide emissions, which will have a positive impact on the environment, and reduce fuel related costs.

Exemptions to this policy include heavy duty vehicles, defined as having a manufacturer's gross vehicle weight rating (GVWR) of more than 8,500 pounds. Examples include fire engines, ambulances, and some heavy-duty public works vehicles. Additionally, police cruisers are exempt from this criterion. However, as a City, we must commit to purchasing fuel efficient cruisers when they become commercially available.

To meet this criterion, the City Council must adopt the attached policy, which requires that only fuel efficient vehicles be purchased when a given vehicle is up for replacement. Included with the attached policy language, is a list of all City owned vehicles that would be considered for potential upgrade. Please note that this policy does not require that all the attached vehicles be replaced, but rather, makes the commitment to only purchase fuel efficient vehicles when a new vehicle is purchased. The School Committee will be reviewing, and hopefully adopting this policy, at their March 8<sup>th</sup>, 2011 meeting.

Best, s/Sarah A. Stanton, Purchasing Director

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A communication dated March 1, 2011 with attachments was received from Sarah A. Stanton, Purchasing Director as follows:

Re: Green Communities: Stretch Code

Dear Honorable Members of the City Council:

As part of the "Green Communities" grant program, the City of Woburn must adopt five State mandated criterions. Each criterion, unique in nature, works towards the ultimate goal of energy reduction, and long-term City sustainability.

Of the mandated criterion, section five requires that the City of Woburn adopt 780 CMR 115.AA, also known as the "Stretch Code." The purpose of this code is to provide a more energy efficient alternative to the base energy code for new, and existing, buildings. This code regulates the design and construction of buildings, to provide flexibility, and, permit the use of innovative approaches, and techniques to achieve effective energy use.

This amendment to the building code has been reviewed with the Building Commissioner, and I have been assured that the change to the "stretch code" will add no additional work, or cost, to their department.

Additionally, attached to this letter you will find a list of "frequently asked questions," regarding the "stretch code" for residential, and commercial, buildings. As part of the technical planning assistance grant awarded to the City by the Mass. Department of Energy Resources, a consultant is available to review the code, and answer and potential questions you may have. He has made himself available both for the upcoming meeting of the committee on ordinance, and also the public hearing for the change in building code.

Best, s/Sarah A. Stanton, Purchasing Director

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A communication dated February 17, 2011 was received from Simmee Silton, Vice President, MassDevelopment, 160 Federal Street, Boston, Massachusetts 02110 advising of a proposed bond issue for the benefit of Ceramic To Metal Seals, Inc. for renovating a facility on East Street in Winchester a portion of the parcel being located in Woburn and requesting the adoption of a resolution to waive issuance of the bond to MassDevelopment.

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**UNFINISHED BUSINESS OF PRECEDING MEETING:** None.

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

RESOLVED That His Honor the Mayor submit an appropriation to the City Council for the purposes of funding a new roof for the Woburn Police Headquarters building on Harrison Avenue

s/Alderman Gately

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ORDERED Be It Ordained by the City Council of the City of Woburn that Title 15 of the 1989 Woburn Municipal Code, as amended, be further amended by adding a new, Article VII thereto, entitled "Stretch Energy Code" as follows:

VII. STRETCH ENERGY CODE

15-30 Definitions

International Energy Conservation Code (IECC) 2009 - The International Energy Conservation Code (IECC) is a building code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency. Commencing July 1, 2010, the baseline energy conservation requirements of the Massachusetts State Building Code will default to IECC 2009 and Massachusetts amendments.

Stretch Energy Code - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 120 AA, the Stretch Energy Code is the International Energy Conservation Code (IECC) 2009 with amendments contained therein.

15-31 Purpose

The purpose of 780 CMR 120.AA is to provide a more energy efficient alternative to the base energy code applicable to the relevant sections of the building code for both new construction and existing buildings.

15-32 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 61, or 93, as applicable.

15-33 Authority

The City of Woburn, seeking to ensure that construction within its boundaries is designed and built above the energy efficiency requirements of 780 CMR, hereby mandates adherence to this appendix. The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 120 AA, including any amendments or modifications, is herein incorporated by reference into the Woburn Municipal Code, as amended.

15-34 Enforcement

The Stretch Code is enforceable by the building commissioner.

s/Alderman Haggerty and Alderman Raymond

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ORDERED That the City of Woburn hereby accepts the Stretch Energy Code as set forth in 780 CMR Appendix 120 AA, as it may be amended from time to time.

s/Alderman Haggerty and Alderman Raymond

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