

**CITY OF WOBURN  
SEPTEMBER 20, 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 Supplemental Budget: That the sum of \$340,275.00 be and is hereby appropriated as so stated: MWRA Sewer User Charge Acct #64152-523002 \$340,275.00.

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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**PUBLIC HEARINGS:**

On the petition by National Grid for a grant of right in a way to install approximately 120 feet of four (4) inch PL gas main and approximately fifty (50) feet of 1¼ inch PL gas service to serve 4 Fryeberg Road. PUBLIC HEARING OPENED. A report was received from the Committee on Municipal Lands as follows: "ought to pass with the condition that the main will be constructed on the south side of Fryeberg Road and that National Grid will investigate extending the service farther on Fryeberg Road." The recommendation received from Superintendent of Public Works John Duran was as follows: "1. Remove and replace existing 2 inch steel with proposed 4 inch plastic gas main, 2. Restore roadway to original condition or as approved by Superintendent of Public Works, 3. Service from street to house shall be 1 ¼ PL gas service."

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On the petition by National Grid for a grant of right in a way to install approximately 100 feet of 2 inch PL gas main and approximately 50 feet of 1 inch PL gas service to serve 3 Patriot Circle. PUBLIC HEARING OPENED. A recommendation was received from

Superintendent of Public Works John Duran was as follows: “Superintendent of Public Works recommends that the installation of the main be allowed under the condition that the existing abandoned main be removed and the new main be installed in the same trench. Existing utilities must not be disturbed or the gas main installed in the same trench. Pavement restoration must be completed to City of Woburn Department of Public Works standards and specifications as accepted by Superintendent of Public Works.” Attached thereto was a map of the project with amendments recommended by Superintendent of Public Works.

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On the petition by 859 Main Development, LLC, 57 Russell Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 22 of the 1985 Woburn Zoning Ordinances, as amended for a proposed 98 unit condominium development at 859 Main Street. PUBLIC HEARING OPENED. A communication dated September 16, 2011 was received from Attorney Shaun W. Briere, Mawn and Mawn, P.C., 275 Mishawum Road, 4<sup>th</sup> Floor, Woburn, Massachusetts 01801 as follows:

Re: 859 Main Development LLC – Special Permit Petition

Dear Mr. Campbell and Members of the City Council:

The Petitioner respectfully requests a continuance of the above referenced matter scheduled for public hearing by the City Council at its upcoming meeting on September 20, 2011. The Petitioner requests said continuance in order to afford the Planning Board time to complete their review of the Special Permit scheduled for hearing on September 27, 2011. Therefore, the Petitioner requests a continuance to the meeting of the City Council on October 4, 2011.

Please feel free to contact the undersigned should you have any questions or require any additional information regarding the above. Again, I thank you for your consideration and respect in this matter.

Very truly yours, s/Shawn W. Briere

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On the petition by Ava Donuts LLC, 293 Cambridge Road, Woburn, Massachusetts 01801 for a special permit to modify a special permit issued December 9, 2004, as modified by a special permit issued June 20, 2005, as modified by a special permit issued on August 10, 2006, pursuant to Sections 5.1.23, 5.1.29, 5.1.63a, 5.1.69, 7.3, 8.2.5, 8.6.3, 11, 13.5 and 15 of the 1985 Woburn Zoning Ordinances, as amended, to allow for modifications to the approved site plan as modified to include modifications to the existing landscaping, portions of the parking areas, alteration of the existing nonconforming pylon sign, a Drive-up Customer Service Facility, and to allow for 666 parking spaces, at 350 Cambridge Road. PUBLIC HEARING OPENED. A communication dated September 19, 2011 was received from Attorney Joseph R. Tarby,

III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Ava Donuts, LLC and Horn Pond Plaza, LLC, Woburn, MA

Dear Mr. Campbell:

Due to the fact that the Planning Board will not complete its review of the above petition until its meeting on September 27, 2011, I respectfully request that the public hearing on this matter be continued to October 4, 2011.

If you need any further information, please contact me. Thank you.

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

A communication dated September 6, 2011 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 376 Cambridge Road – Dunkin Donuts Drive-Thru Special Permit – Special Permit Application dated August 8, 2011 – Traffic Report dated July 22, 2011

The applicant is seeking permission to allow for a drive-up window at the above location. The submitted special permit outlines the requested parking reduction as well as the traffic assessment.

Upon review of the special permit application and submitted plans this office finds that there is no site utility work being proposed and the changes is to the parking space configuration and drive-thru lanes associated with the drive-up window.

The traffic reports outlines the increase in vehicle trips that will be generated with the proposed drive-thru.

After reviewing the submitted data, this office takes no exception to the special permit application or the traffic assessment as submitted.

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

The Planning Board continued their review of the special permit petition to their meeting on September 27, 2011.

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On the petition by McDonald's USA, LLC, c/o Bohler Engineering, 352 Turnpike Road, Southborough, Massachusetts 01772 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to construct a dining room addition at the front and vestibule additions on the side of the existing McDonald's restaurant, including

renovations to the building interior and exterior façade, at 333 Montvale Avenue. PUBLIC HEARING OPENED. A copy of a communication dated September 6, 2011 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 333 Montvale Avenue – Alteration of an Existing Fast Food Restaurant Special Permit – Special Permit Application Dated August 5, 2011

The applicant is seeking permission to construct a dining room addition at the front of the building and vestibule additions on the side along the interior and exterior façade renovations. The work that is being proposed falls within the jurisdiction of the conservation commission and will need their approval.

Upon review of the special permit application and plans, there are no utility work being proposed and work is limited to the exterior façade and interior renovations.

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

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

The Planning Board continued their review of the special permit petition to their meeting on September 27, 2011.

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On the petition by James W. Dean for Dollar Tree Stores, 4 Railroad Avenue, Suite 301, Wakefield, Massachusetts 01880 for a special permit pursuant to Sections 7.3 and 8.7.2.10 of the 1985 Woburn Zoning Ordinances, as amended, to extend a pre-existing non-conforming structure by replacing two existing loading docks with a single loading dock at 425 Washington Street. PUBLIC HEARING OPENED. A communication dated September 19, 2011 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Dollar Tree Stores – 425 Washington Street – To allow for the alteration of a pre-existing non-conforming structure by demolishing two existing loading docks and replacing them with a single loading dock pursuant to Sections 7.3 and 8.7.2 (10)

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on September 6, 2011, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Dollar Tree Stores, regarding the property at 425 Washington Street subject to the following condition:

1. That a landscaping plan shall be provided and approved by the Planning Board for the area to the rear of the property between the building and the southeast property line for the purpose of providing screening to the abutting residential properties.

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 communication dated September 6, 2011 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 425 Washington Street Special Permit – Special Permit Application dated August 8, 2011

The applicant is seeking permission to demolish two loading docks and replace it with a single loading dock at the above referenced location.

Upon review of the special permit, this office takes no exception to the application as submitted.

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

A plan entitled “Landscape Plan” prepared by RRMM Architects, PC dated 9/15/2011 was received.

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**CITIZEN’S PARTICIPATION:** None.

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**COMMITTEE REPORTS:**

**FINANCE:**

On the Order to appropriate the sum of \$2,706,928.13 from Debt Reserve Account to Debt Principal Account and Debt Interest Account, committee report was received “back for action pending response from City Auditor to request for a statement of a breakdown of the Debt Reserve Account.”

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**NEW PETITIONS:**

Petition by Infinity Limo Corporation, 59 Cambridge Road, Apt #203 for a new Livery License.

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A communication dated September 19, 2011 with attachments was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Minor Modification to Special Permit Granted to Monarch Homes Inc., Lot A, 859 Main Street, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent Monarch Homes, Inc. ("Monarch"). On January 12, 2011, your office issued a Landowner's Decision and Notice of Special Permit setting forth approval by the Woburn City Council of a Special Permit granted to my client (the "Decision") (copy attached). The Decision allowed for a 33 unit, 35 bed Alzheimer's Residence and exception to the landscaping requirements. Enclosed please find ten copies of a plan entitled, "Special Permit Alzheimer's Care Facility", dated October 18, 2010, revised on November 23, 2010 and September 1, 2011, prepared by Waterfield Design Group, 50 Cross Street, Winchester, Massachusetts (the "Plan").

Recently in connection with the requirements of the new 8<sup>th</sup> edition of CMR 780 – Massachusetts State Building Code, it was learned that a stairwell to the rear of the building had to be relocated from the interior of the building. As a result, the building footprint will increase from 7,768 s.f. to 8,534 s.f. or 766 square feet.

The revision to the footprint does not impact the number of units and residences within the facility. In addition, parking, lot coverage and the conditions to the Decision are also not affected.

Since Monarch needs to file its final HUD application by September 23, 2011 or risk losing its financing for the project, I respectfully request approval by the City Council at its meeting on September 20, 2011 of the above modification which is clearly a minor modification to the Decision and adopt the Plan referenced above as the Plan of Record.

If you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours, s/Joseph R. Tarby III

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ORDERED Be it Ordained by the City Council of the City of Woburn that the 1985 City of Woburn Zoning Ordinance, as amended, be further amended as follows:

1. Amend section 5 Notes to 5.1 Table of Use Regulations by adding the following note:

25. Automobile and truck repair garages located in a S-1 Zoning District shall be subject to the following conditions:
- a. Repairs shall be limited to automobiles; No repairs shall be allowed on vehicles, SUVs and light trucks weighing in excess of 10,000 pounds.
  - b. The square footage of the repair facility shall not exceed 2,000 square feet.
  - c. The repair facility must have frontage on a state controlled roadway.
  - d. No portion of the structure may be within forty (40) feet from a residential dwelling.
  - e. Automobile and truck repair garages located in an S-1 Zoning District shall require a special permit from the City Council pursuant to the requirements of Section 11.
  - f. The Council shall also impose such additional conditions of those specified in this Ordinance as it finds reasonably appropriate to safeguard the neighborhood or otherwise serve the purposes of this Ordinance, including but not limited to the following: Screening, buffers, or planting strip, fences, or walls, as specified by the Council modification of the exterior appearance of the structure; method and time of operation, or extent of facilities; regulation of number and location of drives, accessways, or other traffic features, and off-street parking or loading, or other special features beyond the minimum required in the Ordinance.
  - g. All signage shall comply with the requirements of Section 13.
2. Amend Section 5.1, line 44, Table of Use Regulations by replacing the “-“ with a “P” in the S-1 Zoning District and inserting: Note 25 under the heading: “Notes; Other Sections”

By landowner

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Petition by Waste Management of Massachusetts Inc. and WM Recycle America L.L.C., 26 Patriot Place, Suite 300, Foxboro, Massachusetts 02035 for a special permit pursuant to Sections 5.1.40bb, 42, 57b, 7.3 and 8.6.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the alteration of the existing non-conforming use and structure to provide for a heavy manufacturing facility (processing of residential and commercial single-stream recyclables); the storage and distribution of same; the installation of two truck scales; exception to the landscaping requirements; and to allow for the overnight storage of commercial vehicles at 485 Wildwood Avenue.

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**COMMUNICATIONS AND REPORTS:**

A communication dated September 16, 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 August 2011: number of parking violations issued 1,039, number of violations paid 499, number of violations outstanding 349, amount collected and submitted to the Office of the Collector \$37,632.80. There exists a backlog of 5,579 tickets for 1982 through 2010. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$8,300.00.

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

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A communication dated September 6, 2011 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 for the month of August.

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A communication dated September 8, 2011 was received from Larry Guiseppe, Director of Veterans Services, as follows:

Dear President Denaro,

I respectfully request time to address the City Council at your next scheduled City Council meeting on September 20, 2011.

I am part of a committee, of Woburn veterans, that is looking to undertake a project on Woburn Common: erecting a new Roll Call Memorial for ALL wars, which would replace the existing WWII Roll Call Monument.

My presentation would take approximately 15-20 minutes.

Sincerely, s/Larry Guiseppe

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A communication dated September 6, 2011 with attachments was received from Attorney Ellen Callahan Doucette as follows:

Re: A.L. Prime v. Woburn City Council  
No. 2011-P-0874

Dear Bill:

Enclosed for the City Council's record is a copy of the appellate brief filed on its behalf in regard to the above-captioned matter.

Very truly yours, s/ Ellen Callahan Doucette

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A communication dated September 13, 2011 with attachment was received from State Representative James J. Dwyer, State Representative Jay R. Kaufman, State Senator Kenneth J. Donnelly and State Senator Pat Jehlen as follows

Dear Members of the Woburn City Council,

We are writing to share our concern regarding the proposal to re-route hazardous material trucking deliveries from the streets of Boston out to Route 95 through Woburn. The proposed route change is currently being evaluated by the Massachusetts Department of Transportation (MassDOT). In response to a request for comments from MassDOT, we recently submitted a letter to the agency enumerating our concerns about this proposed HAZMAT route. We have attached a copy of this letter for your reference.

As a municipal official, we strongly encourage you to submit written comments to MassDOT with your perspective on this proposed change to the HAZMAT trucking route. You can find more detailed information on the route proposal on the MassDOT website. You can send comments to the following address:

Thomas F. Broderick, P.E., Acting Chief Engineer  
MassDOT  
10 Park Plaza, Suite 4160  
Boston, MA 02116  
ATTN: BOSTON HAZMAT ROUTE

Or Email comments to:  
bostonhazmat@state.ma.us.

Please note that comments must be submitted by 5:00PM on September 23, 2011. Please contact our offices with any further questions you may have. Thank you for your attention to this important matter.

Sincerely, Representative James J. Dwyer, Representative Jay R. Kaufman, Senator Kenneth J. Donnelly and Senator Pat Jehlen

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A communication dated August 31, 2011 was received from U.S. Senator Scott B. Brown acknowledging receipt of the Resolution of the City Council in support of the National Liberty Memorial Act (S. 883).

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An undated communication was received from the Commonwealth of Massachusetts Local Election Districts Review Commission as follows:

Dear President Denaro:

On June 28, 2010 the Local Election Districts Review Commission considered the submission re-dividing the city of Woburn into wards and precincts.

The Commission is pleased to inform you that this division meets the requirements of Massachusetts General Laws chapter 54, section 1, and is otherwise consistent with law and has thus been approved by the Commission. Please note that the effective date of your wards and precincts is not until December 31, 2011.

Thank you for your cooperation.

Sincerely, Local Election Districts Review Commission – s/Hon. William Francis Galvin,  
Hon. William I. Cowin, Avi Green

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A communication dated September 12, 2011 entitled “Objection and Comments of Town of Wilmington to New England Transrail, LLC’s August 2011 Status Report” was received.

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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:**

ORDERED That the following list of Wardens, Clerks, Inspectors and Substitutes be approved for all Elections between September 1, 2011 and August 31, 2012:

Ward	Precinct	Name	Address	Office
1	1	Barbara Fagan	33 Dix Rd. Ext.	Warden
1	1	Sharon Flynn	6 Thornton St.	Clerk
1	1	Diane Ahern	2 Keith Circle	Inspector
1	1	Catherine Walsh	273 Cambridge Road #202	Inspector
1	1	Rita Allitto	11 Morningside Drive	Inspector
1	1	Peter Aspesi	31 Hudson St.	Inspector

1	1	Roberta Bengtson	6 Samoset Road	Inspector
1	1	Loretta Schuck	44 Leonard Street	Inspector
1	1	Paula Walsh	11 Hillside Avenue	Inspector
1	1	Florianna Tobin	59 Campbell Street #309	Inspector
1	2	Ron Dunn	8 Spring Street	Warden
1	2	Margaret Wallace	4 Lakeview Terr	Clerk
1	2	Betty Parechanian	7 Hope Lane	Inspector
1	2	Janet Paleologos	19 Rumford Pk Ave	Inspector
1	2	Georgina Silva	50 Cambridge Rd #209	Inspector
1	2	Carol Beckwith	27 Buttaro Road	Inspector
1	2	Sophia Davidson	37 Arlington Rd	Inspector
1	2	Janet Dever	9 Canterbury Road	Inspector
1	2	Janet LeBlanc	1 Surrey Circle	Inspector
1	2	June Myers	10 Delaware Avenue	Inspector
2	1	Sandra Luther	19 Cummings Ave	Warden
2	1	Catherine DiPanfilo	20 Innitou Road	Clerk
2	1	Carmella Crowell	30 Dix Road Ext	Inspector
2	1	Helen King	4 Bedford Road	Inspector
2	1	Frank Starbile	11 Page Place	Inspector
2	1	Roy Luther	19 Cummings Avenue	Inspector
2	1	Arthur Cumming Jr.	27 Anna Road	Inspector
2	1	Phyllis McInnis	66 Kilby Street	Inspector
2	1	Theresa Smith	25-0 Arlington Road 4	Inspector
2	1	Connie Pandolph	9 Park Drive	Inspector
2	2	Patricia McCuish	14 Scott Street	Warden
2	2	Donald McCuish	14 Scott Street	Clerk
2	2	Elizabeth Ober (Mary) Patricia	39 Forest Park Road	Inspector
2	2	Connolly	60 Montvale Road	Inspector
2	2	Janice Pandolph	37 Elijah Street	Inspector
2	2	Jean Mernin	2 Walnut Court	Inspector
2	2	Judith Nagle	8 Thomas Street	Inspector
2	2	Natalie O'Connor	13 Cummings Avenue	Inspector
2	2	Barbara Sullivan	27 Arlington Road #1-1	Inspector
2	2	Paul Cunniff	93 Waltham Street	Inspector
3	1	Linda Olsson	60 Water Street	Warden
3	1	Helen Simonds	45 Eaton Avenue	Clerk
3	1	Elizabeth A. Simonds	3 Court Street	Inspector
3	1	Marie Giangrande	6 Flint Circle	Inspector
3	1	Robert Granata	26 Northwoods Circle	Inspector
3	1	Marie Price	240 Place Lane	Inspector
3	1	Rosemary Spencer	5 Caulifield Road	Inspector
3	1	Stella Di Girolamo	9 Lee Road	Inspector
3	1	Richard Tobin	44 Green street	Inspector
3	1	Janet Irwin	37 Waltham Street	Inspector
3	2	Thelma Anthony	41 Brentwood Road	Warden
3	2	Elizabeth Donovan	5 Crescent Road	Clerk
3	2	Dianne DiRienzo	24 Carson Road	Inspector
3	2	Debbie Perelli	65 Pine St	Inspector

3	2	Hilda Abreu	81 Garfield Avenue	Inspector
3	2	Jean Rooney	59 Campbell St #506	Inspector
3	2	Joyce Wentworth	17 Highet Avenue	Inspector
3	2	Patricia Rossetti	16 Robert Avenue	Inspector
3	2	Doris Stanton	18 Nichols Street Ext	Inspector
3	2	Paul Johnson	7 Dearborn Terrace	Inspector
4	1	Sarkis Chinian	8 Asbury Avenue	Warden
4	1	James Rastellini	153 Montvale Avenue	Clerk
4	1	Jean Cronin	18 Mayflower Road	Inspector
4	1	Albert Galante	4 O'Neil Road	Inspector
4	1	Jane Dolan	57 Arlington Road	Inspector
4	1	Mary Alice Grzyb	26 Carroll Road	Inspector
4	1	Peng Chuan Chai	8 Mikaila Way	Inspector
4	1	James Doherty	45 Brentwood Road	Inspector
4	1	Mary McElhiney	10 Pilgrim Road	Inspector
4	1	Mary McLaughlin	6 Carroll Road	Inspector
4	2	Elaine Haggerty	30 Thistle Road	Warden
4	2	Ann McGarry	3 Innitou Road	Clerk
4	2	Hazel Lambert	3 Elmwood Terrace	Inspector
4	2	Geraldine Moscaritolo	200 Bedford Road #20E	Inspector
4	2	Jeanne Lingblom	18 Day Circle	Inspector
4	2	Margaret Stack	7 Willow Street	Inspector
4	2	Dawn Richards	33 Nashua Street	Inspector
4	2	Cecelia Rivela	16 Jan Street	Inspector
4	2	Alfred Autenzio	9 Arbor Lane	Inspector
4	2	Janice R. Sylvia	2 Bay Street	Inspector
5	1	Joyce Marshall	5 Elijah Street	Warden
5	1	Rodney Flynn	6 Thornton St	Clerk
5	1	Beverly McCue	51R Central Street	Inspector
5	1	Edith Welch	59 Campbell St #303	Inspector
5	1	Harold Parechianian	7 Hope Lane	Inspector
5	1	Gloria Platon	6 Fieldstone Drive	Inspector
5	1	William Connolly	27 Parker Street	Inspector
5	1	Rebecca Murphy	9 Blueberry Hill Road	Inspector
5	1	Maureen Vallis	4 Clifford Terrace	Inspector
5	1	Martin LaCarbonara	10 Grove Street	Inspector
5	2	Helen Hatch	14 Marlboro Road	Warden
5	2	Robert Hawley	464 Place Lane	Clerk
5	2	William Coady	35 Glenwood Avenue	Inspector
5	2	Mary Dickie	1 Linden Circle	Inspector
5	2	Theresa Chotkowski	3 Pond Terrace	Inspector
5	2	Timothy Murphy	9 Blueberry Hill Road	Inspector
5	2	Shirley Butler	28 Felton Street	Inspector
5	2	Anna Cumming	27 Anna Road	Inspector
5	2	Myles Collins	19 Squanto Road	Inspector
5	2	Florence Keefe	43 Leonard Street	Inspector
6	1	Nancy Darby	20 Ward St	Warden
6	1	Jean O'Connor	9 Rock Street	Clerk
6	1	Albina Cain	72 Bedford Road	Inspector
6	1	Barbara Ridley	129 Place Lane	Inspector

5	2	Janet Galante	3A Kearsarge Avenue	Inspector
6	1	Caroline Murphy	3 Akeson Road	Inspector
6	1	Rosario Diaz	12 James Terrace	Inspector
6	1	Loretta Cianchi	32 Dix Road	Inspector
6	1	Marion Galante	4 O'Neil Road	Inspector
6	1	Jane Linn	204 School Street	Inspector
6	2	Diane Autenzio	23 Milan Avenue	Warden
6	2	Francis Hancock	13 Pearl Street	Clerk
6	2	Sheila Marshall	26 Boyd Road	Inspector
6	2	John Decata	57 Wood Street	Inspector
6	2	Irene Decata	57 Wood Street	Inspector
6	2	Daniel Scinto	4 Highet Avenue	Inspector
6	2	Diane Scinto	4 Highet Avenue	Inspector
6	2	Rita Stone	63 Merrimac Street	Inspector
6	2	Michelina DeAngelis	255 Lexington Street	Inspector
6	2	Eleanor Collins	19 Squanto Road	Inspector
7	1	Alfred Magro	9 Rich Road	Warden
7	1	Thomas O'Rourke	15 Highet Avenue	Clerk
7	1	Camille Maccini	3 Pheasant Lane	Inspector
7	1	Dorothy Curran	1 Dix Road	Inspector
7	1	Ellen Magro	9 Rich Road	Inspector
7	1	Florence Tully	5 Hiawatha Road	Inspector
7	1	Ruthann Gridelli	25 Grape Street	Inspector
7	1	Nancy Nardone	12 Roman Road	Inspector
7	1	Virginia Evans	12 Barbara Circle	Inspector
7	1	Barbara Callahan	32 Van Norden Road	Inspector
7	2	Gloria Finn	10 Lafayette Place	Warden
7	2	M. Joyce O'Donnell	442 Russell Street	Clerk
7	2	Margaret Reilly	7 Williams Lane	Inspector
7	2	Patti Doyle	6 Thomas Street	Inspector
7	2	Maurice W. Finn	10 Lafayette Place	Inspector
7	2	Phyllis Flight	99 Middle Street	Inspector
7	2	Mary Harrison	48 Lake Ave #BC5	Inspector
7	2	Donna Bullen	27 Robinson Road	Inspector
7	2	Sharon Lee	14 Henderson Road	Inspector
7	2	Nancy Matthews	11 Albert Street	Inspector
		Hans Christenson	256 Salem Street	Substitute
		James R. Thompson	114 Harrison Avenue	Substitute
		Rosemary Ceurvels	25 Samoset Road	Substitute
		Dorothy Geary	1 Belmont Street	Substitute
		Robert J. Coffey	273 Cambridge Road #307	Substitute

I hereby approve the above: s/Scott D. Galvin, Mayor

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

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RESOLVED That the Committee on Municipal Lands meet with representatives of NStar to discuss the company's tree trimming program, including the

policy of trimming trees, the impact on the aesthetics of trees in the city, and trimming of trees on private land.

s/Alderman Gately

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RESOLVED WHEREAS, it has come to the attention of the City of Woburn that there is pending before the Massachusetts Department of Transportation a request to re-route hazardous material trucking deliveries from the streets of Boston out to Interstate Route 95 and/or Interstate Route 93 through Woburn.

WHEREAS, the proposed route change is currently being evaluated by the Massachusetts Department of Transportation (MassDOT).

WHEREAS, our state delegation consisting of Representatives James J. Dwyer and Jay R. Kaufman, and Senators Kenneth J. Donnelly and Senator Patricia Jehlen recently submitted a letter to the Massachusetts Department of Transportation enumerating their and our concerns about this proposed HAZMAT route.

WHEREAS, the proposed route change would possibly prohibit an estimated 400 HAZMAT vehicles from travelling in and through the City of Boston and force those vehicles to travel in and through surrounding communities including the City of Woburn.

WHEREAS, the proposed route change would require many HAZMAT vehicles to traverse the City of Boston by travelling through the City of Woburn North on Interstate 93 to Interstate 95 South.

WHEREAS, the proposed route change would inexplicably require HAZMAT vehicles to travel excessive distances merely to avoid the City of Boston despite the fact that many of these vehicles originate in or around the City of Boston.

WHEREAS, the proposed route change would impose substantial responsibilities and burdens upon the City of Woburn to address the increased risk of managing a HAZMAT incident;

WHEREAS, the proposed route change would divert HAZMAT vehicles away from those most capable to address HAZMAT accidents as is set forth and articulated in the letter from our state delegation to Massachusetts Department of Transportation dated September 14, 2011;

WHEREAS, the proposed route change is supported by a study commissioned by the City of Boston and, it appears, there has been no independent study; and

WHEREAS, it is undeniable that the increase in HAZMAT vehicles traveling around and or through the City of Woburn increases the risk of a HAZMAT incident in Woburn; and

WHEREAS, there are virtually no sound barriers that could also act as protective barriers along the Woburn sections of I-95 and I-93 that would help protect the citizens from a HAZMAT incident; and

WHEREAS, a proposed response time of trained HAZMAT personnel of 30 minutes is totally unacceptable to the City of Woburn and similarly unrealistic due to traffic conditions on I-95 and I-93 especially if there is a traffic incident; and

WHEREAS, it is undeniable that requiring HAZMAT vehicles to travel longer and further than necessary will increase the risk of a HAZMAT incident in the metropolitan area in general; and

WHEREAS, the increased risk of a HAZMAT incident in or around Woburn is unwarranted and unacceptable;

NOW THEREFORE, Be It Resolved by the City Council of the City of Woburn:

- (1) That the citizens and businesses of the City of Woburn be encouraged to submit to

Thomas F. Broderick, P.E., Acting Chief Engineer  
MassDOT  
10 Park Plaza, Suite 4160  
Boston, MA 02116  
ATTN: BOSTON HAZMAT ROUTE

Or Via Email comments to:  
bostonhazmat@state.ma.us.

their objections to the proposed re-routing of hazardous material trucking deliveries from the streets of Boston out to Interstate Route 95 and/or Interstate Route 93 through Woburn; and

- (2) That the City Council and Mayor submit a communication to MassDOT on behalf of the citizens and businesses, in the form attached hereto.

s/Alderman Anderson, Alderman Haggerty, Alderman Raymond,  
Alderman Mercer-Bruen, Alderman Gately

Attached thereto was the following:

September 20, 2011

Secretary Richard Davey  
Massachusetts Department of Transportation  
10 Park Plaza, Suite 3170  
Boston, MA 02116

Dear Secretary Davey:

We are writing to object to the proposed re-routing of hazardous material trucking deliveries from the streets of Boston to Interstate 93 and 95 through the City of Woburn. This proposal unnecessarily expands the risk of a HAZMAT incident from a small geographic area to a large geographic area. Moreover, it places a number of communities, and especially the City of Woburn, at substantial risk of such an incident.

This objection is based solely upon public safety.

We believe it to be undeniable that requiring vehicles to traverse a larger distance will increase the possibility of an accident. This could be caused in any number of ways such as a tire blowing, reckless driving by a third party "cutting off a driver," or driver error. Not only is an accident more likely to happen where hazardous cargo is required, but rather, it will happen. The question is only when.

There are numerous residences and business located along Interstates 93 and 95 that would be susceptible to substantial harm in the event of a HAZMAT incident. There are no walls or sound barriers to protect the public. This risk is unacceptable to the undersigned City officials who charged with the safety of this City.

Who is best equipped to deal with a HAZMAT incident? The City of Boston is the most qualified community to deal with a HAZMAT incident. As is outlined in our state delegation's letter to you:

- The City of Boston has what is considered to have one of the best Emergency Medical Services (EMS) in the nation.
- All of Boston's nearly 2,000 fire and EMS personnel have HAZMAT training together with a vast array of specialty equipment at their disposal.
- MassPort Fire, a department that has the largest foam capability in the state, which is vital in a HAZMAT response, is located within the borders of Boston and very near the original route along Commercial St and the altered route along

Cross St. The surrounding communities have a fraction of the personnel and resources of Boston to respond to an event.

- Boston and Cambridge are the only communities that maintain their own HAZMAT response teams. All other communities are dependent on the Massachusetts Department of Fire Services Regional Hazardous Materials Team of which there are six across the state.
- Absent adverse traffic conditions, it would take a regional HAZMAT team at least sixty minutes to respond to an incident on those sections of Routes 95 and 93 being proposed by Boston as HAZMAT routes. Common sense dictates that if there were a HAZMAT incident on Routes 93 and/or 95, which are operating over designed capacity, there would be a gridlock situation that would make it near impossible for a timely response to a HAZMAT incident.
- The Department of Transportation has acknowledged that the Route 95 and 93 interchange has significant safety issues and is among the top five worst crash sites in the state. The addition of hundreds of trucks a day carrying hazardous materials poses a real and significant threat to the communities along these roadways.

At the present time HAZMAT is successfully transported on existing routes with limited, if any, incident. The transportation is conducted within easy reach of HAZMAT teams and has the added benefit of limiting the time that HAZMAT is on the public ways of the Commonwealth of Massachusetts. To make a change as proposed unjustifiably expands the risk of harm to multiple communities.

We respectfully request that the proposed request be denied. Thank you for your thoughtful consideration.

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RESOLVED Whereas, according to the Department of Defense Federal Voting Assistance Program (FVAP), there are 11,691 active military duty Massachusetts residents residing overseas; and

Whereas, for the November 2010 election, Massachusetts requested a waiver from a requirement of the Military and Overseas Voter Empowerment Act (the MOVE Act) to send absentee ballots to Americans overseas at least 45 days before an election “due to a late primary”; and

Whereas, a report by the Secretary of the Commonwealth revealed that in the November 2010 election only 400 ballots from Massachusetts active duty military personnel stationed overseas were counted; and

Whereas, the General Court is considering H1972 “An Act Regulating State Primaries”, a bill that moves the state primary to allow Massachusetts residents residing overseas to vote privately and securely, and combines the presidential primary with the state primary to save taxpayers at least \$8,000,000.00; and

Whereas, a number of states have moved their primary dates earlier in the year to comply with the federal MOVE Act and to provide relief to taxpayers by reducing the cost of elections; and

Whereas, the Massachusetts state primary scheduled for September 18, 2012 stands alone as the last state primary in the country in 2012; and

Whereas, in written testimony the FVAP concluded “passing HB1972 will significantly improve voter success for many military members, overseas voters, and their families”; and

Whereas, HB1972 simplifies the election process, decreases the opportunity for “voter fatigue”, reduces the cost of elections for taxpayers, and establishes fairness among candidates;

Now, Therefore, Be It Resolved by the City Council of the City of Woburn that the City of Woburn supports the adoption of HB1972 “An Act Regulating Election Primaries” pending before the 187<sup>th</sup> General Court of the Commonwealth of Massachusetts and directs the City Clerk to transmit a copy of this action to the municipality’s State Delegation and to the Joint Committee on Election Laws.

s/Alderman Anderson

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