

**CITY OF WOBURN
JANUARY 17, 2012 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
DiTucci	Haggerty
Drapeau	Mercer-Bruen
Gaffney	Raymond
Denaro	

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

MAYOR'S COMMUNICATIONS:

A communication dated January 17, 2012 with attachments was received from His Honor the Mayor as follows:

President Paul Denaro and Honorable members of City Council:

Tonight, I am forwarding an order for City Council to accept a gift/grant from the WRA in the amount of \$238,000.00 for the purposes of completing Phase I of the Mini Magazine Hill parking lot. As you may recall, the City Council recently approved the special permit for the construction of the parking lot.

The order requires one reading, and I am respectfully requesting your approval of the order tonight.

Thank you.

Respectfully, s/ Scott D. Galvin, Mayor

Attached thereto was the following communication and Order:

A copy of a communication dated January 12, 2012 from Edmund Tarallo, Planning Director, WRA Administrator to His Honor the Mayor Scott D. Galvin was received as follows:

Dear Mayor Galvin:

The Woburn Redevelopment Authority (WRA) voted at their meeting of January 10, 2012 to allocate to the City of Woburn a grant/gift in the amount of \$238,000.00 to implement the first phase construction contract, and any change orders authorized by the WRA Administrator for the Mini-Magazine Hill Project. The vote stipulated that the interest on the grant funds shall remain with and become part of the grant account in accordance with M.G.L. Chapter 44, Section 53A, and that all funds not expended upon completion of the contract shall be returned to the WRA, and that the City shall provide the WRA with a monthly accounting of the expenses, and upon completion of the contract the City shall provide a complete financial accounting of the grant/gift.

Please, inform me of acceptance of the grant/gift as voted by the WRA, so that a check can be issued to the City of Woburn.

Sincerely, s/Edmund P. Tarallo, Planning Director/WRA Administrator

ORDERED Be it ordered that the City of Woburn, in accordance with M.G.L. Ch. 44, Section 53A, accept the gift/grant or \$238,000.00 from the Woburn Redevelopment Authority (WRA) for the purpose of implementation of the first phase construction of the Mini-Magazine Hill project.

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

s/Alderman _____

ORDERED That the sum of \$20,000.00 be and is hereby appropriated as so stated from Unreserved Fund Balance Acct #01-359600 \$20,000.00 to Historical Expenses Acct #0165054-558800 \$20,000.00.

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

I have reviewed the above: s/Gerald W. Surette, City Auditor

s/Alderman _____

ORDERED That the sum of \$75,000.00 be and is hereby transferred as so stated from BLS Receipts Acct #31359-595000 \$75,000.00 to Ambulance Maintenance Acct #0122054-544300 \$50,000.00, Apparatus Maintenance Acct #0122054-544400 \$25,000.00.

I hereby recommend the above: s/Paul Tortolano, Chief, Fire Department

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

I have reviewed the above: s/Gerald W. Surette, City Auditor

s/Alderman _____

PUBLIC HEARINGS:

On the petition by Shoebuy.com Inc., 101 Arch Street, Boston, Massachusetts 02110 for a special permit pursuant to Sections 5.1.57a and 5.1.57b of the 1985 Woburn Zoning Ordinances, as amended, to allow for the overnight parking of commercial vehicles/commercial trailers at 36 Cabot Road. PUBLIC HEARING OPENED. A communication dated January 13, 2012 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Shoebuy.com Inc. – 36 Cabot Rd. – To allow for the overnight parking of commercial vehicles/commercial trailers pursuant to Sections 5.1.57a and 5.1.57b

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on January 10, 2012, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Shoebuy.com Inc., regarding the property at 36 Cabot Road, to allow for the overnight parking of commercial vehicles/commercial trailers pursuant to Sections 5.1.57a and 5.1.57b subject to the condition that not more than four storage/commercial trailers shall be allowed to park overnight in accordance with the plan “Proposed Parking Layout” Sheet PK-1 dated November 15, 2011” with a scale of 1”= 40’-0” subject to Conservation Commission approval. The plans being the same plans as approved for Peterson Party Center at the 36 Cabot Road site.

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 13, 2011 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 36 Cabot Road – Shoebuy, Overnight Parking of Commercial Vehicles Special Permit – Plan Dated November 15, 2011 – Special Permit Application Dated December 5, 2011

The applicant is seeking permission to allow for overnight parking of commercial vehicles at the above noted location.

Upon review of the site plan, the applicant indicates the location of where the commercial vehicles will be parked along with the number of vehicles.

After reviewing the special permit application, 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.

On the petition by McDonald's USA, LLC, c/o Bohler Engineering, 353 Turnpike Road, Southborough, Massachusetts 01772 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to modify a special permit that was issued on October 27, 2011 by adding a door and sidewalk on the south side of the restaurant, widening the Hill Street driveway by 3.5 feet, and replacing the concrete pad in front of the restaurant with a parking space and lawn area, at 333 Montvale Avenue. PUBLIC HEARING OPENED. A communication dated January 13, 2012 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: McDonald's USA LLC – 333 Montvale Avenue – To modify October 27, 2011 Special Permit by allowing the addition of a door and sidewalk on the south side of the building, widening the driveway by 3.5', and replacing the concrete pad in front of the building with a parking space and lawn

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on January 10, 2012, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of McDonald's USA LLC, regarding the property at 333 Montvale Avenue to modify the decision of October 4, 2011 and certified October 27, 2011 to allow the addition of a door and sidewalk on the south side of the building, widening the driveway by 3.5', and replacing the concrete pad in front of the building with a parking space and lawn by adding a condition 3 as follows:

3. That the approval shall allow the modifications as shown on the "Proposed Site Plan Modification" plan dated 12/02/2011 prepared by Bohler Engineering and that the plan of record shall be the "Site Plan" labeled Sheet C1 dated 08/24/2011 revised 9/15/11, 10/17/11, and 12/02/11 prepared by Bohler Engineering both plans are for the Applicant: McDonald's USA, LLC, 333 Montvale Avenue, Woburn, MA.

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 January 9, 2011 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 333 Montvale Avenue – Alteration fo an Existing Fast Food Restaurant Special Permit – Special Permit Application Dated August 5, 2011 – Revised Plans Dated December 2, 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 with interior and exterior façade renovations.

Upon review of the special permit application and plans, there are some minor curbing modifications, the addition on a parking space and a proposed door and sidewalk on the southerly side of the building.

After reviewing the subject materials, 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.

On the petition by Northeast Tree, Inc. 60 Louanis Drive, Reading, Massachusetts 01867 for a special permit pursuant to the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Section 5.1.42 to allow for the interior storage of equipment, 2. Section 5.1.43 to allow for the outside storage of new or used building materials and equipment, 3. Section 5.1.45 to allow for the sale of chippers, and 4. Section 5.1.57b to allow for accessory parking of commercial vehicles and equipment, and for a First Class Motor Vehicles Sales Licenses, at 62 Holton Street. PUBLIC HEARING OPENED. A communication dated December 16, 2011 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Northeast Tree, Inc. – 62 Holton Street – To allow for the interior storage of equipment; the outside storage of new or used building materials and equipment; the sale of chippers; and the accessory parking of commercial vehicles and equipment pursuant to Sections 5.1.42, 5.1.43, 5.1.45, and 5.1.57b

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on December 13, 2011, the Planning Board voted to send an unfavorable recommendation to the City Council on the Special Permit application of Northeast Tree, Inc., to allow for the interior storage of equipment; the outside storage of new or used building materials and equipment; the sale of chippers; and the accessory parking of commercial vehicles and equipment pursuant to Sections 5.1.42, 5.1.43, 5.1.45, and 5.1.57b regarding the property at 62 Holton Street, because of the inadequate infrastructure on Holton Street.

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

Subject: 62 Holton Street, Parking of Commercial Vehicles, Building Equipment, Storage Equipment Sales, outside storage Special Permit – Special Permit Application Dated November 14, 2011 – Site Plan dated

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

The petitioner is seeking permission to allow for the accessory parking of commercial vehicles, sale of chippers, outside storage of building materials and interior storage of equipment.

The accompanying site plan shows the approximate location of the firewood and much storage. The plan does not indicate where the overnight, accessory parking and loam will be located. Additionally, the plan should indicate if there will be any proposed improvements to the site such as pavement and drainage.

This information will need to be shown on the plans and submitted to this office for review.

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

On the petition by on a petition by President Paul Denaro to amend the 1985 Woburn Zoning Ordinances, as amended, by deleting the first sentence under Paragraph 3.3.2 under Section 23 Commerce Way Corridor Overlay District and replacing same with the following: A Concept Review Committee shall be established by the Woburn City Council and shall be comprised of three members of the City Council and two members of the Planning Board. PUBLIC HEARING OPENED. A communication dated January 12, 2012 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: City Council President Paul Denaro – Zone Change – To amend Section 23 Commerce Way Corridor Overlay District by deleting the first sentence under Paragraph 3.3.2 and replacing same with the following: “A Concept Review Committee shall be established by the Woburn City Council and shall be comprised of three members of the City Council and two members of the Planning Board.”

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on January 10, 2012, the Board voted to forward a favorable recommendation to the City Council to amend Section 23 Commerce Way Corridor Overlay District by deleting the first sentence under Paragraph 3.3.2 and replacing same with the following: "A Concept Review Committee shall be established by the Woburn City Council and shall be comprised of three members of the City Council and two members of the Planning Board." because this will allow the committee to be of a smaller size in that it is a working committee intended to be a subcommittee of both bodies. Furthermore, that a Special Permit by the City Council that would follow this Committee's work, could defeat a proposal based on 4 votes having equal to or greater representation by the City Council prior to the public hearing may jeopardize the public hearing process.

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 Seaver Properties LLC, a landowner affected by the change, to amend the 1985 Woburn Zoning Ordinances, as amended, by amending section 5 Notes to 5.1 Table of Use Regulations by adding a note 25 relative to automobile and truck repair garages located in a S-1 Zoning District and to 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" [NOTE: For a full recitation of the ordinance see City Council Journal dated September 20, 2011.] PUBLIC HEARING OPENED. Appearing for the petitioner was Attorney Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that _____ IN FAVOR: A communication dated January 8, 2012 was received from Donald J. Halpin, 269 Cambridge Road, Unit 702 in favor of the petition. OPPOSED: A petition dated December 5, 2011 was received from twenty-two residents of Crescent Park in opposition to the petition. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON _____ AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS: None.

NEW PETITIONS:

Petition by Ali A. Saleb dba Metro Cab Service, 21 Cummings Park, Suite 224, Woburn requesting that the name of his company be changed to Woburn Metro Cab.

Petition by Boys and Girls Club of Woburn, Inc., Charles Gardner Lane, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.14 of the 1985 Woburn Zoning Ordinances, as amended, to conduct a six-day carnival from May 15 through May 20, 2012 at the National Amusements (Showcase Cinema) site at 25 Middlesex Canal Park Drive.

Petition by Motive Auto Works, Alberto Rodriguez, 35 Wyman Street, #105, Lynn, Massachusetts 01905 for a special permit pursuant to Section 5.1.44 of the 1985 Woburn Zoning Ordinances, as amended, to allow an automobile and truck repair garage at 21-V Olympia Avenue.

Petition by Motion Industries Inc., 11 Cabot Road, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 5.1.42 and 5.1.57b of the 1985 Woburn Zoning Ordinances, as amended, to operate a wholesale business and for accessory parking of commercial vehicles for no more than three (3) vehicles at 35 Industrial Parkway.

COMMUNICATIONS AND REPORTS:

A communication dated January 13, 2012 with attachment was received from Thomas C. Quinn, Jr., Building Inspector, Department of Inspectional Services, was received as follows:

Re: 62 Holton Street

With regard to the above attached you will find a copy of the letter relative to your request to send a communication to North East Tree for operating without the benefit of a Special Permit.

If there are any questions you may have with this matter as always do not hesitate to contact me.

A communication dated January 13, 2012 was received from State Senator Kenneth Donnelly as follows:

Dear William,

I am contacting you to let you know about a meeting being held by the Double Poles Subcommittee on January 18. I am reaching out to you as a community leader who lives or works in a community that has a considerable amount of double poles. Double poles have increasingly become a problem throughout the Commonwealth, creating eyesores

and safety hazards. It is the goal of this subcommittee to bring diverse stakeholders together to find a solution to this problem.

The aims of this subcommittee include:

- Increasing the speed of double pole removal and what we as legislators can do to encourage the removal of unnecessary utility poles.
- Identifying tools and best practices to track pole removal.
- Creating a final report to TUE Chairs with recommendations for more efficient double pole removal.

Solving this problem will require a multi-prong approach identifying the most affected areas, meeting with utility and telecommunications companies, and municipalities, as well as reviewing current legislation.

The meeting will be held January 18 at 1pm in Room 348 of the State House. The Subcommittee has invited various municipalities, the Department of Public Utilities, the Department of Telecommunications, Telephone Workers and the Massachusetts Municipal Association.

If you are interested in participating, please contact Kathryn Grogan via email or phone at (617) 722-1432 or Kathryn.Grogan@MASenate.gov.

I hope you can attend.

Best Wishes, s/Ken Donnelly

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS:

A communication dated January 9, 2012 was received from His Honor the Mayor as follows:

Dear City Clerk Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Carolyn Turner, 13 Utica Street, to the Woburn Planning Board, subject to confirmation by the City Council, with a term to expire April 30, 2016. Ms. Turner's appointment replaces Martin J. McGah, 20 Highest Avenue, whose term expired.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated January 9, 2012 was received from His Honor the Mayor as follows:

Dear City Clerk Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint David S. Ryan, 17 Hart Street, to the Woburn Redevelopment Authority, subject to confirmation by the City Council with a term to expire Dec. 31, 2016. Mr. Ryan's appointment replaces Lorrin Ferlisi, 5 Highview Road, whose term expired.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated January 9, 2012 was received from His Honor the Mayor as follows:

Dear City Clerk Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint John D. Ray, 22 Water Street, to the Woburn Board of Appeals, subject to approval by the City Council, with a term to expire May 31, 2014. Mr. Ray's appointment replaces Kenneth Summers, 6 Bartlett Drive, whose term expired.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated January 10, 2012 was received from His Honor the Mayor as follows:

Dear City Clerk Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Michael P. Bonish, 2 Majority Lane, to the Woburn Golf and Ski Authority, subject to confirmation by the City Council with a term to expire Dec. 31, 2017. Mr. Bonish's appointment replaces Charles Culhane, whose term expired.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated January 10, 2012 was received from His Honor the Mayor as follows:

Dear City Clerk Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Joseph McDonough, 78 Harrison Avenue, to the Woburn Board of Cemetery Commissioners,

subject to confirmation by the City Council with a term to expire March 30, 2016. Mr. McDonough's appointment replaces Stephen R. Braese, whose term expired.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated January 16, 2012 was received from His Honor the Mayor as follows:

Dear City Clerk Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint John J. Ryan III, 12 Myrtle Street, to the Woburn Board of Appeals, subject to approval by the City Council, with a term to expire May 31, 2012. Mr. Ryan's appointment replaces Joseph V. Leary, whose term expired.

Respectfully, s/Scott D. Galvin, Mayor

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That Rule 20 of the Rules and Order of the City Council be amended by deleting the present Rule in its entirety and inserting in its place the following:

Rule 20. Standing committees

The following standing committees shall consist of five Aldermen: a. Finance; b. Infrastructure and Public Lands; c. Ordinances, Charter and Rules; d. Public Safety and License; e. Special Permits.

The following standing committees shall consist of three Aldermen: a. Audits and Accounts; b. Personnel.

The Committee on Liaison shall consist of all nine Aldermen with the President serving as chairman.

Appointments shall be made to all Committees by the President as soon after the organization of the City Council as possible.

A quorum of any committee shall consist of a majority of its members.

The President shall appoint one Alderman as Liaison to the following boards and commissions as soon after the organization of the City Council as possible: Conservation Commission; Council on Aging; Golf & Ski Authority; Handicapped Commission; Historical Commission; Recreation

Commission; School Building Committee; School Committee; Woburn Housing Authority; Woburn Public Library; Woburn Redevelopment Authority.

s/President Denaro

ORDERED That the City Clerk forward a communication to the Governor, the City of Woburn's State Delegation, the Massachusetts Department of Transportation and the Massachusetts Bay Transit Authority in substantially the form attached hereto in opposition to the proposed fare increases and service reductions of the MBTA.

Attached thereto was the following communication:

Office of the Governor
The Honorable Deval L. Patrick
Massachusetts State House - Room 280
Boston, MA 02133

The Honorable Kenneth J. Donnelly, Senator
Massachusetts State House - Room 413D
Boston, MA 02133

The Honorable James J. Dwyer, Representative
Massachusetts State House - Room 254
Boston, MA 02133

The Honorable Jay R. Kaufman, Representative
Massachusetts State House - Room 34
Boston, MA 02133

Richard A. Davey, Secretary
Massachusetts Department of Transportation
10 Park Plaza, Suite 4160
Boston, MA 02116

Jonathan R. Davis, Acting General Manager
Massachusetts Bay Transit Authority
10 Park Plaza, Suite 3910
Boston, MA 02116

Re: Opposition to Proposed MBTA Fare Increases and Service Reductions

Dear Governor Patrick, Senator Donnelly, Representative Dwyer, Representative Kaufman, Secretary Davey and General Manager Davis:

We write to you today to express our complete disagreement with the potential Massachusetts Bay Transit Authority fare increases and service reductions that will adversely affect the City of Woburn.

While we recognize the budgetary challenges the MBTA faces, we are also of the opinion that bus service in Greater Boston is being disproportionately targeted with cuts in service. The routes currently provided by the MBTA in and around Woburn, including service to downtown Boston, are well travelled and any interruption, suspension or termination of service or, in the alternative, substantive fare increase would have a substantial detrimental impact on our community.

The commuters of the City of Woburn deserve an affordable, reliable and convenient means to travel in and out of Boston. These men and women travel to Boston and the surrounding areas to conduct business and provide for their families. The proposed fare increases and service reductions will have a major impact on the pocketbook of our commuters. Not only will these commuters have less money to spend in Woburn, as well as the community they are travelling to, but they will also have fewer resources to meet their day-to-day household living expenses.

The City of Woburn plays a critical role in the economic engine of the North Shore of Massachusetts. We are at the intersection of two major Interstates where commuter services play a critical role in providing access to the Commuter Rail, Alewife, major shopping malls and the Middlesex County Superior Court and Woburn District Court, among other places. We believe the proposed cuts in service will have an undesirable economic impact on Woburn and the Greater Boston area at large. Tens of thousands of Massachusetts's citizens come to Woburn each day to work and conduct commerce. Those who currently take the bus will be forced to travel by car, which will strain our states infrastructure and pollute our planet.

The commuters, students and senior citizens of Woburn use our bus routes to travel around our state, arrive safely at our universities, visit friends and family, attend their medical appointments and to access our municipal services and courts. Both the State of Massachusetts' and the City of Woburn's economies rely in part on its workers and citizens having a reliable, affordable and convenient means of transportation.

We implore the Massachusetts Bay Transit Authority, State Department of Transportation and our elected officials to come together to find a sensible alternative to the current proposals. We look forward to working with you to find common sense reforms that will protect the interest of Woburn and strengthen the Massachusetts Bay Transit Authority's long-term financial outlook.

We appreciate your consideration.

RESOLVED WHEREAS, a Bill has been proposed in the Massachusetts Legislature entitled “An Act Relative to the Meals Tax Holiday;” and

WHEREAS, the proposed Bill seeks to provide an annual statewide Meals Tax Holiday for the days of March 20-26; and

WHEREAS, the proposed Bill does not apply to the “Local Option Meals Tax;” and

WHEREAS, historical data suggest that the third week of March is the slowest week for the restaurant industry in Massachusetts; and

WHEREAS, the traditional Sales Tax Holiday does not apply to restaurants; and

WHEREAS, a suspension of the statewide Meals Tax for that week should provide an incentive for increased restaurant business; and

WHEREAS, the City of Woburn has a significant number of businesses that would benefit from a suspension of the statewide Meals Tax and the resulting increase in restaurant business;

WHEREAS, the Proposed Bill states:

An Act Relative to the Meals Tax Holiday:

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding any general or special law to the contrary, for the days of March 20-26, of each year, inclusive, the tax imposed upon meals pursuant to chapter 64H of the General Laws, as most recently amended by section 157 of chapter 27 of the Acts of 2009, shall be suspended.

Section 2. Notwithstanding any general or special law to the contrary, for the days of March 20-26, of each year, a restaurant in the commonwealth shall not add to the sales price or collect from a customer an excise upon sales of meals. The commissioner of revenue shall not require any restaurant to collect and pay excise upon sales of meals purchased on March 20-26, of each year. An excise erroneously or improperly collected during the days of March 20-26, of each year, shall be remitted to the department of revenue.

Section 3. Reporting requirements imposed upon restaurants by law or regulation, including, but not limited to, the requirements for filing returns

required by chapter 62C of the General Laws, shall remain in effect for sales on the days of March 20-26, of each year.

Section 4. On or before December 31, of each year, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from person and corporate income taxes and other sources, pursuant to this Act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under Chapter 64H of the General Laws which would have been deposited in each fund, without this act.

Section 5. The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.

Section 6. No part of this act shall affect the provisions of chapter 64L of the General Laws, as most recently added by section 60 of chapter 27 of the acts of 2009.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOBURN:

1. That the City Council of the City of Woburn supports An Act Relative to the Meals Tax Holiday;
2. That Said Resolve shall be forwarded to our State Delegation consisting of Representatives James J. Dwyer and Jay R. Kaufman and Senator Kenneth J. Donnelly.

s/Alderman Anderson and Alderman Haggerty

RESOLVED Whereas, the Council Chamber in Woburn City Hall is used by many boards and commissions that hold public meetings and public hearings, including, but not limited to, the City Council, the Board of Appeals, the Planning Board, the Conservation Commission, and the Traffic Commission; and

Whereas, the Council Chamber serves as the location for many public events, hearings and other community meetings; and

Whereas, the lack of air conditioning in the Council Chamber has a detrimental effect on the city boards and commissions as well as members

of the public while considering matters of public importance during warmer weather; and

Whereas, air conditioning is now common and expected in most settings;

Now, therefore, be it resolved by the City Council of the City of Woburn that a communication be directed to His Honor the Mayor and the Superintendent of Public Works requesting that consideration be given to installing air conditioning in the Council Chamber as soon as practicable.

s/Alderman DiTucci

Motion made and 2nd to ADJOURN.