

**CITY OF WOBURN
JUNE 4, 2013 - 7:00 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:

Presentation by Powers and Sullivan relative to the independent audit for FY2012.

ORDERED That the sum of \$40,000.00 be and is hereby appropriated from Cemetery Interest Fund and distributed as follows for Fiscal Year 2014: \$10,000.00 to Utility Acc. 0149052-521103, \$10,000.00 to New Equipment 0149058-586600, \$2,000.00 to Office Supplies 0149054-542000, \$6,000.00 to Equip/Bldg Main 0149054-543000, \$10,000.00 to Tools/Supplies Acct 0149054-546100, \$2,000.00 to Over-time Acct 0149051-513100

I hereby approve the above: s/William Kerns, Chairperson

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

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

s/Alderman _____

A communication dated May 30, 2013 with attachment was received from His Honor the Mayor Scott D. Galvin as follows:

Re: Appropriation for Settlement of Fire Fighters Labor Contract

Dear President Denaro and Other Members of the Council:

For your consideration and as required by State statute, I am submitting an appropriation to make the required payment of wages and other stipends to members of the City's firefighter union as a result of the arbitration decision from the Joint Management Labor

Committee. The Joint Labor Management Committee (JLMC) is an agency of the Commonwealth that can assume jurisdiction for the settlement of a police or fire union labor contract if a settlement is not reached locally. The JLMC contract settlement process is long and costly with a tri-partite committee comprised of a union representative and a management representative from other communities as well as an outside arbitrator making the decision on the settlement. In this case, the fire fighters union made the request for the JLMC to assume jurisdiction of the labor contract settlement.

All contracts for City unions were settled and increases in wages were paid on a fair and equitable basis and in full consideration of the City's financial interests. With the exception of the Police labor unions, the basic labor contract settlements included wage increases of 1% for Fiscal Year 2012, 2% for Fiscal Year 2013 and 2% for Fiscal Year 2014. The Police Unions settled for a 1% increase in the first year of the contract (Fiscal Year 2012) with no further wage increases in the second or third years. The smaller wage increase allowed Police Union employees who were receiving the Quinn Bill education incentives to continue receiving this benefit while new hires in the Police Union would not be eligible for the Quinn Bill, but would receive a fixed dollar amount education incentive of approximately half of the Quinn Bill percentage amount. Additionally, the settlements with all City labor unions resulted in employees assuming an additional 5% of the health insurance premiums.

In general, our employees are fairly compensated with excellent benefits. Specifically, the Fire Fighters Union has benefitted from a generous set of benefits, including a number of stipends which most members of the union receive: certified instructor, EMT certification, Red Cross certification, Commercial Driver's license, education incentives, clothes cleaning allowance, retirement incentive, longevity, vacation, sick, and personal day benefits.

The JLMC arbitration decision included the following:

- Wage increases of 1%, 2% and 2% over the three years of the contract, the exact percentages accepted by other City unions (with the exception of the police who received less).
- Requirement for FF Union employees to pay an additional 5% of the health insurance premiums, again exactly the same as the contract agreements with other City union.
- Increase in EMT stipend from an annual amount of \$1,750 to \$2,500, an annual increase of \$750 for a certification that is a requirement of the job. This is equivalent to another 1.3% increase in the firefighter level of pay.
- Fifth week of vacation after twenty years of employment which further reduces the number of work days for this employee group, some of whom will now be working 79 days or less each year. Further, this additional time-off will exacerbate overtime costs for the department.
- Change in manning requirements which will result in changes to the fire station assignments.

- And, a change in compensatory overtime payment administration which we are hopeful will enable the city to manage the overtime costs more effectively.

However, as required by State statute I am submitting the appropriation to pay the costs involved in the settlement of the FF Union contract mandated under the JLMC process.

Sincerely, s/Scott D. Galvin, Mayor

Attached thereto was the following Order:

ORDERED That the sum of \$370,000.00 be and is hereby transferred as so stated from Unreserved Fund Balance Acct #01-359000 \$370,000.00 to Fire-Salary Acct #0122051-511000 \$250,000.00, Fire Overtime Acct #0122051-513100 \$40,000.00, Legal Assistance Acct #0115152-530400 \$80,000.00, Total \$370,000.00 – Purpose: Fire Union Settlement.

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 \$965.00 be and is hereby transferred as so stated from Conservation/Tree Program Acct #0117158-584001 \$965.00 to Conservation/Property Maint. Acct #0117152-524105 \$965.00

I hereby approve the above: s/Theresa Murphy, Director of Conservation

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

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

s/Alderman _____

A communication dated May 30, 2013 was received from His Honor the Mayor Scott D. Galvin as follows:

Paul Denaro, City Council President - Members of Woburn City Council

Please be advised that we have continued taking steps to comply with The Administrative Consent Order (ACO) initially signed and agreed to by the former Mayor requiring the City of Woburn to install residential water meters. In further compliance, The Purchasing Department recently advertised a request for proposals for the purchase of residential water meters and a fixed network radio frequency automatic meter reading system. Proposals are due by 7-9-2013. A separate bid will be solicited for the installation of the meters.

The deadline to begin installation of the meters is 1/1/2014. I have included a proposed ordinance as a starting point regarding the installation process. I will be available to discuss this matter in committee

Sincerely, s/Scott D. Galvin, Mayor

ORDERED Be it Ordained by the City Council of the City of Woburn that the Title 13 of the 1989 Woburn Municipal Code, as amended, be further amended in the following respects:

by deleting Section 13.2.14 Water Meters, in its entirety and inserting in its place the following:

13.2.14 Water Meters.

On all water service installations other than those solely for the purpose of fire protection, the pipe shall be equipped with such meters and meter reading devices, as the Superintendent of Public Works shall direct. All meters will be purchased by and remain the property of the Department of Public Works, meter reading devices shall be installed at no charge to all residential and commercial units in existence as of January 1, 2013.

For all new construction of residential and commercial units after January 1, 2013, the builder shall make payment with the Department of Public Works for the full cost of furnishing the water meter and meter reading unit. No such service shall be installed until payment has been received by the Department of Public Works. No abatement or refunding of the cost of the installation shall be made. The City shall not be required to make connections at its expense. The minimum meter size for all new connections shall be 1-inch.

Duplex and multi-family residential units shall be equipped with such meter and meter reading devices, as the Superintendent of Public Works shall direct. In addition, a separate water meter and meter reading device shall be installed on all services lines for non-residential use, irrigation lines, pool houses, etc. as the Superintendent shall direct. The owner shall be billed at a commercial rate for the non-residential water use;

by amending the second sentence of Section 13.2.19 Installation of Meters, so that it reads as follows: (amended language in ~~strikethrough~~)

A stop valve shall be installed near the outlet of the meter, ~~at the expense of the owner~~, to permit removal of the meter without

backflow from internal water system;

by deleting Section 13.2.35 Rates for Various Types of Services, (A)(2) in its entirety and inserting in its place the following:

2. For the purpose of this section, "residential units" means single-family, duplex or multifamily units, where one or more persons reside. Multifamily units consist of 3 or more residential units in one building;

by amending Section 13.2.35 Rates for Various Types of Services (C)(1) by adding a new sentence at the end thereof so that it will read (new language in bold):

C. Metered Services.

1. All water services, other than those defined above as residential or mixed use, shall be charged a base rate of \$4.60 for every one hundred cubic feet of water used. Separate meters shall be required where water is supplied to both a residential unit/units and a commercial unit. Where water is supplied to both a residential unit and a commercial unit through a single service, the rate charged shall be determined by the principal use of said water. The principal use shall be determined by the Superintendent of Public Works. Water for building purposes shall be supplied by meter, and be charged at the current commercial rate for the total amount of water used;

and by deleting Section 13.2.35(C)(2-3) in their entirety and inserting in place thereof the following:

2. Meters and reading devices shall be the property of the Department of Public Works. The Department of Public Works shall furnish and install a water meter and meter reading unit at no charge for all residential and commercial units in existence as of January 1, 2013.
3. For all new construction of residential and commercial units after January 1, 2013, the builder shall make payment with the Department of Public Works for the full cost of furnishing the water meter and meter reading unit. The builder shall be responsible for installing the water and meter reading unit in accordance with Massachusetts Plumbing Code and the requirements of the department of Public Works.

4. All meter payments shall be placed into a revolving account within the Water and Sewer Enterprise account to be used for water meter and meter reading device replacement.

s/Alderman _____

A communication dated May 30, 2013 with attachment was received from His Honor the Mayor Scott D. Galvin as follows:

Dear President Denaro and Members of the Woburn City Council:

I am forwarding to the City Council's attention, the proposed Special Act Legislation ("Special Act"), which was provided to me by the City's state legislative representatives. The purpose for the Special Act Legislation is to provide enhanced disability retirement benefits for Officer Robert DeNapoli, who was shot and injured in the line of duty while responding to an armed robbery at Musto Jewelers on September 6, 2011.

After receiving the Special Act, and in order to fully assess and understand the financial benefits to be provided to Officer DeNapoli and the costs to the City, I requested that it be reviewed by the Director of the Woburn Retirement Board and its legal counsel, the City Solicitor, and the City Auditor.

Prior to initiating this review process, I expressed to Officer DeNapoli my wish that he remain with the Woburn Police Department, and specifically told him that his experience would make him an ideal candidate for the position of resource officer at one of the Middle Schools.

The Special Act demonstrates the City of Woburn's commitment and obligation to ensuring that Officer DeNapoli and his family do not suffer financial hardship as a result of his injuries. Since Officer DeNapoli was injured in the line of duty the City, among other things, has:

- Continued to pay his full weekly salary, which he receives on a tax free basis;
- Obtained an insurance settlement for his injuries from the City's insurance company in the amount of \$ 125,240.; and
- Appointed his son to serve as a reserve police officer.

The Special Act represents a new standard and commitment to police officers who have suffered a career-ending injury in the line of duty and provides the following benefits for Officer DeNapoli:

- Section 2 provides that in addition to c.32, §7 benefits (72% of regular rate of compensation), Officer DeNapoli will receive an additional sum such that he will receive "on a pre-tax basis" 100% his regular rate of compensation, which he would have received had he continued in service as a police officer until the age of 65. At

age 65, this increased disability retirement allowance ends, and at which time the allowance reverts to 80% of the three-year average annual rate of compensation.

- Section 2 also exempts the 100% disability payment from the provisions of M.G.L. c.32, §8 (evaluation and reexamination) and §91A (filing of yearly tax forms and limitations on his ability to earn additional income).
- Section 2 also provides that all sums paid by Officer DeNapoli into the retirement system be returned in one lump sum (generally only provided as a death benefit). This amount is estimated to be approximately \$86,000.
- Section 3 provides that Officer DeNapoli's surviving spouse will receive three-fourths of the annualized amount of the pension payable at the time of death, in monthly installments.
- Section 4 provides that Officer DeNapoli will be indemnified for any hospital, medical and related healthcare expenses arising out of his disability related injury.
- He will continue to be covered under the City's medical insurance plan.

I shall be available to discuss all of the above with the City Council at its convenience.

Sincerely, s/Scott D. Galvin, Mayor

A communication dated June 3, 2013 was received from His Honor the Mayor Scott D. Galvin as follows:

Paul Denaro, City Council President – Members of Woburn City Council

This memorandum shall serve to supplement the May 30, 2013 memorandum, which accompanied the proposed Special Act Legislation ("Special Act") and wherein it was stated that the Special Act was provided to me by the City's state legislative representatives. The Special Act submitted to the City Council is not in its original form and after it was reviewed by me, the Director of the Woburn Retirement Board and its legal counsel, the City Solicitor, and the City Auditor; it was revised from the original in the following respects:

- As initially proposed, Section 2 provided that in addition to c.32, §7 benefits (72% of regular rate of compensation), Officer DeNapoli will receive an additional sum such that he will receive "on a pre-tax basis" 100% his regular rate of compensation, which payment would continue without reduction even after Officer DeNapoli attained the mandatory retirement age of 65. The Special Act was revised to provide that upon reaching the mandatory age of retirement, that the increased disability retirement allowance for Officer DeNapoli would end, and the allowance would be reduced to 80% of the 3-year average annual rate of compensation.
- As initially proposed, Section 4 provided that Officer DeNapoli's hospital, medical and related healthcare expenses arising out of his disability related injury would be indemnified in accordance with the procedures of M.G.L. c.41, §§100A and 100B. As the City of Woburn has not adopted either of those statutes, references to those

sections were removed thus simply providing that Officer DeNapoli shall be indemnified for medical expenses related to his injuries.

- Other non-substantive revisions were made by legal counsel for the Retirement System for purposes of clarity and to ensure that the language of the Special Act more accurately reflected the manner in which disability retirement benefits are paid.

Sincerely, s/Scott D. Galvin, Mayor

Attached thereto was the following Order:

ORDERED Be it ordained by the City Council of the City of Woburn that a petition be filed with the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court. The Mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act relative to the disability retirement of Woburn police officer Robert DeNapoli.

SECTION 1. Notwithstanding any general or special law to the contrary and in order to promote the public good, the Woburn retirement board is directed to retire Robert DeNapoli, a Woburn Police Department Officer who was seriously injured in the line of duty on September 6, 2011, and as a result, is totally and permanently incapacitated from performing the essential duties of a police officer. Said benefits shall be paid and administered in accordance with section 7 of chapter 32 of the General Laws.

SECTION 2. In addition to the retirement benefits granted under section 7 of Chapter 32 hereunder, the city of Woburn shall grant Robert DeNapoli additional benefits, such that he will receive, on a pre- tax basis, additional sums that together with his benefits under said section 7 of chapter 32, shall equal the regular rate of compensation which would have been payable to the said Robert DeNapoli had he continued in service as a police officer of the police department of the city of Woburn at the grade held by him at the time of his retirement. Such retirement shall become effective commencing on the date immediately following the final day for which he received regular compensation for such employment. This increased disability retirement allowance shall end when the said Robert DeNapoli turns 65 years of age at which time his disability retirement allowance shall revert to an amount equal to 80 per cent of the 3-year average annual rate of compensation paid in the previous 36 months, or upon his death, whichever first occurs. The additional benefits granted

herein shall be funded and administered by the Woburn retirement board, consistent with and subject to said chapter 32, except that sections 8 and 91A of said chapter 32 shall not apply. Further, upon retirement, Robert DeNapoli shall receive a lump sum payment from the Woburn retirement board of total accumulated retirement deductions.

SECTION 3. If the said Robert DeNapoli is married at the time of retirement, then upon his death, the Woburn retirement board is directed to pay to such surviving spouse, if then living, a pension, payable in monthly installments, in the amount of three-fourths of the annualized amount of the pension payable to the said Robert DeNapoli on the date of death. Said pension shall be subject to section 103 of chapter 32.

SECTION 4. The said Robert DeNapoli shall be indemnified for hospital, medical, and other healthcare expenses related to treatment of injuries sustained while in the line of duty on September 6, 2011.

SECTION 5. This act shall take effect upon its passage.

s/Alderman _____

A communication dated May 30, 2013 with attachment was received from His Honor the Mayor Scott D. Galvin as follows:

President Denaro City Council President – Members of Woburn City Council

I am forwarding this correspondence to update the City Council on our efforts to promote economic development in the City of Woburn.

The MA Economic Development Incentive Program (EDIP) helps businesses and developer's obtain State and local tax incentives in exchange for certain employment and private investment commitments. In order for the City of Woburn and a potential business developer to participate in the (EDIP) the City of Woburn must submit an application to The Economic Assistance Coordinating Council (EACC) requesting the City be designated as an Economic Target Area (ETA).

The City of Woburn has applied for the ETA designation, which will be considered on June 26, 2013 by The EACC. After Woburn is approved as an Economic Target Area, I will request the City Council, designate the Commerce Way Overlay Zone as an Economic Opportunity Area (EOA). This designation must also be approved by The EACC. In the future additional area in the City of Woburn may be designated as EOAs.

Both ETA and EOA approvals will allow the City and a potential business developer to participate in the EDIP. For the developer there is a comprehensive application process they must go through with the EACC. When the developers project is designated as a

Certified Project (after a series of state and local approvals), they will be eligible for state and local tax incentives. The local tax incentives must be approved by the City Council.

I have attached a map of the communities that have been approved as ETA's. Although Woburn is ideally situated between Route 128 and Route 93, it is imperative that the City be equipped with the same tools as our neighboring communities to attract prospective businesses to locate here and responsibly grow our commercial tax base.

I anticipate submitting a request for EOA approval to the City Council this summer.

Sincerely, s/Scott D. Galvin

PUBLIC HEARINGS:

On the petitions by Parker Hannifin Corporation, 6035 Parkland Blvd., Cleveland, OH 44124 to amend three Inflammable Licenses as follows: 1.) To allow Class 1A flammable liquid maximum 20 gallons in drums/pail, Class 1B flammable liquid maximum quantity 1,680 gallons in drums/pail, Class 1C flammable liquid maximum quantity 300 gallons in drums/pail/cylinder at 8 Commonwealth Avenue; 2.) To allow Class 1A flammable liquid maximum 5 gallons pail, Class 1B and Class 1C flammable liquid maximum quantity 730 gallons in drums/pail at 70 Dragon Court; 3.) To allow Class 1A flammable liquid maximum 15 gallons in drums/pails, Class 1B flammable liquid maximum quantity 645 gallons in drums/pails, Class 1C flammable liquid maximum quantity 100 gallons in drums/pails at 84 Dragon Court. PUBLIC HEARING OPENED.

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

ORDINANCE:

On the Order to amend Title 2, Article XXXVI, Section 2-234 of the 1989 Woburn Municipal Code, as amended, relative to designating members of the Woburn Agricultural Commission as special municipal employees under Massachusetts General Laws Chapter 268A, committee report was received "ought to pass".

FINANCE:

On the Order to authorize the Special Education Departmental Revolving Fund, committee report was received "ought to pass".

On the Order to transfer the sum of \$9,500.00 from Payroll Fees Account to Treasurer/Bill Printing Account, committee report was received “ought to pass”.

On the Order to transfer the sum of \$3,540.01 from COA/Senior Van Account to COA/Misc. Expenses Account, committee report was received “ought to pass”.

On the Order to appropriate the sum of \$950,000.00 from Sale of Cemetery Lots Account to Cemetery Paving Account. Purpose: Pavement of Woodbrook Cemetery, committee report was received “back for action”.

NEW PETITIONS:

Petition by Landjet, Inc., 76 Winn Street for renewal of Livery License for three (3) vehicles.

Communication dated May 23, 2013 with attachments received from William R. Bergeron, P.E., Project Engineer, Hayes Engineering, Inc., 603 Salem Street, Wakefield, Massachusetts 01880 as follows:

Subject: Inwood Drive, Inwood West Special Permit Minor Modification – Emergency access to Johnson Woods Condominium, Reading, Massachusetts

Dear City Council Members,

I have been involved with the Inwood Drive project located on the isolated section of Woburn that was cut off by the construction of Route 93 since 1984. The project has evolved through the years from an office park to the eventual constructed apartment complex.

Through the years the issues that has been always a concern of the Woburn Fire Department and Chief Paul Tortolano specifically has been the lack of an alternate way into the site if an emergency condition should arise. When the original office park was approved there was a provision to have an emergency access eventually connect to Reading to address this issue.

The Avalon Inwood Apartment approval did not require this emergency access because it was not possible to negotiate the rights at the time. The mitigation offered at the time was for new emergency vehicles. The construction of the second phase of the Johnson Woods parcel in Reading provided an opportunity to provide for the emergency connection during the design process. The Johnson Woods site has internal looped roadways so the connection was not an important aspect for the Reading side of the access however it did provide an alternate access to the end of Inwood Drive at the cul-de-sac. Until the

emergency access was provided Inwood Drive has an effective dead end length of approximately 3,400 feet. The emergency access will be maintained by the Johnson Wood Condominium and will be gated and locked for emergency use only.

Since this is something that was not required by the current approvals and it has always been desirable UDR Inwood LLC would request that the City Council of the City of Woburn allow this emergency driveway as a minor modification to the Special Permit as a benefit to all parties. This approval will not impact the traffic or access for the users in Reading or Woburn since it is always gated except for emergency use and when and snow plowing the emergency access. No other use is intended or allowed.

During the approval process for the Johnson Woods project there were multiple meetings held between Reading and Woburn officials relative to specific access. On February 23, 2012 there was a meeting in Woburn City Hall with George Zambouras, Reading Town Engineer, Jay Corey, Woburn City Engineer, Paul Tortolano, Woburn Fire Chief and Jay Duran, Woburn Public Works Superintendent to review the proposed emergency access location. The proposed location that was approved is the one that was constructed. A condition of the emergency access is that it is always gated and locked from any other non-authorized use.

Therefor it is our understanding that we have been able to enhance the site access to Inwood Drive and have obtained prior approval from the various Woburn officials that had normal control over the work. It has recently been pointed out that even though everyone agrees that the emergency connection is a benefit it should be presented to the Council.

Therefore we would appreciate it if the City Council would consider this as a minor modification. The emergency access is shown on the revised Modification Plan C-17 dated November 9, 2007 revised through May 23, 2013. The easement is recorded at Middlesex South Registry of Deeds at Book 59394, Page 508. The only modification to sheet C-17 is the addition of the emergency access easement.

I will be pleased to discuss this minor modification issue with the Council at their next meeting.

Please feel free to call me if you have any questions regarding this matter.

Very truly yours, s/William R. Bergeron, P.E., Project Engineer

Petition by Warnick Associates, Inc., 151 Main Street, Suite 1, Salem, New Hampshire 03079 for a special permit pursuant to Section 5.1.41 of the 1985 Woburn Zoning Ordinances, as amended, to allow research and testing laboratory to occupy existing condo space at Unit #13, 5 Crescent Avenue.

Petition by Gold Star Homes, LLC, 83 Cambridge Street, Suite 2d, Burlington, Massachusetts 01803 for a special permit pursuant to Section 7.3 of the 1985 Woburn Municipal Code, as amended, to modify a special permit dated April 26, 2013 as follows:
1. That Condition 16 be modified by deleting the reference to the Plan of Record entitled "Site Development Permit Plan Located in Woburn, Mass. 960 Main Street" prepared by Eastern Land Survey Associates, Inc., dated October 11, 2011, revised March 12, 2012, revised March 20, 2012 and replace same with the plan entitled "Site Development Permit Plan Located in Woburn, Mass. 960 Main Street" prepared by Eastern Land Survey Associates, Inc., dated April 17, 2013 and revised on April 30, 2013, at 960 Main Street.

Petition by Blues for Veterans Inc., P.O. Box 507, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.75 of the 1985 Woburn Zoning Ordinances, as amended, to allow a music concert and festival at Library Park, Harrison Avenue.

Petition by D.E. Foods, LLC dba KFC/Taco Bell, 170 Olde Forge Road, Hanover, Massachusetts 02339 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended to all an additional freezer/cooler unit to be constructed as an addition to a non-conforming building at 163 Cambridge Road.

Petition by Sean Lahey, 325 Main Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.57a of the 1985 Woburn Zoning Ordinances, as amended, to allow two (2) storage containers at 8 High Street.

COMMUNICATIONS AND REPORTS:

A communication dated May 17, 2013 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 April 2013: number of parking violations issued 377, number of violations paid 214, number of violations outstanding 144, amount collected and submitted to the Office of the Collector \$19,039.20. There exists a backlog of 6,106 for 1982 through 2012. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$4,000.00.

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

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That the City Council Regular Meetings scheduled for July 2, 2013 and August 20, 2013 be and are hereby canceled, meaning and intending to establish the City Council summer session for July 16, 2013 and August 6, 2013.

s/President Denaro

ORDERED That Be it Ordained by the City Council of the City of Woburn that the Title 9, Section 9-11(A) of the 1989 Woburn Municipal Code, as amended, be further amended by deleting the section in its entirety and inserting the following new Section 9-11(A) in its place: **(new language is in bold)**

9-11 Drinking liquor on public property.

A. No person shall drink any alcoholic beverages as defined in **M.G.L. c. 138, § 1**, or possess an open container full or partially full of any alcoholic beverages while on, in, or upon any public way, upon any way to which the public has right of access, in any place to which members of the public have access as invitees or licenses, in any park or playground conservation area, or recreation area, **except as otherwise authorized by the issuance of a special event permit from the City Council, Recreation Commission or License Commission, together with the issuance of a one-day alcoholic beverage license by the License Commission in accordance with M.G.L. c.138, §14**, or private land or place without consent of the owner or person in control thereof.

s/Alderman Anderson and Alderman Gaffney

ORDERED Be it Ordained by the City Council of the City of Woburn that the Title 12, Streets, Sidewalks and Public Places, of the 1989 Woburn Municipal Code, as amended, be further amended by inserting the following new Article and Section:

Article XIV. Special Events Permit

12-51 Purpose.

This ordinance establishes the procedures and requirements for allowing the use of public property for special events in the City of Woburn, by providing for traffic and crowd control, for street, park, and property maintenance, and for the protection of the public health, safety and welfare.

12-52 Special Event – Definition

A “Special Event” is an event that is open to the general public; held on public property; it may feature entertainment, amusements, food and beverages; it may be classified as a festival, concert, fair, concert, road race, or some other gathering or assembly, whether or not it involves fundraising. This definition shall not include parades.

12-53 Special Event Permit Required.

No special event, including parades, demonstrations, concerts, fairs, festivals, marches, assemblages, or other gatherings, shall be held upon any City street, park or other public area of the City unless a permit is first obtained for such event. Peaceful demonstrations (including lawful picketing) conducted on public sidewalks so as not to impede pedestrian or vehicular traffic are not considered special events.

12-54 Permit Application.

Application to conduct a special event shall be made to the City Council, in writing, by the person or persons in charge or responsible therefore. All applications for special event permits shall be made at least thirty (30) days prior to the date on which the special event is sought to be held, unless the City Council waives the time requirement for good cause shown. The application shall be on a form approved by the City Clerk which shall set forth the following information:

1. The name, address and telephone number of the person requesting the permit.
2. The name and address of the organization or group involved.
3. The name, address and telephone number of the person who will act as director or person in charge of the special event and be responsible for the conduct thereof.
4. The purpose of the event and the number of persons expected to attend.
5. The date the event is to be conducted and the hours it will commence and terminate.
6. The specific assembly and dispersal locations, and specific route plans, if any.

7. Such other information as the City reasonably deems necessary to properly prepare for and/or evaluate the potential impact on the public health, safety and welfare.

12-55 Sale of Alcohol During Special Event

Pursuant to Section 9-11(A) of this Code, it is illegal in the City of Woburn to sell, serve, and consume alcohol beverages on public property without a special event permit. The sale and service of alcohol during a Special Event will require the issuance of a one-day license by the License Commission in accordance with M.G.L. c.138, §14. If such license is issued, the outdoor area where alcohol is to be sold or served is to be enclosed by fencing or other barrier set-up for the purpose of restricting the removal of alcoholic beverages by patrons/guests.

s/Alderman Anderson and Alderman Gaffney

ORDERED Be it Ordained by the City Council of the City of Woburn that Title 2, Article XXVII, Section 2-180 of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. That the base salary of the City Auditor be amended to \$92,495.43.
2. That the base salary of the City Clerk be amended to \$75,919.05.
3. That the base salary of the Clerk of the City Council be amended to \$10,679.16.
4. That the base salary of the Clerk of Board of Registrars of Voters be amended to \$10,679.16.
5. That the base salary of the Human Resources Director be amended to \$91,574.33.
6. That the base salary of the Library Director be amended to \$91,011.05.
7. That the base salary of the City Solicitor be amended to \$90,568.80.
8. That this section shall be effective July 1, 2013.

s/President Denaro

ORDERED Be it Ordained by the City Council of the City of Woburn that Title 2, Article XXVII, Section 2-181 of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. That the base salary of the DPW Superintendent be amended to \$98,838.00.
2. That this section shall be effective July 1, 2013.

s/President Denaro

RESOLVED That the Committee on Infrastructure and Public Lands meet with representatives of Tanner Tavern to discuss the possibility of establishing parking on the site known as Magazine Hill.

s/Alderman Gately

ORDERED Whereas, Sheri McCann joined NuPath in 1980 and has spent more than three decades as a leading champion for people with intellectual and physical disabilities and has strongly supported countless families in Woburn and surrounding communities; and

Whereas, Sheri McCann has grown NuPath from a small program serving 35 people to a major service provider supporting over 350 people a day with more than 300 employees; and

Whereas, Sheri McCann’s leadership of NuPath has had a major influence within the broader Human Services Community, most recently concluding a two-year term as Board Chair for the Providers Council; and

Whereas, Sheri McCann has served as President of the Massachusetts Association of Community Rehabilitation Organizations, Board Chair for the Association of Developmental Disability Providers, and surveyor for the Commission of Accreditation; and

Whereas, Sheri McCann’s inspiration and influence in the recent founding of the Caring Force which has grown to more than 14,000 member with a mission to empower those who care about human service and advance a collective agenda that protects our most vulnerable citizens;

Now, Therefore, Be It Resolved by the City Council of the City of Woburn that the Woburn City Council recognizes the many achievements, accomplishments and contributions of Sheri McCann, to the citizens of the City of Woburn and surrounding communities during her career at NuPath, thanks her for her service to the community, and extends the best wishes of the community for continued health, happiness and success upon her retirement.

s/Alderman Haggerty and Alderman Raymond

Motion made and 2nd to ADJOURN.