

**CITY OF WOBURN
NOVEMBER 19, 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:

ORDERED That the sum of \$2,453,473.76 be and is hereby appropriated as so stated from Debt Reserve Acct #648059-596100 \$2,453,473.76 to General Fund Acct #0171059-591000 Principal \$1,645,000.00, Acct #0171059-591500 Interest \$808,473.76, \$2,453,473.76 – Debt Exclusion for FY2014.

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

s/Alderman _____

ORDERED That the amount of \$330,000.00 be and is hereby appropriated to Special Education Para-Professionals Acct #0222501-511011.

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

s/Alderman _____

ORDERED That the amount of \$280,000.00 be and is hereby appropriated to Veteran's Department for Cash Aid Acct #0154357-577000.

I hereby recommend the above: s/Scott D. Galvin, Mayor
I hereby approve the above: Lawrence Guiseppe, Veteran's Agent

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

s/Alderman _____

ORDERED That the amount of \$60,000.00 be and is hereby appropriated: Election Workers Acct #0116251-512005 \$49,000.00, Voting Machine Repair Acct #0116252-524905 \$5,000.00, Election Printing Acct #0116252-534305 \$6,000.00, Total \$60,000.00 – Purpose: Special State Election.

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

s/Alderman _____

ORDERED That the following authorized and unissued bond authorizations be and are hereby rescinded: Original Purpose - Original Date Authorized - Original Amount Authorized - Amount to be Rescinded: 1. Goodyear Elementary School – 9/10/2009 - \$26,500,000.00 - \$15,996,000.00; 2. Joyce Middle School Roof – 4/5/2011 - \$1,800,000.00 - \$885,000.00; 3. Kennedy Middle School – 4/5/2011 - \$3,900,000.00 - \$2,489,000.00

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

s/Alderman _____

ORDERED That the amount of \$165,500.00 be and is hereby appropriated to Auditor Salary.

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

s/Alderman _____

PUBLIC HEARINGS:

On the petition by 10 Presidential Way Associates, LLC, 10 Presidential Way, Woburn, Massachusetts 01801 for a special permit with any dimensional relief as may be required pursuant to Sections 5.1.80a, 5.6, 6 and 11 of the 1989 Woburn Zoning Ordinances, as amended, to establish a telecommunications facility to be used for education, training and transmission of secure data at 10 Presidential Way. PUBLIC HEARING OPENED. A

communication dated October 28, 2013 was received from Attorney Brandon Ruotolo, American Tower as follows:

Re: Special Permit Petition of 10 Presidential Way Associates, LLC., 10 Presidential Way – Map 2, Block 1, Lot 1 – Request for Grant of Continuance 2

Dear City Clerk William C. Campbell,

I respectfully request that the City Council public hearing for the above-listed matter, scheduled for Tuesday, November 19, 2013, be continued to the City Council meeting on Tuesday, December 17, 2013. Additionally, a request has also been made to the Planning Board requesting that the above-listed matter scheduled for consideration on Tuesday, October 29, 2013, be continued to the Planning Board meeting on Tuesday, December 3, 2013.

On October 16, 2013, Petitioner met with the Planning Staff to review the subject Special Permit Petition. At that time Planning Staff requested additional technical materials to assist in project review. Petitioner is providing those deliverables to Planning Staff as they become available and the parties agree that everyone may benefit from additional time.

Finally, the above-listed Petitioner consents to an extension of any applicable timelines under FCC or Federal Regulations until the dates of the requested meetings. Thank you and please contact me with any questions.

Sincerely, s/Brandon Ruotolo, Esq., American Tower

On the petition by Rosematwo, LLC, 10 Dorrance Street, Boston, Massachusetts 01219 for a special permit pursuant to Sections 8.7.2.10, 5.1.42, 8, 6.1 Note 8, and 12 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the construction of a 10,000 square foot building addition to an existing warehouse facility, including loading docks and parking at 7 State Street. PUBLIC HEARING OPENED. A communication dated October 29, 2013 was received from Daniel Campbell, P.E., Principal, Level Design Group, 249 South Street, Unit 1, Plainville, Massachusetts 02762 as follows:

Re: Rosematwo – Building Expansion – 7 State Street, Woburn, MA

Mr. Campbell and Members of the Council:

Level Design Group, L.L.C. (LDG), on behalf of Rosematwo, LLC, is requesting a continuance of the public hearing for the above referenced property to your December 17, 2013 public hearing. LDG continues to work with the Conservation Commission on their approval which will precipitate our hearing with the Planning Board for the project in advance of your next public hearing.

Should you have any questions, please contact me.

Truly yours, Level Design Group, L.L.C., Daniel Campbell, P.E., Principal

On the petition by 508 Main Street LLC, 508 Main Street, Woburn to amend the Zoning Map of the City of Woburn by amending the zoning district for the property identified on Assessors Map 43, Block 17, Lot 16 being the entire parcel of land known as 506 Main Street a/k/a 508 Main Street and 6-14 Hovey Street containing approximately 0.57 acres of land from the R-4/B-D zoning district to the B-D zoning district. PUBLIC HEARING OPENED. A communication dated November 13, 2013 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: 508 Main Street LLC, Proposed Amendment to Zoning Map of the City of Woburn

Dear Mr. Campbell:

I respectfully request that the City Council public hearing on this matter presently scheduled for November 19, 2013 be continued to the City Council meeting on December 17, 2013. As you know the Committee on Ordinances voted last evening to keep the Petition in Committee pending review of proposed Covenant to be submitted by the Applicant. If you need any further information, please contact me. Thank you.

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

On the petition by UDR Inwood LLC, c/o UDR, Inc., 1745 Shea Center Drive, Suite 200, Highlands Ranch, Colorado 80129 for a special permit pursuant to Section 11.3.12 of the 1985 Woburn Zoning Ordinances, as amended, to modify a special permit dated April 7, 2005, as further amended April 13, 2006, November 9, 2006, March 19, 2007, July 13, 2007 and January 25, 2008, by substituting Plan C17 of the Plan of Record with Plan C17 entitled "Modification Layout Plan, Avalon at Inwood, Woburn, MA dated November 11, 2008 and revised on May 23, 2013 prepared by Hayes Engineering, Inc." to provide for emergency access from the site, at 1 Inwood Drive. PUBLIC HEARING OPENED. A communication dated November 6, 2013 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: UDR Inwood LLC – 1 Inwood Drive – To allow for the modification of the Special Permit dated April 7, 2005 and amended on April 13, 2006; November 9, 2006; March 19, 2007; July 13, 2007; and January 25, 2008, be further amended by substituting a revised Plan C17 dated November 11, 2008 and revised May 23, 2013 providing for an emergency access from the site

Dear Mr. Campbell and members of the City Council:

At the Woburn Planning Board meeting held on October 29, 2013, the Planning Board voted to send a favorable recommendation to the City Council to allow for the modification of the Special Permit dated April 7, 2005 and amended on April 13, 2006; November 9, 2006; March 19, 2007; July 13, 2007; and January 25, 2008, granted to 1 Inwood Drive to be further amended by substituting a revised Plan C17 dated November 11, 2008 and revised May 23, 2013 providing for a 50' wide emergency access and water easement between the Inwood property and the Johnson Woods development in Reading subject to the following conditions:

1. That the emergency access road shall be 24' wide shall be sufficient in design, grading, and construction for the passage of emergency response vehicles that is fire trucks, police vehicles, ambulances, and rescue equipment that is responding to an emergency;
2. A gate as shown on the plans shall be installed across the emergency connector road said gate shall be kept closed and locked at all times except when actually being used by emergency response vehicles;
3. The access road shall be in the location as shown on the plan and not altered or relocated without a new public hearing; and
4. That an emergency water connection shall be allowed in the same easement between the applicant's property and the Town of Reading said water connection shall provide a second source of water supply for emergency situations and shall be double gated and only opened by both the Town of Reading Water Department and the City of Woburn Water Department.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Seaver Properties LLC, 215 Lexington Street, Woburn, Massachusetts 01801 for a special permit 1985 Woburn Zoning Ordinances, as amended, Sections 25E.(c) and (d) and E.3 UMS District to allow for fifty-seven (57) residential units (elevator apartments) with an accessory clubhouse at 1071R Main Street and Virginia Avenue. PUBLIC HEARING OPENED.

On the petition by Kimberly Poirrier, 7 Laurence Road, Woburn, Massachusetts 01081 for a special permit pursuant to Section 33b of the 1985 Woburn Zoning Ordinances, as amended, to allow for a muscular therapy business at 395 Washington Street aka 10 Tower Office Park, Suite 306. PUBLIC HEARING OPENED. A communication dated November 6, 2013 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Kimberly Poirrier – 395 Washington St. (10 Tower Office Park Suite 306) – To allow for the use of the property for Muscular Therapy pursuant to Section 5.1.33b

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on October 29, 2013, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Kimberly Poirrier, regarding the property at 395 Washington St. (10 Tower Office Park Suite 306) to allow for the use of the property for Muscular Therapy pursuant to Section 5.1.33b of the Woburn Zoning Ordinance subject to the condition that all muscular therapy shall be provided by a dually licensed massage therapist.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Lei Song, 83 Walnut Street, Apartment 3, Newton, Massachusetts 02460 for a special permit pursuant to Section 33b of the 1985 Woburn Zoning Ordinances, as amended, to allow a muscular therapy business at 325 Main Street. PUBLIC HEARING OPENED. A communication dated November 6, 2013 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Lei Song – 325 Main Street – To allow for the use of the property for Muscular Therapy pursuant to Section 5.1.33b

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on October 29, 2013, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Lei Song, regarding the property at 325 Main Street to allow for the use of the property for Muscular Therapy pursuant to Section 5.1.33b of the Woburn Zoning Ordinance subject to the condition that all muscular therapy shall be provided by a dually licensed massage therapist.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Alderman Drapeau concerning the structure or structures located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 4 Pheasant Lane, Woburn, Massachusetts, for the purposes of determining whether said structure or structures are a public nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a

nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED. A communication dated November 15, 2013 was received from Thomas C. Quinn, Jr., Building Commissioner, Department of Inspection Services as follows:

Re: 4 Pheasant Lane

Alderman:

With regard to above, attached you will find copies of a demolition permit application that approved the issuance of a Demolition Permit on November 28, 2012 and also pictures showing current conditions of property.

Over the past six months I have spoken with the Applicant on a few occasions since the demolition permit was issued regarding the removal of the structure and as he had informed me that he was trying to obtain a building permit to construct a new single family home and there were a few issues being worked out with Public Works. Also during my conversations with the applicant I did ask him to continue monitoring the property, keep brush cut down and prevent any additional trash or other debris from accumulating which I have also monitored.

If you need additional information regarding this matter do not hesitate to contact me.

On the petition by Alderman Michael Anderson that Section 5.1 – Table of Use Regulations of the 1985 Woburn Zoning Ordinances, as amended, be further amended by deleting in its entirety line 75, Carnival and/or Traveling Enterprises; by deleting the corresponding Note 14; and by renumbering the following lines and notes accordingly. PUBLIC HEARING OPENED.

On the petition by Alderman Michael Anderson that Section 7.3 Extension of Alteration of Nonconforming Uses, of the 1985 Zoning Ordinances, as amended, be further amended by deleting therefrom the second sentence of the second paragraph, so that the paragraph will read as follows: Pre-existing non-conforming structures or uses shall not be extended or altered unless the petitioner provides proof that the pre-existing non-conforming structure or use was validly and legally established. PUBLIC HEARING OPENED. A communication dated September 26, 2013 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Alderman Michael Anderson – Zone Change – To Amend Section 7.3

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on September 24, 2013, the Board voted to forward the following recommendation to the City Council regarding the zoning amendment to Section 7.3 of the Zoning Ordinance:

That the City Council adopt the following amendment:

That the 1985 Woburn Zoning Ordinances, as amended, by further amended in Section 7.3 Extension of Alteration of Nonconforming Uses by deleting the second paragraph and inserting in its place the following:

Pre-existing non-conforming structures or uses shall not be extended or altered unless the petitioner provides proof that the pre-existing non-conforming structures or use was validly and legally established. This paragraph shall not apply to single family structures in the R-1, R-2, R-3, R-4, and S-1 zoning districts or two family structures in the R-2, R-3, R-4, and S-1 zoning districts built prior to April 24, 1985, unless specific information is provided by the Building Department that the pre-existing non-conforming structures or uses was not validly and legally established.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A report was received from the Committee on Ordinances as follows: “ought to pass.”

On the petition by Alderman Michael Anderson that the 1985 Zoning Ordinances, as amended, be further amended by deleting in its entirety Section 8.3, Locations of Required Off Street Parking Facilities Required off street parking facilities shall be provided on the same lot with the principal one used, except as follows:, and by inserting in its place the following: 8.3 Off Street Parking Facilities Required - Off street parking facilities shall be provided on the same lot with the principal use, except that within any R3, R4, Business, Mixed Use, Industrial, or Office Park district, the City Council by Special Permit may allow the parking facility requirements to be met on a lot separate from the use to be served, if such facilities are located within five hundred (500) ft. of the use, and if the City Council finds that suitable arrangements, such as ownership, long term lease or easement, have been made to assure the permanent provision of the parking facilities. PUBLIC HEARING OPENED. A communication dated September 26, 2013 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Alderman Michael Anderson – Zone Change – To Amend Section 8.3

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on September 24, 2013, the Board voted to forward the following recommendation to the City Council regarding the zoning amendment to Section 8.3 of the Zoning Ordinance:

That the City Council adopt the following amendment:

That the 1985 Woburn Zoning Ordinances, as amended, be further amended by deleting in its entirety Section 8.3, Locations of Required Off Street Parking Facilities Required off street parking facilities shall be provided on the same lot with the principal one used, except as follows: and by inserting in its place the following:

8.3 Off Street Parking Facilities Required

Off street parking facilities shall be provided on the same lot with the principal use, except that within any R3, R4, Business, Mixed Use, Industrial, or Office Park district, the City Council by Special Permit may allow the parking facility requirements to be met on a lot separate from the use to be served, if such facilities are located within five hundred (500) ft. of the use, and if the City Council finds that suitable arrangements, such as ownership, long term lease or easement, have been made to assure the permanent provision of the parking facilities. Furthermore, within the B-D District municipal parking facilities may be substituted for the required off street parking for non-residential uses, if such facilities are within five hundred (500) ft. of the use to be served. In addition, all residential uses in a B-D District may by Special Permit of the City Council be allowed to substitute some or all of the required off street parking spaces provided that the City Council finds that adequate on-site and off-site parking, including parking in a municipal parking lot within 500 feet of the locus, is available to serve the residential units and such parking plan would not create an undue burden on the municipal parking facilities.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A report was received from the Committee on Ordinances as follows: “ought to pass with the Planning Board recommendations included.”

CITIZEN’S PARTICIPATION: None.

COMMITTEE REPORTS:

PUBLIC SAFETY AND LICENSES:

On the petitions for renewal of First Class Motor Vehicle Sales Licenses by C.N. Wood Company, Inc.; Lannan Chevrolet, Inc.; Lawless Chrysler Jeep, Inc.; M&L Transit Systems, Inc.; R.C. Olsen Cadillac, Inc.; Woburn Foreign Motors, Inc.; and Woodco Machinery, Inc., committee report was received “ought to pass”.

On the petitions for renewal of Second Class Motor Vehicle Sales Licenses by ACT Leasing Inc.; Robert McSheffrey dba Bob McSheffrey Auto Sales; Capelo’s Auto Service, Inc. dba J.C. Auto Sales; Capelo’s Garage, Inc.; Kenneth L. O’Connor dba City Line Motors; Oliver M. McDermottroe dba McDermottroe Auto Sales; Ollies Service Center; Donald J. Socorelis dba Woburn Glass Co.; Southside Associates, Inc. dba Burke’s Garage; David Dellarocco dba Woburn Auto Sales; and Woburn Gas & Service, Inc., committee report was received “ought to pass”.

NEW PETITIONS:

Petition by Shamrock Running Club, c/I Irish American Club, 147 Main Street, Woburn, Massachusetts 01801 for a Special Event Permit to allow a road race and walk beginning at 147 Main Street on January 1, 2014.

Petition for renewal of First Class Motor Vehicle Sales License by Northeast Tree, Inc., 62 Holton Street.

Petition for renewal of Second Class Motor Vehicle Sales License by Anchor Auto Sales, Inc., 3 Breed Avenue; Enterprise Rent-a-Car Company of Boston, LLC, 248 Mishawum Road; Jeffrey Pollock dba Exclusive Automobiles, 7 Independence Drive; George J. Hamilton dba George’s Auto Body, 19 Jefferson Avenue; Joseph P. Mahoney, Inc., 293 Salem Street; Robert Khouzami, 317 Montvale Avenue; Larade’s Collision Repair Center, Inc., 20 High Street; McSheffrey Auto Sales, Inc., 878 Main Street; Nicolas Saba dba Montvale Service, 289 Salem Street; Velozo Enterprises, Inc. dba Rogers Radiator, 936 Main Street; Francis Garbino dba Tom’s Auto Body, 10R Green Street; Tracy M. Batten dba Tracy’s Auto, 62R Winn Street; Louis Jean Brunet dba Woburn Motors, 104 Winn Street; Wassim (Sam) Nicolas dba Woburn Square Mobil, 23 Pleasant Street; and EC Inc. dba Xpress Fuel, 505 Main Street.

Petition by Kohl’s Illinois, Inc., N56 W17000 Ridgewood Dr., Menomonee Falls, Wisconsin 53051 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended to allow remodeling to building exterior, including addint less than 110 square feet of uninhabited area to the store entrance for cosmetic reasons, adding EIFS to enhance the existing façade, and minor maintenance where needed around the building at 425 Washington Street.

Petition by Eleftheria Exarchos, 422-426 Main Street, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 5.1.5 and 11.6.11 of the 1985 Woburn Zoning Ordinances, as amended, to renovate existing apartment and convert the space to three apartments on the second floor at 422-426 Main Street.

Petition by 859 Main Development, LLC, 215 Lexington Street, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 11.3.12 and 22 of the 1985 Woburn Zoning Ordinances, as amended to modify a special permit dated October 10, 2012 to allow changes to previously approved Site Layout Plan (Sheet 3 of 8 of the approved plan set dated August 14, 2012) including revised sidewalk layout, repositioning of the building footprint for Units 33-35 to accommodate revised sidewalk layout, revised building layout for Flats 8-40 to accommodate addition of decks, and enlargement of clubhouse building, at 855 Main Street.

COMMUNICATIONS AND REPORTS:

A communication dated October 18, 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 September 2013: number of parking violations issued 589, number of violations paid 296, number of violations outstanding 200, amount collected and submitted to the Office of the Collector \$32,313.60. There exists a backlog of 6048 for 1982 through 2012. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$6,100.00.

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

A communication dated October 31, 2013 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 October 2013.

A communication dated November 13, 2013 with attachments was received from Thomas C. Quinn, Jr., Building Commissioner, Department of Inspection Services as follows:

Re: Electrical Service New Boston Street

Dear Council:

With regard to the above, I am notifying you of an Electrical Service that is located on a double utility pole off of Pole 587/13 which is located along the public way north of 192 New Boston Street.

I have made a determination that the current use of a Mobile Vending Vehicle which receives electricity from the electrical service is not located on private property and therefore I cannot take any enforcement action as allowed within the Woburn Zoning Ordinance.

Attached are pictures to document this concern and I would ask that the matter be resolved with the appropriate committee.

In closing I have also informed the Chief of Police that there could also be violations of the Woburn Municipal Code Title 5 Section 5-38 Conduct of Business, as always if you would like to discuss further do not hesitate to contact me.

A communication dated November 5, 2013 with attachments was received from Joseph E. Connarton, Executive Director, Public Employee Retirement Administration Commission, Five Middlesex Avenue, Suite 304, Somerville, Massachusetts 02145 advising that the amount to be appropriated for the Woburn retirement system for Fiscal Year 2015 which commences July 1, 2014 is \$5,509,350.00.

A communication dated November 1, 2013 with attachments was received from Gerald Bell, Manager Community Services Unit, Massachusetts Department of Housing & Community Development, 100 Cambridge Street, Suite 300, Boston, Massachusetts 02114 advising of the 2013-2014 fuel assistance programs.

A communication dated October 28, 2013 was received from Attorney Cheryl Sbarra, Senior Staff Attorney, Massachusetts Association of Health Boards, 63 Shore Road, Suite 25, Winchester, Massachusetts 01890 thanking the city for its proactive stance on banning the use of electronic cigarettes (e-cigarettes) and offering advice on the current status of tobacco and nicotine policies.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That the City Council Regular Meeting scheduled for December 17, 2013 shall begin at 6:00 p.m.

s/President Denaro

From the Traffic Commission:

ORDERED WRIGHT STREET – No parking on the westerly side from the intersection with Winn Street for a distance of forty (40) feet.

From the Traffic Commission:

ORDERED RICHARDSON STREET – Handicapped parking space shall be established at 9 Richardson Street.

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 Term of Office for Mayor of the City of Woburn

SECTION 1. Section 1 of chapter 22 of the acts of 1948 is hereby amended by striking out Section 1, and inserting in place thereof the following: Beginning with the first Tuesday after the first Monday of November in the year 2015, municipal elections in the city of Woburn for the choice of mayor shall be held every four years on the first Tuesday after the first Monday of November. Municipal elections for the choice of members of the city council and members of the school committee shall be held biennially on the first Tuesday after the first Monday of November in every odd-numbered year.

SECTION 2. This Act shall be submitted to the registered voters of the city of Woburn at the state election in November 2014 in the form of the following question, which shall be placed upon the official ballot to be used at said election: “Shall an act passed by the general court in the year 2014, entitled “An Act Relative to the Term of Office for the Mayor of the City of Woburn”, be accepted?”

The city solicitor shall prepare the summary of the proposed question which shall appear on the ballot along with the question provided in this section.

If a majority of votes cast in answer to the question is in the affirmative, the city shall be taken to have amended the charter of the city of Woburn, but not otherwise.

SECTION 3. This act shall take effect upon its passage.

s/Alderman Drapeau

ORDERED Be it Ordained by the City Council of the City of Woburn that Section 5.8 Interim Regulations for Medical Marijuana Treatment Centers, of the 1985 Woburn Zoning Ordinances as amended, be further amended in Section 5.8.5, Expiration, by deleting said Section and replacing with the following:

“6) Expiration

This section shall be effective until December 31, 2014, or until such future time as when the Woburn City Council enacts superseding zoning ordinances that set forth the allowed zoning districts, dimensional, parking and other requirements applicable to medical marijuana treatment centers and their related uses.”

s/Alderman Anderson

ORDERED Be it Ordained by the City Council of the City of Woburn that Title 7, Wetlands Protection and Conservation, of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. By deleting the second sentence of the fourth paragraph of section 7-4, Applications for Permits, so that such paragraph will read; “At the time of application the applicant shall pay a filing fee specified in regulations of the Commission.”; and
2. By inserting a new section at the end of Title 7 which will read as follows:

7-15. Consultants Fees

Pursuant to M.G.L. c.44, §53G and regulations adopted by the Commission, the Commission may impose reasonable fees upon applicants for the purpose of securing outside consultants including engineers, wetlands scientists, wildlife biologists or other experts in

order to aid in the review of proposed projects. The cost of such review shall be paid for by the applicant. Such funds shall be deposited with the city treasurer, who shall create an account specifically for this purpose. Additional consultant fees may be requested where the requisite review is more expensive than originally calculated or where new information requires additional consultant services. Any consultant hired under this provision shall be selected by the Commission, and shall report exclusively to the Commission and/or its administrator.

s/Alderman Anderson

ORDERED Be it Ordained by the City Council of the City of Woburn that Title 2, Administration and Personnel, Article XIII, Auditing Department, of the 1989 Woburn Municipal Code, as amended, be and is hereby further amended in the following respects:

1. That the third full sentence of section 2-110, Examination of bills and demands be deleted so that such section will read as follows:

The Auditor shall examine all bills and demands against the City and those which have been certified as provided in Section 2-113; he shall see that the clerical computations are correct, and that there are on hand funds appropriated for such purpose sufficient for the payment of such demand or bill. In case of any error or informality, the Auditor shall make note of the fact, and return the bill or demand, with his objections, to the officer or board presenting the same. Such bills shall be subject to deduction for any and all sums due to the City and the Auditor shall certify the amount to be deducted to the City Treasurer who shall thereupon withhold such amount due the City. (Prior Ch. 3 sec.11);

2. That section 2-111, Committee on finance-audit to examine accounts and claims, be deleted in its entirety and its place be marked as (Reserved);
3. That section 2-112, Presentation of accounts to Mayor, be deleted in its entirety and that the following new section 2-112, Presentation of accounts to Mayor and City Council members, be inserted in its place:

2-112 Presentation of Accounts to Mayor and City Council Members

- A. Each week, the Auditor shall present to the Mayor and each member of the City Council all accounts against the City which have been approved by him.

B. The Auditor shall examine and, if he finds them correct and in conformity with the provisions of M.G.L. c.41, §52, he shall approve all weekly payrolls submitted to him under the provisions of Section 3-8 of this code, and on Tuesday of each week he shall present to the Mayor such payrolls as he approves. (Prior Ch. 3 sec.13);

4. And that section 2-113, Approval of certain bills for prompt payment, be deleting in its entirety and its place marked as (Reserved).

s/President Denaro

RESOLVED That the Committee on Public Safety and Licenses meet with the Chief of Police for a status report on community public safety issues.

s/Alderman Haggerty

RESOLVED That the Committee on Special Permits review the special permit issued to Dollar Tree Stores on November 10, 2012 for the property located at 425 Washington Street.

s/Alderman Mercer-Bruen

Motion made and 2nd to ADJOURN.