

**CITY OF WOBURN
WOBURN CITY COUNCIL
ORDINANCES CHARTER & RULES COMMITTEE
COMMITTEE ROOM
WOBURN CITY HALL
MONDAY, JANUARY 22, 2024 – 6:08 P.M.**

Voting members present: Chairman Joseph Demers, Councilor Robert Toro, Councilor Darlene Mercer-Bruen, Councilor Robert Ferullo and Councilor Lou DiMambro.

Non-voting members present: President Jeffery Dillon, Councilor William Pappalardo and Councilor Charles Viola. Absent: Councilor Joanne Campbell

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Reading and approval of previous meeting minutes: Motion made by Councilor Mercer-Bruen and seconded by Councilor DiMambro to waive the reading of and approve the minutes of the meeting of December 12, 2023; approved, 5-0.

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Order Proposed Zoning Amendment to allow murals City Wide in Non-Residential Zoning District by adding definition of Mural to Section 2 of WZO Definitions; Revise the definition of Sign in Section 2 of WZO to distinguish between signs & mural; Revise Section 5.1 of the WZO by inserting a new line 67; Revise notes to 5.1, Table of Use Regulations, by adding a new Note 28: Chairman Demers said the chair is in receipt of an email from City Solicitor Ellen Callahan Doucette indicating the matter is improperly before the committee. She said the order requires a public hearing with the Planning Board first. He said her advice is to wait until after the public hearing to discuss the matter in committee. Motion made by Councilor Toro and seconded by Councilor DiMambro to send the order back to the Planning Board; approved, 5-0.

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Order amending WMC 12-56 Special Event Permit insurance minimum coverages: Councilor Toro said the language in the order was changed 2018 to what is in place now. Chairman Demers said there were instances when organizations were using the same policy that was re-filed with the date whited out and updated. He said the insurance coverage was not meeting the requirements of the city. He said the proposal reduces the general liability coverage for special events from \$3 million to \$2 million in the aggregate, and also reduces the umbrella liability from \$2 million to \$1 million for each occurrence and in the aggregate. He said liquor liability coverage will be reduced from \$3 million to \$2 million in the aggregate. He said the objective is to have a policy that protects the city but does not hurt social organizations. He asked if any member of the committee has comments. Councilor Toro said the aggregate coverage was reduced from \$3 million to \$2 million and that seems to be the problem. He said his understanding is that the Massachusetts Interlocal Insurance Agency (MIIA) suggests aggregate coverage of \$1 million per occurrence and \$3 million in the aggregate. He asked if the city is

asking for those levels of coverage or \$2 million in the aggregate. Chairman Demers said the proposed legislation would reduce the aggregate coverage for special events on municipal property from \$3 million to \$2 million, and liquor liability coverage would be reduced from \$3 million to \$2 million in the aggregate. Councilor Toro said he has had trouble obtaining insurance at levels that never existed in 2018. He said the city is actually reducing coverage limits and presumably it would be cheaper to obtain insurance. He said he wants to make sure the council is basing its decisions on 100 percent correct information. Councilor DiMambro said he agrees the reducing the level of coverage would seem like it should lower the rate, but instead organizations are incurring more of a cost. Chairman Demers said it is his understanding that when local organizations were seeking coverage, it was hard to find an agency that would offer a policy. He said if it's a one-off policy, there is an additional charge because it's a niche. Councilor Mercer-Bruen asked if this is a private matter that does not have anything to do with the council. Councilor Toro said he does not want insurance coverage to be a financial obstacle for local organizations. Councilor Mercer-Bruen said it would be very difficult for her to vote on this legislation without having representatives from local organizations here. She said the committee needs to totally understand the impact. Councilor Toro said he has been talking to Connor Powers from MIIA Member Services. He said the committee asked him to attend tonight's meeting but it was kind of last minute and he had a conflict. Councilor Toro said Mr. Powers is willing to attend a subsequent meeting and he thinks the best opportunity would be at the next committee meeting. He said he would also like to invite members of the Woburn Kiwanis Club, Woburn Rotary, the Lions Club, along with the City Solicitor. Councilor Mercer-Bruen asked if Councilor Toro would like to make that in the form of a motion. Councilor Toro answered affirmatively and the motion was seconded by Councilor DiMambro; all in favor, 5-0. Chairman Demers said he will reach out to some of the social organizations in the city. Motion made by Councilor Mercer-Bruen and seconded by Councilor Ferullo to suspend the council's rules to allow any member of the council not on the committee to address the order; approved, 5-0. Councilor Pappalardo said it is important for the council to know what the difference in cost is going to be before any action is taken. Councilor DiMambro said his understanding is the \$1 million/\$3 million package is a standard policy and any deviation from that incurs a greater cost. He said if the system the council is using now isn't broken, then it shouldn't be fixed. Councilor Toro said the service organizations might be able to enlighten the committee about the differences in cost when they come to a meeting. Chairman Demers said the problems may be due to the city asking for insurance limits that are not standard. He said he would like to hear from MIIA on this issue. Councilor DiMambro asked if the ordinance can be tailored to the policies. Chairman Demers said one of the concerns making sure is there are distinctions between events like a walk for charity around Horn Pond and a bigger event like the Kiwanis Club's Flag Day carnival. Councilor Ferullo said it is his understanding that the number of agents which provide this type of coverage is limited. He said it was difficult for the Woburn Police Patrolmen's organization to find an insurance provider to cover the group's annual softball tournament to benefit Jack Maguire's scholarship foundation. He said these policies tend to be higher risk. Councilor DiMambro asked if would be possible for the organizations to obtain insurance through the city's provider. Councilor Ferullo said the city is the opposition, so to speak. President Dillon said he would like to hear from the experts, and representatives from the local social organizations. He said the council needs to balance liability coverage with costs for the organizations that run these charitable events. Chairman Demers said he thinks the last thing anyone on the council wants to do is make the cost of insurance coverage so prohibitive the

organizations are unable to afford to hold their events. He said he will contact City Solicitor Callahan Doucette, the city's MIIA representative and representatives from the social organizations who will be affected by this ordinance. He suggested leaving the matter in committee until the next meeting.

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MOTION made by Councilor Mercer-Bruen and seconded by Councilor DiMambro to adjourn; in favor, 5-0. Chairman Demers adjourned the meeting at 6:24 p.m.

A TRUE RECORD ATTEST

Gordon Vincent
Clerk of Committees