

**CITY OF WOBURN
WOBURN CITY COUNCIL
ORDINANCES CHARTER & RULES COMMITTEE
COMMITTEE ROOM
WOBURN CITY HALL
MONDAY, MARCH 24, 2025 – 6:12 p.m.**

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

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

Also present: Mayor Michael Concannon, City Solicitor Mark Salvati, City Auditor Charles Doherty, Assistant to the Mayor for Community Outreach and Communications Samantha Stone, City Clerk Lindsay Higgins, and Human Resources Director Shawna Healey

* * * * *

Reading and approval of previous meeting minutes: Motion made by Councilor Toro and seconded by Councilor DiMambro to waive the reading of and approve the minutes of the meeting of February 10, 2025; approved, 5-0.

* * * * *

Order to amend Woburn Municipal Code 2-180 relative to non-union salaries: Mayor Concannon said there is a companion piece that is on the Finance Committee's agenda tonight. He said Section 2-180 of the municipal code references salaries of city employees. He said if the transfer orders are approved this section of the municipal code will be amended. He suggested sending the order back for action until the Finance Committee deals with the finance matter. Councilor Ferullo said there are two grant-funded positions included with the order. He said he thinks it is more appropriate for any salary adjustments to those two positions to come down with the municipal budget. Mayor Concannon said the Economic Development Manager position occupied by Casey Hagerty is funded by a 3-year grant that expires next January. He said that could be amended later. Councilor Ferullo asked if the grant covers the proposed salary increase. Mayor Concannon said the money comes from a salary adjustment account. He said the salary will adjust for the remainder of the fiscal year. Councilor Ferullo said the job does not exist in the budget. Auditor Doherty said the job is in the budget with an offset from the grant. He said the position is funded for half of FY '26. He said if it is not approved to continue, it will stop in January. Mayor Concannon said he does intend to include the position in the proposed budget. Councilor Demers asked if that means the city is committed to fully funding the position. Auditor Doherty said the administration is trying to be more transparent. He said a lot of the raises in the order involve cost of living adjustments. He said the EDM is a non-union position but it is not a department head position. Auditor Doherty said these non-union, non-department head salaries need to be addressed. Councilor Mercer-Bruen said she does not think the council should be doing this now. She said she wouldn't support it for that particular position. She asked if the

position would have to be advertised if it becomes part of the city budget. Auditor Doherty said he does not believe the person who was hired was offered the job based on funding. HRD Healey said the position is under contract for what was funded. Councilor Mercer-Bruen asked if Ms. Hagerty understands there's no job if there's no grant. HRD Healey said there is also another position funded by a grant, the Substance Misuse Coordinator, that is different because it's paid for by an opioid settlement. Chair Demers said without the grant the job does not exist, unless it's decided otherwise by the mayor. Councilor Toro asked if the pay increases are retroactive to 2024. Mayor Concannon said that is correct, and it is how the city traditionally handles this. Mayor Concannon said section 2-184 of the Woburn Municipal Code addresses non-union full-time employees and non-union non-department heads and says they shall be entitled to salary increases at the same rate as SEIU members. Councilor Toro asked what the percentage increases are. Mayor Concannon said the increases follow the same rates as SEIU members. HRD Healey said there is 2 percent between each step and there are five steps. She said they'll go up every other year. Mayor Concannon said there is a related order that is item #3 on the agenda for tonight's Finance Committee meeting. He said that will cover both groups of non-union department heads and non-union non-department heads. Chair Demers asked if the administration has an annual breakdown. He said he is concerned about fiscal years '26, '27, and '28. Auditor Doherty said he can give those numbers to the committee. Motion made by Councilor Mercer-Bruen and seconded by Councilor Toro to request from the City Auditor's office data enumerating the proposed pay raises for positions addressed in the order for fiscal years 2026-28, inclusive; all in favor, 5-0. Motion made by Councilor Mercer-Bruen and seconded by Councilor Toro to suspend the City Council's rules to allow any non-voting member of the City Council to address the order; approved, 5-0. Councilor Mercer-Bruen asked if any of the salary increases are already factored into paychecks. Auditor Doherty said past practice is the salaries are adjusted before the administration gets approval. Mayor Concannon said the money is in there. Councilor Mercer-Bruen asked what happens if the City Council says no. Auditor Doherty said they will take out the money. Chair Demers said past practice doesn't necessarily mean it's good practice. He said he has had constituents ask where the raises are coming from. He said to hear that they are already getting paid is not something he thinks people would be comfortable with. Mayor Concannon said he has proposed what he believes are reasonable numbers. Councilor Toro asked how much money is in the salary adjustment account. Auditor Doherty said there is approximately \$900,000 in the account now. Chair Demers asked how many contracts are pending. Auditor Doherty said the only outstanding contract is for the police superior officers union. He said a settlement would also affect overtime, holiday pay and sick leave buy back. Mayor Concannon said the administration has settled six of the seven labor contracts. He said that is good. Councilor DiMambro asked if there was any way for the administration to get the numbers before it comes down for an increase; before the salaries are issued. Chair Demers said this committee can change the ordinance. He said it is purposely done this way because some positions are different. Councilor DiMambro said the council is not bound by the unions to do it this way. He said he is trying to distinguish between union and non-union positions. President Dillon said the Substance Misuse Coordinator is different than all the others. He asked if there has to be a separate account. City Auditor Doherty said the budget includes salary and operations for that position. Chair Demers said in July of 2023 the council had to designate a specific account. Councilor Mercer-Bruen thanked President Dillon for making that distinction. She said there are other things in this order and she does not know if the committee wants to do a deep dive. Chair Demers said the committee can discuss any

amendments that are proposed. Councilor Mercer-Bruen said the committee has asked for information from the City Auditor. She asked if the committee should wait until it receives that information. Chair Demers said he is not prepared to vote on the order this evening. Councilor Pappalardo said he wants to address a couple of things. He said paying out the raises before the order is approved seems strange. He said these positions are needed, the Substance Use and Mental Health Coordinator and the Economic Development Manager, but these proposed raises should not be happening outside of the budget cycle. He said these things feel a little off. Mayor Concannon said the submission of the order is designed to begin the discussion. He said he is following the ordinance. He said if the council does not want to consider the positions they should be eliminated. Councilor Viola asked what the difference in salary is between a paralegal/secretary and an administrative assistant. HRD Healey said the difference is plus or minus \$4,500. Councilor Viola asked what the difference in salary is between the Human Resources Assistant and a Benefits Coordinator. HRD Healey said the difference is an increase of \$8,000. Mayor Concannon said there are two positions that have been reclassified. City Solicitor Salvati said his assistant Theresa Borelli has been a paralegal for a number of years. He said this would change her job title to an administrative assistant. He said she can do a lot of legal work. Councilor Mercer-Bruen asked if Ms. Borelli is required to be a paralegal. City Solicitor Salvati said Ms. Borelli is not a paralegal. Mayor Concannon said the ordinance also calls for a Deputy City Solicitor, a position which is not filled. He said it was City Solicitor Salvati's opinion that as long as Ms. Borelli is working in that office they do not have to hire a Deputy City Solicitor. Chair Demers asked how that arrangement compares to surrounding communities. HRD Healey said the comparison data that was used is now 1-1 ½ years old but she is confident most of the salary levels would be brought up to par or at least in a range where they are competitive. Councilor Viola asked if the Economic Development Manager's position is paid by a grant via the Woburn Redevelopment Authority. City Auditor Doherty answered affirmatively. He said there is only enough money to pay for that position through the end of December in next year's budget. Councilor Mercer-Bruen asked HRD Healey if she has any documentation about comparable salaries. HRD Healey answered affirmatively. Motion made by Councilor Mercer-Bruen and seconded by Councilor Toro to receive and make part of the permanent record a document from HRD Healey entitled "City of Woburn Salary Survey Report;" approved, 5-0. Councilor Mercer-Bruen asked about hours for the Mayor's Chief of Staff and the Assistant to the Mayor for Community Outreach and Communications. Mayor Concannon said those two positions work standard City Hall hours. He said the Community Outreach Coordinator also works out of the resource center and puts in extra hours. Councilor Mercer-Bruen said Ms. Stone is at every meeting and asked how that works. HRD Healey said MS. Stone's compensation is based on a 32.5-hour work week. She said anything about that is considered to be comp time. She said when you look at the survey, the rates are based off the hourly rate. She said you can't just look at the annual salary. Councilor Mercer-Bruen said she sees Ms. Stone at every meeting and she is trying to understand what the benefit to the taxpayers is. Mayor Concannon said Ms. Stone does not put in for every meeting. Councilor Mercer-Bruen said she is asking about these meetings. Ms. Stone said her 50-hour work week does not include attendance at these meetings. Councilor Mercer-Bruen said she is trying to understand Ms. Stone's role. Mayor Concannon said he thinks Ms. Stone thinks the more she does, the more it helps her understand what's going on. Councilor Mercer-Bruen said any extra time council members spend on municipal affairs is part of their job. Ms. Stone said she feels very confident about what she does. Councilor Mercer-Bruen asked what comp time entails. HRD Healey said Ms. Stone can take time off for any hours

she works over 32.5 per week. Councilor Mercer-Bruen asked if comp time is limited to her regular job. HRD Healey said Ms. Stone's position also accrues vacation time. President Dillon said many of the members of the council attend other municipal meetings like the ZBA and the License Commission. He said he attends those meetings because it makes him a better City Councilor. Councilor Mercer-Bruen said her constituents are asking questions. Ms. Stone said her job is communication. She said if she does not go to meetings, she has to watch them on TV. She said she would rather attend in person. Councilor Campbell said she knows a lot of people on this list. She said she knows department heads work well beyond 32.5 hours per week. She said she would rather see them get the comp time if they are working 40-45 hours per week. She said the City Clerk cannot take comp time during elections. Chair Demers asked if there are any non-COLA or step increases in the first year of employment for any employee in the ordinance. Mayor Concannon said the ordinance mirrors the increases union department heads are entitled to as a collective bargaining unit. Chair Demers asked when the last time salaries for non-union department heads were addressed. City Clerk Higgins said the last time the ordinance was changed was on July 1, 2023. She said the last increase was concurrent with the Teamsters' new contract. Mayor Concannon said he would like to get the numbers to reflect what they actually are. Motion made by Councilor Mercer-Bruen and seconded by Councilor Toro to return to the regular order of business; approved, 5-0. Motion made by Councilor Mercer-Bruen and seconded by Councilor Ferullo to remove the Economic Development Manager from the ordinance; approved, 4-1, with Chair Demers opposed. Councilor Mercer-Bruen said she does not do this lightly. She said she feels like the money for the salary increase for the Mayor's Chief of Staff could be spent better elsewhere. She said she cannot support it. Motion made by Councilor Mercer-Bruen to remove salary increase for the Assistant to the Mayor/Chief of Staff from the ordinance. Chair Demers said there was no second to the motion. Chair Demers said his recommendation would be to hold the matter in committee or send it back for action. Councilor Toro said he would prefer to hold the matter in committee.

* * * * *

President Dillon, per request of the mayor, proposed zoning amendments adding new Section 36, entitled "Protected Use Accessory Dwelling Units, and adding (1a) and (1b) to Section 5.1, Table of Use Regulations related to accessory dwelling units: City Solicitor Salvati said the council can take the previously-proposed version of Section 36 and throw it away. She said there were changes last week to 760 CMR at the state level. He said he would like to submit a revised version of the CMR with the changes red-lined. Motion made by Councilor Mercer-Bruen and seconded by Councilor Ferullo to accept a document from City Solicitor Salvati entitled "760 CMR: Executive Office of Housing and Livable Communities; 760 CMR 71.00: Protected Use Accessory Dwelling Units;" approved, 5-0. He said he will leave it to the committee to review the document. He said there is no big rush. He said the council does have to deal with it at some point. Motion made by Councilor Mercer-Bruen and seconded by Councilor Ferullo to accept from City Solicitor Salvati a document entitled "Section 36: Protected Use Accessory Dwelling Units," approved, 5-0. City Solicitor Salvati said this is the second draft of the proposed Section 36 to the zoning code. He said the amended document includes the changes to the CMR. He said the phrase "single-family zone" was used. He said it refers to anywhere a single-family home can be built. He said this document says you can have an ADU and the city cannot prevent that. He said there also has to be a consideration for the zoning requirements. He said currently an accessory structure can be four feet off the lot line. He

said that can be made more restrictive. He suggested members of the council look over these documents and call him with questions. He said the committee will meet again and decide what to do. Councilor DiMambro asked if there will be one ADU per building or per unit. City Solicitor Salvati said he believes it is one ADU for the structure, but he said he thinks there could be an argument for each unit. He said the council can add language that a second ADU would require a special permit. He said in that scenario the first ADU would be by right and the second would be by special permit. Councilor DiMambro said it's a permitted use would you now have three units. City Solicitor Salvati said if it's a single-family home, you would have one ADU. President Dillon said it is the state, not the city, which is coming up with these regulations. He said this is an unfunded mandate from the state. He said the city has to do this and has no choice. Councilor Campbell said she thinks about areas like Porter Street and Richardson Street, where all those homes are right up against each other. She asked where the parking is going to be. She said this was not thought through. She said you can't just throw something like this out there. She said it's frustrating because it is going to wreak havoc. City Solicitor Salvati said there is a provision of one parking space per unit. President Dillon said there is a parking exemption for proximity to a bus station. Councilor Mercer-Bruen asked if the city can challenge the this. She asked why Woburn can't be that community that says it can't do this. She asked why the city can't stand up to the state. She said this has 100 times the impact of the MBTA Communities Act. She said this ADU legislation is a really bad idea. City Solicitor Salvati said the council can adjust the order any way it wants. Councilor Mercer-Bruen asked if the city should ask other communities how they feel. She said she does not think the council should be so quick to accept this legislation. Councilor DiMambro said he has been banging this drum for years. He said this is not fearmongering. He said this is housing legislation on steroids. He said homeowners will be able to do just about anything they want. He said the parking piece is something the city is already having a tough time with. He asked the City Solicitor about what keeps him up at night about this legislation. City Solicitor Salvati said the legislation would be more acceptable if it was limited to single-family homes. He said adding an ADU to a 2-family home will really affect things. He said the City Council could put in restrictions and see what happens. Councilor DiMambro asked if the city does that will it be challenged. Chair Demers asked if the on-going comment period is over. City Solicitor Salvati said he thinks that's over. Chair Demers said this legislation is a result of the legislature abrogating responsibility and handing it over to unelected bureaucrats. President Dillon said many of us would feel better if there had been an owner-occupied component. He said Building Commissioner Quinn said absentee landlords are the most difficult part of his job. He said this will open up the floodgates. He said he is as frustrated as anyone. He said this is an overreach. Councilor Mercer-Bruen said her suggestion would be for city officials to start getting on the phone and start calling town managers in other communities. She said let's get some people together and make some noise. She said if they don't try, they won't know. Chair Demers said unlike the MBTA Communities Law, this state law affects every community in the state. He said the constituents he's heard from are about 50/50 on this issue. Councilor Mercer-Bruen asked why the city wouldn't do what the state didn't do; make it a better law. City Solicitor Salvati said the restrictions could be made more reasonable. Councilor Mercer-Bruen said she thinks the city should take a crack at it. Councilor DiMambro said the state legislature voted to approve this law overwhelmingly. Chair Demers said the legislature didn't approve the regulations; it approved the law. Councilor DiMambro said the law was widened. He said it is ugly. Councilor Mercer-Bruen asked where the city starts. She said maybe two ordinances ought to be created. Councilor Campbell said the city will most likely

lose, but there is no reason not to try. She said they have to get the legislature to understand how unhappy they are with this. She said when constituents start to realize what's going to happen they are going to be unhappy. She said it's really a nightmare that there will be more people packed in. Chair Demers said the council has to think how much it will cost to file an injunction or create its own ordinance and open the city to legal proceedings if the state sues the city. Councilor Campbell said council members need to talk to their constituents. She said when you start talking about townhouses, it could be crazy. She said the biggest problem is absentee landlords. Chair Demers asked when the deadline is for action on an ordinance. City Solicitor Salvati said this law was adopted on Feb. 4, and they are still changing the regulations. He said he suggests the council should take action within the next 60 days. Councilor Mercer-Bruen suggested inviting Building Commissioner Quinn to the next committee meeting. She said there are other ways to approach it. She said the council can raise awareness through the community to challenge the law. She said that effort would require the city to start a petition. Councilor Campbell asked if the legislature made the law, who wrote it. Chair Demers said it was written by the agency that writes regulations. Councilor Campbell said the city ought to figure out a way to change that piece in the legislature. She said that process stinks.

* * * * *

Motion made by Councilor Toro and seconded by Councilor DiMambro to adjourn. all in favor, 5-0, Chair Demers adjourned the meeting at 7:30 p.m.

* * * * *

A TRUE RECORD ATTEST

Gordon Vincent
Clerk of Committees

