

**CITY OF WOBURN
MARCH 20, 2012 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
DiTucci	Haggerty
Drapeau	Mercer-Bruen
Gaffney	Raymond
Denaro	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

The City Council observed a moment of silence in memory of William H. Shaughnessy, former Ward Three Alderman, who passed away recently.

MAYOR'S COMMUNICATIONS:

A communication dated March 13, 2012 with attachments was received from His Honor the Mayor Scott D. Galvin as follows:

Re: Unemployment Insurance

Dear President Denaro and Members of the City Council:

To keep the City Council informed of our increased budgetary exposure due to unemployment claims, I am submitting the attached correspondence from the City Solicitor for your review.

As a result of claims for unemployment benefits made by certain individuals who are simultaneously receiving City pension benefits, as well as other claims, the City has incurred a significant increase in its budgetary obligation for disputed benefits.

The loopholes that have allowed these claims to continue over the City's objections must be eliminated by the State Legislature. While the Commonwealth of Massachusetts is in the early stages of economic recovery, the unemployment rate still stands at 7 percent.

Unemployment benefits are intended to help those truly in need, not the "double-dippers" who are already receiving a pension.

I urge you honorable Council to pass a resolve urging the State Legislature to adopt the unemployment insurance reform, as a way to help the City eliminate this unabated financial obligation incurred by the City of Woburn and its taxpayers.

Sincerely, s/Scott D. Galvin

Motion made and 2nd that MATTER be REFERRED TO COMMITTEE ON PERSONNEL, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

ORDERED That the sum of \$26,270.99 be and is hereby appropriated as so stated from Insurance Reimbursement Acct #211-359000 \$26,270.99 to Apparatus Maintenance Acct #0122054-544400 \$26,270.99 – Insurance Reimbursement from Damage to Ladder #2.

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

s/President Denaro

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

ORDERED That the sum of \$31,500.00 be transferred as follows from Police Regular Salary 0121051-511000 \$31,500.00 to Court Time 0121051-515000 \$10,000.00, Office Supplies 0121054-542000 \$1,500.00, Computer Maintenance 0121054-558301 \$5,000.00, Collation Expenses 0121057-578600 \$15,000.00, \$31,500.00.

I approve the above: s/Robert J. Ferullo, Chief of Police
I have reviewed the above: Gerald W. Surette, City Auditor
I recommend the above: s/Scott D. Galvin, Mayor

s/President Denaro

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

PUBLIC HEARINGS:

On the petition by NSTAR Electric Company for a grant of right in a way to relocate joint occupancy pole 153/72 on the northerly side of Montvale Avenue approximately 25 feet east of Washington Street and to install conduit a distance of 20 feet westerly from Montvale Avenue from pole 153/73 a distance of approximately 110 feet east of

Washington Street. PUBLIC HEARING OPENED. A communication dated March 19, 2012 was received from John Duran, Superintendent, Department of Public Works as follows:

Subject: NStar Petition – 306 Montvale Avenue

Pursuant to the request from NStar Electric and other utility companies for relocation of poles and associated wires and conduit, I recommend the following. Pole numbered JO/NStar 153/72 should be allowed to be repositioned approximately 33 feet westerly as shown on their plan dated February 7, 2012. I also recommend that the pole numbers 153/71 be abandoned and removed per their request. In addition, I recommend that pole 153/72 be positioned approximately 8 to 9 feet northerly from the proposed location, and that the sidewalks, curbing, paving and other associated improvements be constructed at this time. This work would properly position the pole in relation to the conveyance to the City of Woburn. This work will be a major benefit to the City of Woburn regarding traffic congestion and turning movements. It will also be a major benefit to the Hess Corporation which will not have significant duplicate construction disturbances in the near future if this work is not completed at this time. The Superintendent will assist in expediting this process if the Hess Corporation agrees to perform said improvements in a timely manner.

Appearing for the petitioner was Renee Banks-Clark. Alderman Gately asked if the petitioner agreed with the recommendations of the Superintendent of Public Works and if the recommendations would be accepted as conditions of the grant of right in a way. Ms. Banks-Clark stated that the petitioner did agree with the recommendations of the Superintendent of Public Works and understood that the recommendations would be attached as conditions to the grant of right in a way. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the public hearing be closed, all in favor 8 in favor, 0 opposed, 1 absent (Haggerty absent). Motion made and 2nd that the GRANT OF RIGHT IN A WAY be APPROVED, AS AMENDED with the conditions as follows: 1. That the recommendations of the Superintendent of Public Works be adopted as conditions of the grant of right in a way, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Presented to the Mayor: March 22, 2012 s/Scott D. Galvin, Mayor March 22, 2012

On the 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 Zoning Ordinances, as amended, to allow for the change, extension and alteration of the existing nonconforming structure and nonconforming use (three family dwelling) to allow for the construction of a four family dwelling at 960 Main Street. PUBLIC HEARING OPENED. A communication dated March 14, 2012 was received from Attorney Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Petition of Gold Star Homes, LLC, 960 Main Street, Woburn, Massachusetts

Dear Mr. Campbell:

I respectfully request that the City Council public hearing on this matter presently scheduled for March 20, 2012 be continued to the City Council meeting on April 3, 2012. If you need any further information, please contact me. Thank you.

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

Motion made and 2nd that the communication be received and made part of the record, 8 in favor, 0 opposed, 1 absent (Haggerty absent). IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON APRIL 3, 2012 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 8 in favor, 0 opposed, 1 absent (Haggerty absent).

On the petition by Mike Fantasia and Maryellen Fantasia, 11 Winn Valley Drive, Burlington, Massachusetts 01803 for a special permit pursuant to Section 5, Paragraph 15 to convert a 1,984 s.f. area of the basement into a garage at 0 Cpl. Charles J. McMahon Drive. PUBLIC HEARING OPENED. A communication dated March 9, 2012 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Mike and Maryellen Fantasia – 0 Cpl Charles J., McMahone Drive – To allow a special permit for the conversion of 1,984 sq feet if the basement into a garage pursuant to Section 5.15

At the Planning Board meeting held on February 28, 2012, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Mike and Maryellen Fantasia, regarding the property at 0 Cpl Charles J. McMahon Drive to allow for the conversion of 1,984 sq feet of the basement into a garage pursuant to Section 5 and all other applicable sections of the zoning ordinance subject to the following condition:

1. That no more than 3 vehicles shall be stored in the garage in accordance with M.G.L. Chapter 148 Section 14.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A report was received from the Committee on Special Permits as follows: “ought to pass”. No one appeared for the petitioner. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the public hearing be closed, all in favor 8 in favor, 0 opposed, 1 absent (Haggerty absent). Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS AMENDED with the conditions as follows: 1. That the recommendations of the Planning

Board be adopted as conditions of the special permit, 7 in favor, 1 opposed (Anderson opposed), 1 absent (Haggerty absent).

On the petition by Larry G. Blomquist dba Fellsway Foreign Motors, 88 Eastway Road, Reading, Massachusetts 01867 for a special permit pursuant to Sections. 5.1.44, 7.3 and 15 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the alteration of the existing nonconforming structure for an automobile and truck repair garage at 300 Cambridge Road. PUBLIC HEARING OPENED. A copy of a communication dated March 12, 2012 from Brett F. Gonsalves, Senior Engineer, Engineering Department to Edmund Tarallo, Planning Director was received as follows:

Subject: 300 Cambridge Road – Automotive and Truck Repair Special Permit – Plan
Dated February 17, 2012 – Special Permit Application Dated February 23, 2012

The applicant is seeking permission to allow for the alteration of an existing non conforming structure and for an automobile and truck repair garage.

The submitted plan shows the existing 1 story block building as well as the location of where the parking spaces will be located.

The zoning dimensional table shows the existing and proposed requirements for the project. The required amount of landscaped open space is 20% (min). The proposed landscape open space is 19.1%. The applicant would need to request a waiver from the planning board for the provided amount of open space.

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

Appearing for the petitioner was Attorney Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the petition is for the alteration of an existing nonconforming structure for use as an automotive repair garage, that the property is located in the S-1 zoning district, that the use is allowed by special permit, that the property is .29 acres of land, that a full service gasoline station with automotive repairs was operated from the location from 1961 through 1987, that the gasoline station closed in 1987, that the underground storage tanks were removed from the property, that the locus has been vacant since 1987, that the petitioner has operated his business in Winchester since 1988, that the petitioner only works on Mercedes-Benz cars and is willing to have this added as a condition of the special permit, that the petitioner performs no body work or painting, that the petitioner works by appointment only, that three to five customers drop off and pick up their vehicles each day, that the petitioner has no weekend hours and is closed for major holidays, that the petitioner will renovate the existing building, that the petitioner will install and improve the pavement, that the locus will have enhanced landscaping, that the site plan is being revised, that there will be an increased in the minimum landscaped open space to be in excess of 20%, that a fence will be installed for screening, that two of the parking spaces will be

removed, that there will be an enhanced landscape plan, that there will be better definition of the curb cut onto Country Club Road, that vehicles will enter the locus from Cambridge Road and exit onto Country Club Road, that the property is located on a roadway under the jurisdiction of the MassDOT, that the property was formerly used for automotive repairs, that the petitioner will only work on vehicles of the size and type allowed under the ordinance, that the facility is 1,622 square feet in size, that the closest residential use is the Country Club Apartments that are 80.11 feet from the locus, that the proposal addresses all applicable regulations, that all signs will comply with the zoning ordinances, that the issue raised by the City Engineer relative to the minimum landscaped open space will be addressed in the revised site plan, that the proposal originally provided for twelve exterior parking spaces but this will be revised to eight exterior parking spaces, that the hours of operation will be 7:00 a.m. to 7:00 p.m. Monday through Friday, and that the City Engineer raised the issue of an easement near the property but the easement does not appear to affect the locus. Larry Blomquist stated that he is the owner and petitioner, that the building will have the same footprint as the current structure, that he will be renovating the present structure, and that he will upgrade the utilities, the windows and the doors. Alderman DiTucci stated that she wants a condition prohibiting the sale of motor vehicles at the property, that the doors should be closed to minimize noise in the neighborhood, that there should be no exit of vehicles onto Cambridge Road, that the landscaping must be maintained, that signs must be installed indicating entrance only on Cambridge Road and exit only on Country Club Road, that she wants to see a signage plan and the color scheme of the building, that she wants to see where the cars will be parked overnight, and that she wants a restriction on the number of cars that can be parked overnight. Alderman Gately stated that there is an easement on the property and that he wants to determine where it is located with respect to the locus. Alderman Anderson stated that during revisions to the site plan attention should be given to warning drivers that Country Club Road is a street, and that this has been an issue in his ward where service stations are located on corners of small streets. Alderman Mercer-Bruen stated that the special permit should not be transferable. IN FAVOR: Peter Carbone, Carbone Real Estate, 5 Stone Edge Lane, Woburn stated that the property has listed with his company for 5½ years and that before it was purchased by the current owner it had been on the market for an additional five years prior to that time, that automotive facilities have a stigma, that this facility can be a show piece, that automotive repairs are more advanced than in the past and are not old greasy facilities, and that he urges the granting of the special permit. Mr. Carbone offered documents related to another automotive facility for review by the City Council. Motion made and 2nd that the documents be received and made part of the record, 8 in favor, 0 opposed, 1 absent (Haggerty absent). Paul Meaney, Woburn Business Association, Ten Tower Office Park stated that he was in favor of the zoning amendment and is in favor of this petition, and that the building in its present state is an eyesore. Donald Halpin, 269 Cambridge Road stated that the building in its present condition is an eyesore, that this petition will improve the building, and that the proposed use is the best use of the locus compared to the alternatives. OPPOSED: Rafail Kushnirsky, 3 Country Club Road stated that this facility is 76 feet from his home, that he will not be able to open his windows with the garage that close, that he has lived in his home for twelve years, that the building is used for storage, and that the building is in bad condition but it is not a garage. Michelle

Roselli, 26 Country Club Drive stated that she is concerned about an automotive repair shop being located at the entrance to the Country Club, and that the building is an eyesore but that she is concerned with an auto repair shop being located at the locus. Attorney Tom Callahan, 3 Highview Road stated that he represents Cambridge Road Auto Service which does business as Shell, that he has lived on Highview Road since 1986, that the underground tanks were removed from the locus and the property backfilled, that the property is located in a watershed area, that because of prior contamination from that property an auto repair use was never to be an alternative future use at the locus, that the access and egress from the property is problematic, that the lot size is smaller than the petitioner's current location in Winchester, that this property will not be able to be developed to a condition comparable to the property described by Mr. Carbone, and that he opposes the petition. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON APRIL 17, 2012 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 8 in favor, 0 opposed, 1 absent (Haggerty absent).

On the petition by Ron Martignetti, One Arlington Street, Winchester, Massachusetts 01890 for a special permit pursuant to Section 5.1.57 of the 1985 Woburn Zoning Ordinances, as amended, to allow inside storage of personal motor vehicles, watercraft and boats as well as personal property with no outside storage at 10 John Street. PUBLIC HEARING OPENED. A communication dated March 20, 2012 was received from Attorney Ronald A. Martignetti, One Arlington Street, Winchester, Massachusetts 01801 as follows:

Re: Special Permit – 10 John Street, Woburn, MA

Dear Clerk Campbell:

Kindly continue the public hearing regarding the application for a Special Permit at 10 John Street, Woburn, MA scheduled for this evening, March 20, 2012, until the City Council's next scheduled meeting. I will be in attendance this evening in case the Council members or anyone else has any questions.

Thank you for your anticipated cooperation in this matter.

Very truly yours, s/Ronald A. Martignetti, Esquire

Motion made and 2nd that the communication be received and made part of the record, 8 in favor, 0 opposed, 1 absent (Haggerty absent). Attorney Ronald Martignetti was present but did not address the City Council. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON APRIL 17, 2012 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 8 in favor, 0 opposed, 1 absent (Haggerty absent).

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

PUBLIC SAFETY AND LICENSES:

On the petitions for renewal of Taxi Cab Licenses by Abdulla Nasser dna AACO Travel Taxi Service; Ahmad Abbas dba A.A. Transportation; Mourad Djiar dba ABCE Taxi of Woburn; Bombay Taxi, Inc.; Ali A. Saleh dba Metro Cab; and SureRide, LLC, committee report was received "ought to pass". Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Presented to the Mayor March 22, 2012 and ten days having elapsed without same being approved, said license became effective without his signature on April 3, 2012.

SPECIAL PERMITS:

On the petition to modify the special permits issued November 13, 2008 and June 11, 2009 to Kravings, Etc., Robert Haykal, Manager, Petitioner, and David Tracy and Jayne Tracy, landowners for the property located at 106 Winn Street by deleting the name "Robert Haykal, Manager", committee report was received as follows: "That the petitions be modified by striking Paragraph 1 from the special permits and inserting in its place the following: '1. That this special permit shall be exclusive to A&D Food Group d/b/a Kravings Etc. and terminate if this operation ceases, provided further that there shall be no change to parking, seating, name or signage.'" Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

INFRASTRUCTURE AND PUBLIC LANDS:

On the Order to approve an Easement over a parcel of land, which parcel is shown as "Access Easement" on a plan entitled "Site Plan 30 Merrimac Street Condominium 30 Merrimac Street, Woburn, Mass. Scale 1" = 20' January 31, 2011 Prepared by Edward J. Farrell, Professional Land Surveyor", committee report was received "ought to pass". Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Presented to the Mayor: March 22, 2012 s/Scott D. Galvin, Mayor March 26, 2012

NEW PETITIONS:

Petitions for renewal of Taxi Cab Licenses by Checker Cab of Woburn, Inc., 289R Salem Street; and Saeed Rajabi dba Sky Taxi of Woburn. Motion made and 2nd that the MATTERS be REFERRED TO COMMITTEE ON POLICE AND LICENSES, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Petition for renewal of Livery License by Checker Cab of Woburn, Inc., 289R Salem Street. Motion made and 2nd that the MATTERS be REFERRED TO COMMITTEE ON POLICE AND LICENSES, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Petition for renewal of License to Sell Second-Hand and Personal Articles of Value and Collectibles by GameStop 3315, 103 Commerce Way. Motion made and 2nd that the MATTERS be REFERRED TO COMMITTEE ON POLICE AND LICENSES, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

A communication dated March 16, 2012 with attachments was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Minor Modification to Special Permit Granted to Monarch Homes Inc., Lot A, 859 Main Street, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent Monarch Homes, Inc. ("Monarch"). On January 12, 2011, your office used a Landowner's Decision and Notice of Special Permit setting forth approval by the Woburn City Council of a Special Permit granted to my client as modified by Notice of Modification of Special Permit dated October 13, 2011 (the "Decision"). The Decision allowed for a 33 unit, 35 bed Alzheimer's Residence and exception to the landscaping requirements.

Recently in connection with the filing of a building permit application with the Building Department, it was learned that the Decision did not contain language waiving the requirements of a peaked roof on the entire building as required by Section 22 F.3.(b).

Enclosed please find ten (10) copies of an elevation plan showing the roofline for the building. I respectfully request that the City Council, at its meeting on March 2012 modify the Decision by incorporating language into the Decision waiving the requirement of a peaked roof on the entire building as required by Section 22 F.3.(b) as a minor modification to said Decision.

If you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours, s/Joseph R. Tarby III

Alderman Mercer-Bruen stated that the justification for this modification is that the roof requirement is provided under the ordinances but was not excepted in the special permit. Motion made and 2nd that the communication be accepted and made part of the record and that the minor modification of the special permit be approved for the following reason: That the modification is necessary to correct the inadvertent omission in the special permit as the plan of record reflected a flat roof, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Petition by Oliver Enterprises, 278 Salem Street, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 7.3 and 5.1.57b of the 1985 Woburn Zoning Ordinances, as amended, to change existing special permit to include different elevation and garage door height for property located at 5 Hancock Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

COMMUNICATIONS AND REPORTS:

A communication dated March 16, 2012 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 February 2012: number of parking violations issued 200, number of violations paid 91, number of violations outstanding 100, amount collected and submitted to the Office of the Collector \$5,603.80. There exists a backlog of 5,922 tickets for 1982 through 2011. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$700.00.

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

Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

A communication dated February 29, 2012 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 February. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

A copy of a communication dated March 9, 2012 from Thomas C. Quinn, Jr., Building Inspector to FJ Catalano Ent., 188 Ayer Road, Harvard, Massachusetts 01541 relative to the improvements at 880 Main Street advising of the denial of a request to approve revised construction drawings. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

A communication dated March 13, 2012 with attachments was received from Ellen Callahan Doucette, City Solicitor as follows:

Re: Taking Correction – 415-421 Main Street, Woburn, MA

I recently received correspondence from a law firm representing the owners of the above-referenced property which is the CVS Pharmacy on the corner of Walnut and Main Streets. It appears that while conducting a title examination prior to the sale of the property, the attorney discovered ambiguities related to a 1924 land taking by the City of Woburn for the purpose of widening Walnut Street.

Briefly, the CVS property is registered land as evidenced by a Certificate of Title and an approved Land Court Plan No. 2001A. The City's January 14, 1924 instrument of taking was erroneously filed in the recorded land section of the Registry of Deeds. Moreover, the metes and bounds description of the land taken places one of the boundary lines through the building. A copy of a sketch plan based upon the 1924 taking is attached hereto as "A".

In an unsuccessful attempt to correct these errors, the City recorded a subdivision plan of Land Court Plan No. 2001A in May of 1924 creating Lot A (the portion being taken) and Lot B (the building). However, this plan was not submitted to the Land Court for approval. As such, neither the instrument of taking nor the subdivision plan is referenced on the Certificate of Title for the CVS property, and the existence of the taking was only recently discovered during a more exhaustive title examination. A copy of the 1924 subdivision plan is attached hereto as "B".

In an effort to resolve these errors and remove defects in the title, the attorney has asked the City of Woburn to join in a Supplemental Petition ("S-Petition") to be filed with the Land Court. The S-Petition seeks the Land Court's approval of the City's subdivision of land to correct the boundary issue, and the issuance of a Certificate of Title to the City for ownership of Lot A.

Therefore, I am requesting that the City Council authorize the Mayor to accept the Certificate of Title certifying the City's ownership of that portion of Walnut Street shown as Lot A, and bringing this matter to a successful resolution for all parties.

Please do not hesitate to contact me if you have any questions regarding this memorandum.

Attached thereto was the following:

ORDERED That the Mayor be and is hereby authorized to accept a Certificate of Title in the name of the City of Woburn issued by the Land Court for the fee ownership of Lot A as shown on Land Court Plan No. 2001B depicting the property taken by the City on January 14, 1924 for the purpose of widening Walnut Street.

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON INFRASTRUCTURE AND PUBLIC LANDS, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

A communication was received from the Massachusetts Executive Office of Labor and Workforce Development relative to the issue of unemployment insurance payments to certain categories of public employees under varying circumstances. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PERSONNEL, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS: None.

Motion made and 2nd to suspend the rules for the purpose of adding the following late filed matters to the Order of the Day, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

ORDERED Be It Ordained by the City Council of the City of Woburn that Title 17, Responsible Employer Ordinance, of the 1989 Woburn Municipal Code, as amended, shall be and is hereby forthwith repealed.

s/Alderman Anderson

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON ORDINANCES, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

ORDERED That the sum of \$200,000.00 be and is hereby transferred as so stated from BLS Receipts Acct #31359-595000 \$200,000.00 to Apparatus

Maintenance Acct #0122054-544400 \$10,000.00, Ambulance Salaries Acct #0122051-513100 \$140,000.00, Fire-Overtime Acct #0122051-513100 \$50,000.00.

I hereby recommend that above: s/ Paul Tortolano, Chief, Fire Department
I have reviewed the above: Gerald W. Surette, City Auditor
I hereby approve the above: s/Scott Galvin, Mayor

s/President Denaro

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

RESOLVED That His Honor the Mayor instruct the Building Commissioner to enforce the provisions of Woburn Municipal Code Title 15, Article VI Maintenance of Vacant Property with respect to the property located at 8 Surrey Road.

s/Alderman Drapeau

Alderman Drapeau stated that these are not situations sufficient to rise to a Chapter 139 nuisance hearing however there are concerns that should be addressed, that he is asking the Building Commissioner to enforce the ordinance relative to vacant property, and that he does not believe that the properties are in foreclosure but the houses have been vacant for some time. Alderman Gately stated that this Order is not necessary since the ordinance is in the books the Building Commissioner should enforce the ordinance, and that there is a house in that area that may be demolished soon and it is possible that it is one of these houses. Motion made and 2nd that both of the ORDERS be ADOPTED, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Presented to the Mayor: March 22, 2012 Returned Unsigned March 22, 2012

RESOLVED That His Honor the Mayor instruct the Building Commissioner to enforce the provisions of Woburn Municipal Code Title 15, Article VI Maintenance of Vacant Property with respect to the property located at 20 Surrey Road.

s/Alderman Drapeau

See record notes from preceding matter. Motion made and 2nd that both of the ORDERS be ADOPTED, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Presented to the Mayor: March 22, 2012 Returned Unsigned March 22, 2012

A communication dated March 19, 2012 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear President Denaro and Members of the City Council:

I am proud to announce the City of Woburn is the co-recipient of a \$373,000 community innovation grant from the state Department of Administration and Finance. A little over two months ago, Purchasing Director Sarah Stanton, in cooperation with the cities of Lowell, Amesbury, Worcester and Somerville, applied for a Community Innovation Challenge Grant to develop a statewide municipal performance indicator system.

This grant program was funded in the FY12 state budget at \$4 million this year, and administered by the Executive Office of Administration and Finance. The program turned out to be highly competitive, with A&F receiving more than 100 proposals totaling more than \$20 million. In light of these long odds, I am proud to say not only have we been awarded one of 28 CIC grants this year, but our grant—totaling more than \$373,000—is also one of the largest.

As a supporter of CitiStat, and member of the statewide performance measurement group New England Stat Net, Woburn is committed to developing a common framework by which we can compare the efficacy and efficiency in our delivery of public services. The proposal calls for grant funds to be used by the five cities to begin researching and developing this standard indicator system that can be applied to all cities and towns throughout the Commonwealth. Through this grant, Woburn and its four partner communities are charged with promoting performance management initiatives to those communities in Massachusetts that have not yet realized their value.

The City of Woburn will be completing its first year of a CitiStat pilot program, with focus on conducting business more efficiently and an eye toward building on the first year's successes during fiscal year 2013. If you have any questions, please feel free to call.

Sincerely, s/Scott D. Galvin, Mayor

Alderman Drapeau stated that he supports an electronic method of tracking the status and progress of constituent complaints to the city, that he wants the City Council to have access to this information, and that rather than having to disturb the departments for information the Aldermen could track the information. Alderman DiTucci stated that this is a valuable program in Somerville. President Denaro stated thanks go to Purchasing Agent Stanton for her work on this project. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Alderman Anderson moved for reconsideration of his vote on the two Resolutions regarding Surrey Road and the motion being 2nd to allow reconsideration, 8 in favor, 0

opposed, 1 absent (Haggerty absent). Alderman Anderson stated that the Resolutions should be amended to request the Building Commissioner determine whether the ordinance is applicable and, if so, to enforce the ordinance. Motion made and 2nd that both RESOLVES be ADOPTED, AS AMENDED with the amended Resolution to read as follows: That His Honor the Mayor instruct the Building Commissioner to investigate the properties located at 8 Surrey Road and 20 Surrey Road to determine whether the properties are subject to the provisions of Woburn Municipal Code Title 15, Article VI Maintenance of Vacant Property, and if so, that the Building Commissioner enforce the said Ordinance with respect to the properties located at 8 Surrey Road and 20 Surrey Road, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Presented to the Mayor: March 22, 2012 **s/Scott D. Galvin, Mayor**

Motion made and 2nd to return to the regular order of business, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent).

Motion made and 2nd to ADJOURN, all in favor, 8 in favor, 0 opposed, 1 absent (Haggerty absent). Meeting adjourned at 8:29 p.m.

A TRUE RECORD ATTEST:

William C. Campbell
City Clerk and Clerk of the City Council