

**CITY OF WOBURN
MAY 15, 2012 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

| | |
|------------------|--------------|
| Anderson | Gately |
| DiTucci | Haggerty |
| Drapeau - absent | Mercer-Bruen |
| Gaffney | Raymond |
| Denaro | |

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

MAYOR'S COMMUNICATIONS:

Motion made and 2nd to suspend the rules for the purposes of receiving the FY2013 City of Woburn Budget from the Mayor, 8 in favor, 0 opposed, 1 absent (Drapeau absent). Appearing was His Honor the Mayor Scott D. Galvin and he presented the FY2013 City of Woburn Budget. Mayor Galvin read the following communication dated May 15, 2012 into the record:

Dear President Denaro and Honorable Members of the Woburn City Council:

I am pleased to submit the Fiscal Year 2013 General Fund Budget totaling \$104,590,695., an increase of 2.65 % over FY 2012. The budget is well under Proposition 2 ½.

The Water and Sewer Enterprise Fund increased by 3.23%, to \$18,512,300. The Water and Sewer rates will remain unchanged for FY 2013. As you recall, we reduced residential water and sewer rates by 5 percent in FY 2011, which has provided residents with three years of savings.

I would like to highlight some of the issues impacting the proposed FY 2013 budget:

- We successfully renegotiated a new three-year contract with Waste Management that resulted in savings of more than \$360,000 over the previous three-year contract. Moreover, we achieved the significant savings while preserving the same solid services provided in the prior contract.

- We were also successful in limiting the overall combined insurance increase to 2.1 percent. This modest increase was aided by a 5 percent increase in employee contributions to health insurance.
- I am also happy to report that every union contract, except for Fire, has been settled and the monetary impacts are being managed within this budget.
- The budget includes funding for one additional patrol officer, which delivers a fully staffed regular police force of 74 men and women for the first time in more than 10 years.
- The budget includes a full-time M.I.S. Director, which is long overdue. I am proposing the position be paid by the cable/technology revolving fund, an appropriate funding mechanism with no impact to the City budget. I will forward revised language to the revolving fund to allow this change.
- The budget also includes a new Wellness/Recreation Coordinator position to assist with a growing Recreation Department and active community. This position supports collaborative professional development of new wellness activities that benefit City residents and employees.
- There is an appropriation of \$20,000.00 for a personal property audit to identify high value personal property accounts, which should result in increased new growth and revenues.
- Working in collaboration with Superintendent Mark Donovan and members of the School Committee, the School Department received a 4% funding increase to continue their work meeting the educational needs of our students, while avoiding teacher layoffs.
- Last month, we rolled out the Citi-Stat program (WuStat) with the assistance of consultants from the Collins Center for Public Management. Pilot Citi-Stat programs will be implemented for several large departments. Citi-Stat uses frequent, regularly scheduled, data-driven meetings focused on improving performance of key indicators. In other words, measuring what we do and using the results to improve services and lower costs where indicated. Funding for this initiative is a modest \$20,000.00, which is identical to the amount provided in last year's budget.
- We have also continued to aggressively rebid expired contracts in order to obtain the highest quality goods and services at the best possible price. For instance, we recently advertised an RFP for ambulance service. I expect strong interest and competition that will result in significant savings for the City.
- I have included a Capital Budget proposal attached hereto in the form of an appropriation order. I would respectfully request that the order be given a first

reading tonight, and forwarded to the Finance Committee to enable discussions with Department Heads during Committee meetings.

- The Water and Sewer Enterprise Fund includes funding for a Chemist position and funds to update the next phase of the Water Distribution Capital Improvements Plan. In addition, there is a \$449,000.00 outlay to fund the Design for the repair of sewers and the removal of infiltration/inflow from the East Woburn sewer system.

I will be available to discuss any of these matters in committee.

Sincerely, s/Scott Galvin, Mayor

Attached thereto was the following:

CITY OF WOBURN

FISCAL 2013 BUDGET

ORDERED: that for the purpose of defraying expenses for the fiscal year July 1,2012 / June 30, 2013 the following sums of money be and they are respectfully appropriated to the accounts and for objects and purpose herein after stated and explained:

| Page | Department | Dept Code # | | Summary | Total |
|------|-----------------------|-------------|-------------|------------|------------|
| 1 | City Council | 0111 | Salary | 92,469.79 | 103,169.79 |
| | | | Maintenance | 10,700.00 | |
| 2 | Mayor | 0121 | Salary | 132,240.00 | 208,640.00 |
| | | | Maintenance | 76,400.00 | |
| 3 | Community Services | 0122 | Maintenance | 32,000.00 | 32,000.00 |
| 4 | Auditor | 0134 | Salary | 264,327.28 | 373,827.28 |
| | | | Maintenance | 109,500.00 | |
| 5 | Purchasing | 0136 | Salary | 129,707.72 | 132,407.72 |
| | | | Maintenance | 2,700.00 | |
| 6 | Assessor | 0137 | Salary | 474,311.99 | 540,411.99 |
| | | | Maintenance | 66,100.00 | |
| 7 | Treasurer / Collector | 0138 | Salary | 363,455.98 | 489,505.98 |
| | | | Maintenance | 126,050.00 | |
| 8 | Law | 0151 | Salary | 130,825.10 | 197,825.10 |
| | | | Maintenance | 67,000.00 | |

| | | | | | |
|-------|----------------------------|------|-------------|--------------|--------------|
| 9 | Data Processing | 0154 | Salary | 12,000.00 | |
| | | | Maintenance | 300,900.00 | 312,900.00 |
| 10 | City Clerk | 0161 | Salary | 264,061.93 | |
| | | | Maintenance | 6,650.00 | |
| | | | Outlays | 5,000.00 | 275,711.93 |
| 11 | Election & Reg | 0162 | Salary | 69,969.76 | |
| | | | Maintenance | 32,025.00 | |
| | | | Outlays | 0.00 | 101,994.76 |
| 12 | License Commission | 0164 | Salary | 12,000.00 | |
| | | | Maintenance | 0.00 | 12,000.00 |
| 13 | Human Resources | 0170 | Salary | 145,269.20 | |
| | | | Maintenance | 9,000.00 | 154,269.20 |
| 14 | Conservation | 0171 | Salary | 104,523.77 | |
| | | | Maintenance | 6,400.00 | |
| | | | Outlays | 8,000.00 | 118,923.77 |
| 15 | Planning Bd/ Comm Devel | 0172 | Salary | 235,043.49 | |
| | | | Maintenance | 57,000.00 | 292,043.49 |
| 16 | Board of Appeals | 0173 | Salary | 22,000.00 | |
| | | | Maintenance | 0.00 | 22,000.00 |
| 17 | Sundry Boards | 0174 | Maintenance | 35,500.00 | 35,500.00 |
| 18-21 | Police | 0210 | Salary | 7,864,055.42 | |
| 22 | | | Maintenance | 742,100.00 | |
| 23 | | | Outlays | 0.00 | 8,606,155.42 |
| 24-25 | Fire | 0220 | Salary | 5,399,141.37 | |
| 26 | | | Maintenance | 316,450.00 | |
| 27 | | | Outlays | 0.00 | 5,715,591.37 |
| 28 | Inspection Services | 0251 | Salary | 460,592.02 | |
| | | | Maintenance | 9,800.00 | |
| | | | Outlays | 0.00 | 470,392.02 |
| 29 | Sealer of Weights | 0254 | Salary | 15,848.56 | |

| | | | | | |
|-------|--------------------|------|-----------------|---------------|---------------|
| | | | Maintenance | 650.00 | 16,498.56 |
| 30 | Civil Defense | 0291 | Salary | 36,900.10 | |
| | | | Maintenance | 1,500.00 | 38,400.10 |
| 31 | Woburn School | 0300 | Budget | 49,212,366.00 | |
| 31 | Northeast Regional | 0301 | Budget | 925,746.00 | |
| | | | | | 50,138,112.00 |
| 32 | Engineering | 0410 | Salary | 279,988.83 | |
| | | | Maintenance | 22,500.00 | |
| | | | Outlays | 2,000.00 | 304,488.83 |
| 33-36 | Public Works | 0411 | Salary | 2,366,738.48 | |
| 37 | Public Works | 0412 | Administration | 17,750.00 | |
| 37 | Public Works | 0414 | Tree Moth | 28,500.00 | |
| 38 | Public Works | 0417 | Street Maint | 429,500.00 | |
| 39 | Public Works | 0418 | Snow Remove | 279,000.00 | |
| 39 | Public Works | 0419 | Traffic Control | 82,900.00 | |
| 39 | Public Works | 0420 | Street Lighting | 320,000.00 | |
| 40 | Public Works | 0421 | Repair & resur | 0.00 | |
| 40 | Public Works | 0422 | Sidewalk Rep | 0.00 | |
| 40 | Public Works | 0424 | Comm. Events | 14,000.00 | |
| 40 | Public Works | 0425 | Bridge Repair | 0.00 | |
| 40 | Public Works | 0426 | Fence Repair | 0.00 | |
| 41 | Public Works | 0428 | City Garage | 0.00 | |
| 41 | Public Works | 0429 | Telephone | 2,000.00 | |
| 41 | Public Works | 0430 | Gas & Oil | 295,000.00 | |
| 42 | Public Works | 0432 | Trucks & equip | 211,000.00 | |
| 42 | Public Works | 0435 | Public building | 390,000.00 | |
| 43 | Public Works | 0436 | Outlays | 0.00 | |
| 44 | Total Public Works | | Budget | | 4,436,388.48 |
| 45 | Cemetery | 0490 | Salary | 382,882.50 | |
| 46 | | | Maintenance | 0.00 | |
| 46 | | | Outlays | 10,000.00 | 392,882.50 |
| 47 | Board of Health | 0512 | Salary | 358,109.63 | |
| 48 | | | Maintenance | 79,550.00 | |
| 49 | Rubbish Removal | 0495 | Maintenance | 2,667,200.00 | 3,104,859.63 |
| 50 | Council on Aging | 0541 | Salary | 203,350.25 | |

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|--------------|---------------------------------------|-------------|--------------------|---------------------|---------------------|
| | | | Maintenance | 81,580.00 | 284,930.25 |
| 51 | Veterans Benefits | 0543 | Salary | 77,637.92 | |
| | | | Maintenance | 2,500.00 | |
| | | | Benefits | 209,000.00 | 289,137.92 |
| 52 | United Veterans | 0544 | Maintenance | 10,850.00 | 10,850.00 |
| 53 | Public Library | 0610 | Salary | 842,582.92 | |
| 54 | | | Maintenance | 220,290.00 | |
| | | | | | 1,062,872.92 |
| 55 | Recreation | 0620 | Salary | 118,893.65 | |
| 55 | | | Programs | 89,320.00 | |
| 56-57 | | | Maintenance | 84,440.00 | 292,653.65 |
| 58 | Parks | 0630 | Salary | 381,843.12 | |
| 59 | | | Maintenance | 111,650.00 | |
| 59 | | | Outlays | 0.00 | 493,493.12 |
| 60 | Historical Comm. | 0650 | Maintenance | 1,000.00 | 1,000.00 |
| 61 | Handicap Commission | 0660 | Maintenance | 500.00 | 500.00 |
| 62 | Biotech Commission | 0670 | Maintenance | 500.00 | 500.00 |
| 63 | Agricultural Commission | 0675 | Maintenance | 1,000.00 | 1,000.00 |
| 64 | Be Well Woburn Committee | 0680 | Maintenance | 1,000.00 | 1,000.00 |
| 65 | Traffic Commission | 0640 | Maintenance | 750.00 | 750.00 |
| 66 | Human Rights Commission | 0685 | Maintenance | 500.00 | 500.00 |
| 67 | Historical District Commission | 0690 | Maintenance | 1,000.00 | 1,000.00 |
| 68 | Maturing Debt | 0710 | Principal | 1,380,000.00 | |
| | | | Interest | 835,074.43 | 2,215,074.43 |
| 69 | Interest Temp Loans | 0715 | Interest | 220,000.00 | 220,000.00 |

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|---------------------------------------|---|--------------|---|----------------------|-----------------------|
| 70 | Woburn Retirement | 0970 | Salary&Maint | 4,889,138.00 | 4,889,138.00 |
| 71 | Non Contributory Pensions | 0970 | Salary | 27,529.87 | 27,529.87 |
| 72 | Unemployment | 0980 | Maintenance | 100,000.00 | 100,000.00 |
| 73 | Insurance | 0980 | Maintenance | 17,341,865.44 | 17,341,865.44 |
| 74 | Medicare Tax | 0980 | Maintenance | 730,000.00 | 730,000.00 |
| TOTAL GENERAL FUND BUDGET | | | | | 104,590,695.52 |
| 75-76 | Water & Sewer Enterprise Fund Budget | | | | |
| 77-80 | | Water = 0450 | | 7,145,331.05 | |
| 81-85 | | Sewer = 0440 | | 9,924,104.32 | |
| | | | Direct Charges to Enterprise Fund | | 17,069,435.37 |
| | | | Indirect Charges Reflected in General fund | 1,442,865.59 | |
| | Total Enterprise Fund Budget | | | 18,512,300.96 | 17,069,435.37 |
| Grand Total Fiscal 2013 Budget | | | | | 121,660,130.89 |

s/President Denaro

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

ORDERED That the sum of \$2,801,780.00 be and is hereby appropriated as so stated from Unreserved Fund Balance Acct #01-356000 \$2,801,780.00 to Mayor's Capital Budget – Police/Dispatch \$750,000.00, Police/Roofing \$450,000.00, Police/Vehicles (3) \$120,000.00, Police/Weapons Upgrade \$25,000.00, AED 10 X (\$2,078 EA) \$20,780.00, DPW/Remedial Yard Work/ACO \$450,000.00, DPW/Backhoe \$75,000.00, DPW/10 Wheel Dump Truck \$160,000.00, Schools/Capital Projects (attached) \$350,000.00, Parks/Pickup Truck \$36,000.00, Parks/Fairway Ball Cutter \$45,000.00, Fire/Turn Out Gear \$20,000.00, LED/Streetlight Upgrade \$300,000.00, Total \$2,801,780.00.

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, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

The Mayor presented three reports from Powers & Sullivan entitled "City of Woburn, Massachusetts Management Letter June 30, 2011", "City of Woburn, Massachusetts Report on Examination of Basic Financial Statements Fiscal Year Ended June 30, 2011", and "City of Woburn, Massachusetts Reports on Federal Awards Programs Fiscal Year Ended June 30, 2011". Motion made and 2nd that the MATTERS be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

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

ORDERED That the sum of \$50,000.00 be and is hereby transferred as so stated from BLS Ambulance Receipts Acct #31359-595000 \$50,000.00 to Fire Department Overtime Acct #0122051-513100 \$40,000.00, Ambulance Maintenance Acct #0122054-544300 \$10,000.00

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

s/President Denaro

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

A communication dated May 14, 2012 with attachment was received from His Honor the Mayor as follows:

Dear President Denaro and Honorable Members of the City Council:

I am forwarding a conservative, revised bond authorization in the amount of \$6 million for the residential water meters. I have attached a cost spread sheet estimate prepared by Weston and Sampson. The final contract will be determined after a full-price RFP.

In addition, the Department of Environmental Protection has granted an extension for a final vote on the appropriation for the cost of water meters until June 19, 2012.

I will be available to further discuss this matter in committee.

Sincerely, s/Scott D. Galvin

Attached thereto was the following:

ORDERED That the City of Woburn appropriates the sum of Six Million Dollars (\$6,000,000) to pay costs of replacing water meters throughout the City, including the payment of all costs associated therewith, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to Chapter 44, Section 8(7A) of the General Laws, or any other enabling authority.

s/Scott D. Galvin, Mayor

s/President Denaro

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

ORDERED That the sum of \$170,000.00 be and is hereby transferred as so stated from BLS Ambulance Receipts Acct #31359-595000 \$170,000.00 to Ambulance Maintenance Acct #0122054-544300 \$170,000.00

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

s/President Denaro

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

PUBLIC HEARINGS:

On the petition by National Grid for a grant of right in way to replace the existing regulator station in School Street opposite Lord Terrace with a new prefabricated regulator station around the corner in School Street at Merrimac Street, install approximately 375 feet of 4 inch PL 25 psig main to feed inlet of new regulator station to existing 4 inch PL 25 psig main, install approximately 150 feet of 6 inch PL 2 psig to connect outlet of new regulator station to existing 6 inch PL 2 psig main. PUBLIC HEARING OPENED. A communication dated May 15, 2012 was received from Superintendent of Public Works John Duran as follows: "Approval of this grant is

recommended under the following conditions: 1. All construction in sidewalk area shall require replacement of new concrete sidewalks to DPW and MassHighway specs. In addition, they must be ADA/handicap compliant with a statement from an engineer stating said compliance. Adequate room for sidewalk plows must be provided (5 feet minimum), 2. Any construction of gas main in the paved area(s) of School and Merrimac Streets shall require curb to curb restoration of pavement as discussed with National Grid officials.” Appearing for the petitioner was Lien Gauthier and she stated that the petitioner seeks permission to install a new regulator station, that they understand the conditions required by the Department of Public Works, that if work is done in the street the area will be repaved curb-to-curb at the intersection, that if the sidewalks are disturbed they will install with like concrete sidewalks, that the regulator station will be installed in a better location than the current regulator station, that the current regulator station will be kept in place until construction of the new regulator station is completed and then the new regulator station will be removed, and that test pits will be dug when the permit is approved. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the public hearing be closed, 8 in favor, 0 opposed, 1 absent (Drapeau 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, and 2. That the current regulator station shall be removed upon completion of the installation of the new regulator station and the area restored in compliance with the recommendations of the Superintendent of Public Works, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

Presented to the Mayor: May 17, 2012

s/Scott D. Galvin May 17, 2012

On the petition by Paul Carniero, 49 Olive Street, Methuen, Massachusetts 01844 for a special permit pursuant to Section 5.1.44 of the 1985 Woburn Zoning Ordinances, as amended, to allow for auto body repair at 3 Green Street. PUBLIC HEARING OPENED. A communication dated May 9, 2012 was received from the petitioner Paul Carneiro as follows:

To: The Woburn City Council

If I could please request continuance of hearing for 3 Green St. from May 15, 2012 to June 5, 2012 due to additional information requested by the Planning Board and Engineering Dept. If any questions, please contact me. Thank you.

s/Paul Carneiro

IN FAVOR: None. OPPOSED: Richard Paris, 17 Highland Street stated that he owns property on Prospect Street, that this is not a good location for an auto body business, that the parcel abuts the proposed bikeway, that houses on the odd side of Prospect Street abut the commercial area, and that he is opposed to the petition. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JUNE 5, 2012, 8 in favor, 0 opposed, 1 absent (Drapeau 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 April 25, 2012 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Ron Martignetti – 10 John St. - To allow a special permit for the storage of personal motor vehicles, watercraft, and boats as well as various sundry personal property pursuant to Section 7.3.

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on April 24, 2012, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Ron Martignetti, regarding the property at 10 John St. subject to the following conditions:

1. That the building shall be used for the personal storage of not more than 20 collector cars and a boat and trailer;
2. That petitioners shall install a wet sprinkler system, which they have volunteered to do, to the satisfaction of the Fire Chief;
3. That the plumbing inspector determine if any floor drains or oil separators are needed for the proposed use and if required that they shall be installed prior to occupancy of the building;
4. That the petitioner shall comply with Section 15 of the Zoning Ordinance prior to occupancy; and
5. That a landscaping plan shall be presented to the Planning Board for approval and the Planning Board shall retain jurisdiction over the landscaping.

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

Sincerely, sEdmund P. Tarallo, Planning Director

A copy of a communication dated April 10, 2012 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer as follows:

Subject: 10 John Street Special Permit – Plot Plan Dated January 25, 2012 – Special Permit Application Dated February 1, 2012

The applicant is seeking permission to store personal motor vehicles, watercraft, boats and personal property at the above referenced location. The applicant has indicated that there will be no outside storage.

The plot plan shows that the applicant is proposing two five foot wide landscaped islands at the front of the existing building which will help with stormwater management.

The applicant should check with the plumbing inspector to determine if any floor drains or oil separators are needed for the proposed use.

The subject property is located within a groundwater protection district and will need to comply with section 15 of the zoning ordinance.

Upon review of the special permit application, this office takes no exception to the special permit application as submitted.

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

A report was received from the Committee on Special Permit as follows: “ought to pass with the conditions as follows: 1. That the building shall be used for the personal storage of not more than 20 collector cars and a boat and trailer; 2. That petitioners shall install a wet sprinkler system, which they have volunteered to do, to the satisfaction of the Fire Chief; 3. That the plumbing inspector determine if any floor drains or oil separators are needed for the proposed use and if required that they shall be installed prior to occupancy of the building; 4. That the petitioner shall comply with Section 15 of the Zoning Ordinance prior to occupancy; 5. That a landscaping plan shall be presented to the Planning Board for approval and the Planning Board shall retain jurisdiction over the landscaping; and 6. That there shall be no accessory fuel storage on site. Appearing was the petitioner Attorney Ron Martignetti and he stated that the building is a former machine shop, that the use will be going from an active business in the R-2 zoning district to a location for storage of personal antique motor vehicles, that the vehicles will not often move from the locus and generally only in the summer, that he will install a wet fire suppression system to alleviate concerns about fire hazards, that there will be minimal activity around the building, that no maintenance or repairs of the vehicles will take place other than occasionally washing the vehicles or charging the batteries, that there will be no outside storage, that they may park their personal vehicle outside when they are using one of the antique vehicles, that they will upgrade the inside and outside of the building, that all the vehicles are registered, that the vehicles are registered at their home addresses, that the vehicles have antique vehicle registrations, that the outside upgrade will be minimal with painting and perhaps shutters added, and that most of the outside improvement will be in terms of the landscaping. Alderman Gately stated that he is in favor of the petition. Alderman Mercer-Bruen stated that the vehicles should be registered in Woburn and that she recommends adding a condition regarding the specific exterior upgrades to the building. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the public hearing be closed, 8 in favor, 0 opposed, 1 absent (Drapeau absent). Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS AMENDED, with the conditions as follows: 1. That the six recommendations of the Committee on Special Permits be adopted as conditions of the special permit, and 2. That

all of the vehicles stored at the property shall be registered in the City of Woburn, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

On the petition by Lytron, Inc., 55 Dragon Court to amend an Inflammable License to allow storage of the following flammables: Acetylene, flammable gas, 5,000 cubic feet, cylinder; Hydrogen, flammable gas, 788 cubic feet, cylinder, at 55 Dragon Court. PUBLIC HEARING OPENED. A report dated April 12, 2012 was received from Fire Chief Paul Tortolano as follows: "Approval – results in considerably less deliveries." Appearing for the petitioner was George Gagnon, Maintenance Manager, Lytron, Inc. and he stated that the company has been successful in increasing production, that they have been able to stay in compliance with their current license restrictions, that the company requires increased holdings to meet the production needs and will reduce deliveries, that currently there are on average two deliveries per week to the locus, and that this amendment may result in one delivery every two weeks. Alderman Mercer-Bruen stated that she agrees with the comments of the Fire Chief, that she supports the petition, and that she appreciates the consideration of the neighborhood be reducing the deliveries to the locus. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the public hearing be closed, 8 in favor, 0 opposed, 1 absent (Drapeau absent). Motion made and 2nd that the INFLAMMABLE LICENSE be GRANTED, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

Presented to the Mayor: May 17, 2012

s/Scott D. Galvin May 17, 2012

On the petition by Alderman Mercer-Bruen concerning the structure or structures located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 11 Montvale Road, 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. Alderman Mercer-Bruen stated that Building Inspector Thomas Quinn has passed the property several times in the past two weeks, that significant progress has been made, and that Building Inspector Quinn request that the matter remain open to monitor progress. Appearing was Henry Pahl, 11 Montvale Road and stated that he plans to continue making progress to make the property look better. PUBLIC COMMENTS: Harrison McLeod, 18 Montvale Road stated that a lot of progress has been made in the last two weeks and that he is impressed with the landowner's efforts. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JUNE 19, 2012, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Order to transfer the sum of \$80,000.00 from Police Salary Acct to Police Overtime Acct, committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

Presented to the Mayor: May 17, 2012 **s/Scott D. Galvin May 17, 2012**

On the Order to transfer the sum of \$30,000.00 be and is hereby transferred as so stated from Inspectional Salaries Acct to Mayor Outlay Acct – purpose: building vehicle replacement, committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

Presented to the Mayor: May 17, 2012 **s/Scott D. Galvin May 17, 2012**

On the Order to transfer the sum of \$10,000.00 from Cemetery Interest Fund to Burial Section Account, committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

Presented to the Mayor: May 17, 2012 **s/Scott D. Galvin May 17, 2012**

On the Order to transfer the sum of \$780.00 from Library Snow Removal Account to Library Telephone Account and to transfer the sum of \$1,000.00 from Library Binding/Microfilm Account to Library Records (AV) Account, committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

Presented to the Mayor: May 17, 2012 **s/Scott D. Galvin May 17, 2012**

NEW PETITIONS:

Petition by FWM RRI II LLC, Attn: Tax Department, 605 S. Front Street, Columbus, Ohio 43215 for change in ownership of Inflammable License to allow the storage of fuel stored in gas tanks of approximately 30 vehicles parked in parking garage at 19 Commerce Way. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

Petition by Enterprise Rent-A-Car Company of Boston, LLC, 248 Mishawum Road, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.45 of the 1985

Woburn Zoning Ordinances, as amended, to modify a special permit issued February 4, 1992, which currently allow the sale of automobiles and trucks, to include commercial trucks with fixed trailers, at 248 Mishawum Road. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING AT THE JUNE 19, 2012, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

Petition by Jatou Management Co., LLC, 853 Turnpike Street, #241, North Andover, Massachusetts 01845 for a special permit pursuant to Sections 5.1.29 and 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for a fast food restaurant and building signage at 305 Mishawum Road. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING AT THE JUNE 19, 2012, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

COMMUNICATIONS AND REPORTS:

A communication dated May 3, 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 April. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

A communication dated March 1, 2011 was received from City Solicitor Ellen Callahan Doucette with a copy of the Complaint filed in the matter of The Woburn Armory, LLC v. Woburn City Council, found at Civil Docket #MICV2012-01528-D. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

A communication dated May 9, 2012 with attachments was received from Thomas C. Quinn, Jr., Acting Building Commissioner relative to a complaint filed with the Commonwealth of Massachusetts Division of Professional Licensure with respect to the project located at 880 Main Street. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

A communication dated May 1, 2012 was received from Larry Guisepppe, Director of Veteran's Services inviting the City Council to participate in the annual Memorial Day parade and ceremonies. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

A communication dated May 10, 2012 with attachment from City Clerk William C. Campbell relative to a proposed form of Woburn Traffic Code. Motion made and 2nd that

the MATTER be RECEIVED AND PLACED ON FILE, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS:

A communication dated May 10, 2012 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Campbell:

By the power vested in my as Mayor of the City of Woburn, I hereby appoint Barry M. Aldoriso, 2 Jessica Drive, to the Woburn Golf and Ski Authority, subject to confirmation by the City Council with a term to expire Dec. 31, 2017. Mr. Aldoriso's appointment replaces Edward McLaughlin, whose term expired.

Respectfully, s/Scott D. Galvin, Mayor

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

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That the City Auditor provide the City Council with a projected amortization schedule, based on current bond rates, for the proposed four million dollar Water Meter Bond;

Be it further Ordered that the City Auditor provide an up to date break down of debt obligations, principal and interest, in the Water and Sewer Enterprise Fund.

s/Alderman Haggerty

Motion made and 2nd that the ORDER be ADOPTED, AS AMENDED with the amendment as follows: That after the words "four million dollar" the words "and the six million dollar" be added and that the "Bond" be amended to read "Bonds", 8 in favor, 0 opposed, 1 absent (Drapeau absent).

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ORDERED That the City Solicitor provide the City Council with a legal opinion as to:

1. The City of Woburn's legal options regarding the Massachusetts

Department of Environmental Protection's Administrative Consent Order (the ACO);

2. An assessment as to the enforceability of the ACO as it relates to the required installation of residential Water Meters;
3. The likelihood of success of contesting the enforceability of the ACO as it applies to the required installation of residential Water Meters; and
4. The possible ramifications of an unsuccessful challenge of the ACO.

s/Alderman Haggerty and Alderman Anderson

Motion made and 2nd that the ORDER be ADOPTED, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

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ORDERED That the City Engineer provide a formal breakdown of the anticipated expenditures, in general terms, associated with the four million dollar Water Meter Bond;

Be it further Ordered that the City Engineer provide an analysis of the cost to buy and install residential water meters, the cost of the Water Rate Study, planned contingencies and any other relevant information within the scope of work related to the Water Meter Bond.

s/Alderman Haggerty and Alderman Raymond

Motion made and 2nd that the ORDER be ADOPTED, AS AMENDED with the amendment as follows: That after the words "four million dollar" the words "and the six million dollar" be added and that the "Bond" be amended to read "Bonds", 8 in favor, 0 opposed, 1 absent (Drapeau absent).

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ORDERED That pursuant to the 1989 Woburn Municipal Code, as amended, Title 3, Article I, Section 3-6 the City Clerk is hereby authorized to dispose of two Dell Dimension PCs with service tag numbers GBZHR21 and 699HT21 and one HP Omnibook computer with serial number S-TW00503680 and the ancillary accessories for same which the City Clerk has determined are of no value to the department and which no other department has expressed an interest in obtaining.

s/President Deanro

Motion made and 2nd that the ORDER be ADOPTED, 8 in favor, 0 opposed, 1 absent (Drapeau absent).

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RESOLVED Be it Ordained by the City Council of the City of Woburn, as follows:

That Title 2, Article XXVII, Section 2-181, sub-paragraph "A" of the 1989 Woburn Municipal Code, as amended, be further amended by changing the base salary amount of the Superintendent of Public Works to \$95,950.00.

s/President Denaro

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

Motion made and 2nd to ADJOURN, 8 in favor, 0 opposed, 1 absent (Drapeau absent).
Meeting adjourned at 8:06 p.m.

A TRUE RECORD ATTEST:

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