CITY OF WOBURN
MAY 5, 2009 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL

Roll Call

Denaro	Gonsalves
Drapeau	Mercer-Bruen
Galvin	Raymond
Gately	Wall
Doherty	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, all in favor, 9-0.

Motion made and 2nd to suspend the rules for the purposes of accepting the FY2010 budget from His Honor the Mayor, all in favor, 9-0. A communication dated May 5, 2009 with attachment was received from His Honor the Mayor Thomas L. McLaughlin as follows:

Dear President Doherty and Distinguished Members of the City Council:

Attached is a copy of the FY 2010 budget for the City of Woburn. The entire budget, including the water and sewer enterprise fund, requires a total appropriation of $112,489,000. The regular City appropriation is $96,156,000 and the water and sewer appropriation is $17,723,000 which includes indirect costs of $1,390,000. The total budgetary decrease for FY 2010 is approximately $674,500.

GENERAL OPERATING BUDGET
The FY 2010 budget reflects an actual decrease in expenditures from the FY 2009 budget. Furthermore, I am pleased to inform you that this FY 2010 budget, which is based on conservative estimates in local aid, still comes in approximately 1 million dollars under Prop 2 ½ guidelines. We also allowed for a second installment of a quarter of a million dollars for our long term GASB # 45 obligations. This decrease in expenditures results from several factors chief among them being:

1. The hiring freeze that I instituted in 2006 has now realized personnel savings costs of over $1 million dollars.
2. Successful contract negotiations with all of our collective bargaining units helped us reign in health care costs which allowed us to see only an approximate 3% increase in overall health care costs whereas a number of other communities have seen double digit increases in health care.

3. A $242,000 savings in a newly executed rubbish renewal contract without any reduction in services. I would like to thank our Health Agent Jack Fralick for his ability to effectively negotiate this significant savings.
4. We realized a $500,000 decrease in our debt service due to our ability to redeem debt service on school projects that go back to 1995 and 1996. I would like to thank our City Auditor Gerald Surette and his staff for retaining and submitting the appropriate paperwork that was essential in our ability to obtain this reimbursement from the Mass School Building Authority.
5. This budget also saves the taxpayers $174,000 in interest payments for FY 2010 assuming that the Council approves a $3,325,000 appropriation from the debt reserve to redeem bonds associated with other school building remodeling costs. Over the long term, your approval of this $3,325,000 appropriation will save the taxpayers of Woburn a total of $891,000 in interest payments. Hence, I urge your favorable vote on this debt service payment.

SCHOOL BUDGET

You will see that the Woburn school budget of $45,375,000 increased by 3% which is a 1% decrease from the FY 2009 – FY 2010 budgetary period. This budget allows us to maintain all of the academic and special education programs, retain all of our teachers, keep all of our schools open, maintain our class sizes, our transportation programs, our sports programs and other important projects that are associated with a successful school district.

WATER & SEWER ENTERPRISE FUND

I am also very pleased to report to you that this budget reflects an actual decrease in the water and sewer enterprise fund from FY 2009. This is due to a multitude of factors that allows me to forgo asking this Council for any increase in either the residential or commercial water and sewer rates for FY 2010.

CAPITAL IMPROVEMENTS

There are no Capital Improvements requested for FY 2010. However, at a later time, I do expect to submit a bonding authorization for your consideration to replace three problematic roofs on the Kennedy and Joyce Middle Schools and the Police Station. We are waiting information regarding the possibility of a 0% interest rate loan from the Federal Economic Stimulus Package which would help reduce the costs associated with these roof replacements.

RESERVES

Currently the City of Woburn continues to maintain abundant reserves along with our signature Aa3 bond rating.

Sincerely, s/Thomas L. McLaughlin, Mayor

Appearing was Mayor McLaughlin and he stated that there has been an unprecedented drop in State revenues, that there have been cuts in the State budget that have included layoffs, mid-year local aid cuts including a $750,000.00 reduction to Woburn and cuts in programs, that a number of communities have laid off police, fire fighters, teachers and

other municipal personnel as well as slashed local budgets, that no proposed new revenues are included in the city's proposed FY2010 budget calculations if the program has not been signed into law, the Woburn FY2010 budget is a silver lining in this environment, that the city of Woburn is one of the State's best managed cities and is positioned to handle these issues, that the budget is approximately $1,000,000.00 below the Proposition 2½ levy limit, that the budget amount is lower than last year's budget, and that the city will retain all employees and retain all services without tapping our abundant reserves. Motion made and 2nd to return to the regular order of business, all in favor, 9-0.

CITY OF WOBURN **FISCAL 2010 BUDGET**

ORDERED: that for the purpose of defraying expenses for the fiscal year July 1,2009 / June 30, 2010 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	91,720.56	
			Maintenance	11,700.00	103,420.56
2	Mayor	0121	Salary	156,133.98	
			Maintenance	28,900.00	185,033.98
3	Community Services	0122	Maintenance	132,000.00	132,000.00
4	Auditor	0134	Salary	187,528.69	
			Maintenance	110,100.00	297,628.69
5	Purchasing	0136	Salary	130,449.74	
			Maintenance	2,700.00	133,149.74
6	Assessor	0137	Salary	358,537.71	
			Maintenance	78,800.00	437,337.71
7	Treasurer / Collector	0138	Salary	335,854.74	
			Maintenance	146,500.00	482,354.74
8	Law	0151	Salary	182,000.00	
			Maintenance	25,500.00	207,500.00
9	Data Processing	0154	Salary	12,000.00	
			Maintenance	208,300.00	220,300.00
10	City Clerk	0161	Salary	244,830.77	
			Maintenance	7,000.00	
			Outlays	0.00	251,830.77

11	Election & Reg	0162	Salary	65,220.56	
			Maintenance	25,650.00	
			Outlays	0.00	90,870.56
12	License Commission	0164	Salary	12,000.00	
			Maintenance	0.00	12,000.00
13	Human Resources	0170	Salary	127,142.35	
			Maintenance	9,400.00	136,542.35
14	Conservation	0171	Salary	88,468.29	
			Maintenance	7,350.00	
			Outlays	9,000.00	104,818.29
15	Planning Board	0172	Salary	185,380.08	
			Maintenance	7,425.00	192,805.08
16	Board of Appeals	0173	Salary	22,000.00	
			Maintenance	0.00	22,000.00
17	Sundry Boards	0174	Maintenance	39,600.00	39,600.00
18-21	Police	0210	Salary	7,796,975.80	
22			Maintenance	653,475.00	
23			Outlays	6,000.00	8,456,450.80
24-25	Fire	0220	Salary	5,643,527.36	
26			Maintenance	321,450.00	
27			Outlays	0.00	5,964,977.36
28	Inspection Services	0251	Salary	446,883.91	
			Maintenance	11,750.00	
			Outlays	0.00	458,633.91
29	Sealer of Weights	0254	Salary	15,848.56	
			Maintenance	650.00	16,498.56
30	Civil Defense	0291	Salary	36,668.38	
			Maintenance	2,500.00	39,168.38
31	Woburn School	0300	Budget	45,375,182.00	
31	Northeast Regional	0301	Budget	1,008,967.00	
31	Teachers Retirement Incentive	0302	Budget	98,572.98	46,482,721.98
32	Engineering	0410	Salary	276,662.56	

			Maintenance	50,525.00	
			Outlays	0.00	327,187.56
33-36	Public Works	0411	Salary	2,373,542.02	
37	Public Works	0412	Administration	33,500.00	
37	Public Works	0414	Tree Moth	37,500.00	
38	Public Works	0416	Surface Drain	0.00	
38	Public Works	0417	Street Maint	465,000.00	
39	Public Works	0418	Snow Remove	279,000.00	
39	Public Works	0419	Traffic Control	111,900.00	
39	Public Works	0420	Street Lighting	400,000.00	
40	Public Works	0421	Repair & resur	0.00	
40	Public Works	0422	Sidewalk Rep	0.00	
40	Public Works	0424	Comm. Events	15,500.00	
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	12,500.00	
41	Public Works	0430	Gas & Oil	285,000.00	
42	Public Works	0432	Trucks & equip	253,000.00	
42	Public Works	0435	Public building	438,000.00	
43	Public Works	0436	Outlays	0.00	
44	Total Public Works		Budget		4,704,442.02
45	Cemetery	0490	Salary	371,654.27	
46			Maintenance	0.00	
46			Outlays	10,000.00	381,654.27
47	Board of Health	0512	Salary	328,879.28	
48			Maintenance	99,650.00	
49	Rubbish Removal	0495	Maintenance	2,733,700.00	3,162,229.28
50	Council on Aging	0541	Salary	196,636.89	
			Maintenance	85,310.00	281,946.89
51	Veterans Benefits	0543	Salary	46,000.00	
			Maintenance	2,500.00	
			Benefits	212,000.00	260,500.00
52	United Veterans	0544	Maintenance	8,450.00	8,450.00
53	Public Library	0610	Salary	810,509.17	
54			Maintenance	214,790.00	
					1,025,299.17
55	Recreation	0620	Salary	68,397.89	
55			Programs	99,320.00	
56-57			Maintenance	94,490.00	262,207.89

58	Parks	0630	Salary	341,748.73	
59			Maintenance	77,225.00	
59			Outlays	12,000.00	430,973.73
60	Historical Comm.	0650	Maintenance	10,000.00	10,000.00
61	Handicap Commission	0660	Maintenance	500.00	500.00
62	Biotech Commission	0670	Maintenance	500.00	500.00
63	Traffic Commission	0640	Maintenance	500.00	500.00
64	Human Rights Commission	0685	Maintenance	500.00	500.00
65	Historical District Commission	0690	Maintenance	1,000.00	1,000.00
66	Maturing Debt	0710	Principal	900,959.00	
			Interest	404,798.21	1,305,757.21
67	Interest Temp Loans	0715	Interest	100,000.00	100,000.00
68	Woburn Retirement	0970	Salary&Maint	4,333,616.00	4,333,616.00
69	Non Contributory Pensions	0970	Salary	65,474.30	65,474.30
70	Unemployment	0980	Maintenance	60,000.00	60,000.00
71	Insurance	0980	Maintenance	14,285,940.08	14,285,940.08
72	Medicare Tax	0980	Maintenance	680,000.00	680,000.00
	TOTAL GENERAL FUND BUDGET				96,156,321.86
73-74	Water & Sewer Enterprise Fund Budget				
75-78		Water = 0450		5,713,614.01	
79-83		Sewer = 0440		10,619,153.17	
			Direct Charges to Enterprise Fund		16,332,767.18
			Indirect Charges Reflected in General fund	1,390,008.17	
	Total Enterprise Fund Budget			17,722,775.35	16,332,767.18

Grand Total Fiscal 2010 Budget	**112,489,089.04**

s/President Doherty

MAYOR'S COMMUNICATIONS:

ORDERED That the sum of $3,325,359.38 be and is hereby appropriated as so stated from Debt Reserve Fund Acct #01-357000 $3,325,359.38 to Debt Principle Acct #0171059-591000 $3,210,000.00, Debt Long Term Interest Acct #0171059-591500 $115,359.38, Total $3,325,359.38 designated for reduction of debt.

I hereby approve the above: s/Thomas L. McLaughlin, Mayor
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/President Doherty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, all in favor, 9-0.

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ORDERED That the sum of $900,000.00 be and is hereby appropriated as so stated from School Stabilization Fund Acct #704059-596100 $900,000.00 to Portables Re: Goodyear Acct #626058-586765 $900,000.00.

I hereby approve the above. s/Thomas L. McLaughlin, Mayor
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/Alderman Mercer-Bruen

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, all in favor, 9-0.

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A communication dated April 30, 2009 with attachment from Carl R. Batchelder, Ed.D., Superintendent, Woburn Public Schools to Mayor Thomas L. McLaughlin was received as follows:

Dear Mayor McLaughlin:

At the April 29th meeting of the School Committee, it was voted to request the City Council transfer $150,000 from the School Department Energy Receipts Reserved for

Appropriation Account to the FY2009 School Department Budget Energy Account (0229604-521100)

As you are aware, this account is used to deposit payments received from Woburn Youth Hockey for the electricity and gas used at the O'Brien Ice Rink and also the energy payments by outside groups who use school buildings for their activities.

We do not include in our budget the cost of the utilities used by these groups, in anticipation of payments from the user, which are deposited into the Reserve Account. We pay the utility bills each month and now must recover the user receipts from the Reserve Account to fund these unbudgeted utility expenses.

It would be greatly appreciated if you would submit to the Council the attached Order so they may act on this request as expeditiously as possible.

Sincerely, s/Carl R. Batchelder, Ed.D., Superintendent

Attached thereto was the following:

ORDERED That the sum of $150,000.00 be transferred from the School Department Energy Receipts Reserved for Appropriation Account to FY2009 School Department Budget Energy Account 0229604-521100

I hereby approve the above. s/Carl R. Batchelder, Ed.D., Superintendent
I hereby recommend the above: s/Thomas L. McLaughlin, Mayor
I have reviewed the above. s/Gerald W. Surette, City Auditor

s/President Doherty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, all in favor, 9-0.

PUBLIC HEARINGS:

On the petition by NSTAR Electric Company for a grant of right in a way to allow conduit and two (2) manholes on Main Street southerly from MH7828 at Campbell Street to MH7821 at Walnut Street a distance of approximately 1,082 feet. PUBLIC HEARING OPENED. Alderman Gately stated that he spoke to the NSTAR representatives and that they agreed to conditions to the plan. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the public hearing be closed, all in favor, 9-0. Motion made and 2nd that the GRANT OF RIGHT IN A WAY be APPROVED, AS AMENDED with the conditions as follows: 1. That the new construction will stay two to three feet away from the existing water main on Main Street, 2. That any cobblestones removed shall become the property of the city of Woburn and be stored at the direction of the Superintendent of the Department of Public Works, and 3. That high density flowable fill will be used for

filling the trench the length of the project, and 4. That the recommendations of the Superintendent of Public Works will be adopted as conditions of the grant, all in favor 9-0.

Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009

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Motion made and 2nd that the public hearing on the next two matters be held collectively, all in favor, 9-0.

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On the petition by Robert McSheffrey, 891 Main Street, Woburn, Massachusetts for a special permit pursuant to Section 5.1.29 and Section 8.2.5 of the 1985 Woburn Zoning Ordinances, as amended, to allow for a fast food restaurant and a reduction in the required parking at 891 Main Street. PUBLIC HEARING OPENED. Appearing for the petitioner was Attorney Joseph R. Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that one petition is to operate a fast food restaurant at the location with a reduction in the parking requirements and the second is to allow the sale of used motor vehicles and for a used motor vehicle sales license, that the property is located in the B-H zoning district, that the uses are allowed by special permit, that there is a 2,400 square foot building on the locus, that this is the former location of a restaurant known as Peck's, that the petitioner will serve prepared food, that the prior restaurant closed on or about February 1, 2009, that the petition will utilize the present tables and kitchen equipment, that the menu will include breakfast items, soups, salads, pizza and ice cream, that this will not be a chain restaurant but a family run operation, that twenty-nine parking spaces are provided, that the petitioner seeks approval to sell six used motor vehicles, and that the use will be a benefit to people using Ferullo Field and to the residents of north Woburn. Alderman Raymond stated that if this petition is approved it will be part of a larger project of redeveloping the area, that the locus is near Ferullo Field, the Middlesex Canal Park and is needed on that side of the street, and that he has no objection to the project. Alderman Gonsalves asked whether there would be outside seating, what the hours of operation will be, what the outside maintenance plan will be and whether handicapped accessibility will be adequate. Robert McSheffrey stated that picnic benches will be provided near the northerly walkway, that the picnic benches will not block the handicap access, that the cars for sale will be parked on the south side of the lot, and that he seeks approval to sell six vehicles. Alderman Galvin stated that he is willing to support the project at this meeting. Alderman Mercer-Bruen stated that she supports the petition. President Doherty stated that he is in favor of the petition and that the improvements are already in place. IN FAVOR: Paul Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn stated that he is in favor of the petition, and that this small business will create new jobs. OPPOSED: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MAY 19, 2009 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

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On the petition by Robert McSheffrey, 891 Main Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.45 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the sale or rental of motor vehicles and for a Second Class Motor Vehicle Sales License both at 891 Main Street. PUBLIC HEARING OPENED. See notes of preceding public hearing. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MAY 19, 2009 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS: None.

NEW PETITIONS:

Petition by J. Sallese & Sons, Inc., 7 Hart Street, Wakefield, Massachusetts 01880 for s special permit pursuant to Section 5.1.57b of the 1985 Woburn Zoning Ordinances, as amended, to allow for the parking of petitioner's vehicles at 5 Crescent Avenue. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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Petition by Anthony K. Paone, Trustee of Harrison Avenue Realty Trust, 141 Sylvester Avenue, Winchester, Massachusetts 01890 for a special permit pursuant to Sections 5.1.71 and/or 5.1.72, 5.5 and 8.3.2 to finish grading and filing of lot and to utilize same for parking purposes, for rental to other businesses, on a commercial basis at 7 Harrison Avenue. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

COMMUNICATIONS AND REPORTS:

A communication dated April 30, 2009 with attachments was received from Joanne Collins, Director, Woburn Council on Aging along with the minutes of the April meeting of the Council on Aging and the Director's report for the month of April. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

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A copy of a communication dated April 29, 2009 to State Senator Patricia D. Jehlen, State Senator Kenneth J. Donnelly, State Representative Jay R. Kaufman, and State Representative James J. Dwyer from the Woburn City Council was received as follows:

Dear Members of the Woburn State Delegation:

At its April 28, 2009 meeting the Woburn City Council unanimously voted to send a letter urging you to support full funding of the Quinn Bill in the FY2010 State Budget. The Quinn Bill is an important component to having a well-trained, educated and responsive police force. We know that you are facing difficult decisions regarding the budget because of the economic crisis, however, we do not want you to cut funding for public safety, which is a paramount priority for our community.

Sincerely, The Woburn City Council

Alderman Denaro stated that the House Ways and Means Committee eliminated the Quinn Bill piece but it was not voted in the full House of Representatives, and that these are amendments but have not been voted out of the House of Representatives yet. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

UNFINISHED BUSINESS OF PRECEDING MEETING:

On the petition by M&L Transit Systems, Inc. for renewal of a Common Carrier License, on April 29, 2009 at 12:40 p.m. Alderman Mercer-Bruen filed a notice of intention to move for reconsideration at the next regular or special meeting of the City Council of her vote taken on April 28, 2009 approving the petition. Motion made and 2nd that reconsideration be granted, all in favor, 9-0. Motion made and 2nd that the LICENSE be GRANTED, as amended, with the conditions as follows: 1. That all vehicles be registered in Woburn, and 2.That the vehicles have a plate appropriate for a Massachusetts common carrier affixed, all in favor, 9-0.
Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That there be a six (6) month moratorium on the granting of any new taxi or livery licenses from the effective date of this Order to allow the city to establish a process for implementing the new taxi driver license ordinance, and further that during this period of time the Committee on Ordinances reviews the current ordinances relative to taxi and livery licenses and make recommendations as to any necessary amendments to the ordinances in the interest of promoting and protecting the safety and convenience of the patrons using these services.

s/Alderman Gately and Alderman Mercer-Bruen

Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0.
Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009

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RESOLVED That the Department of Public Works assess the feasibility of installing curbing and sidewalks along Lakeview Terrace in order prohibit damage caused to abutting properties caused by parking of motor vehicles and that the curbing and sidewalks be installed as soon as practicable.

s/President Doherty

Motion made and 2nd that the RESOLVE be ADOPTED, all in favor, 9-0.
Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009 - subject to funding

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RESOLVED Whereas, Virginia Lawton Duffett was a graduate of Woburn Memorial High School, continued her education at Boston College and Suffolk University School of Law, and was the third generation of the Lawton family to practice law in Woburn; and

Whereas, Virginia Lawton Duffett recently passed away at an early age; and

Whereas, the Lawton family have made many contributions to the community over the years; and

Whereas, the Lawton family have offered to fund the creation of a memorial bench and sitting area near the James Brennan Tennis Courts at Woburn Memorial High School to recognize James F. Lawton, Jr., Jamie Lawton and Virginia Lawton;

Now, therefore, be it resolved by the City Council of the City of Woburn that the City of Woburn and the Woburn School Committee accept the donation of funds to establish a memorial bench and sitting area on the property of the Woburn Memorial High School near the James Brennan Tennis Courts to recognize James F. Lawton, Jr., Jamie Lawton and Virginia Lawton and the contributions of the Lawton family to the City of Woburn.

s/Alderman Gately and Alderman Wall

Motion made and 2nd that the RESOLVE be ADOPTED, all in favor, 9-0.
Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009

Motion made and 2nd to suspend the rules for the purposes of adding the following items to the Order of the Day as late filed matters, all in favor, 9-0.

COMMITTEE REPORTS:

PERSONNEL:

Motion made and 2nd to take the following five personnel reports collectively and to adopt, 8 in favor, 1 opposed (Gately opposed).

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On the reappointment of Beulah M. Burnett as a Member of the Board of Registrars of Voters, committee report was received "ought to pass." Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 1 opposed (Gately opposed).
Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009

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On the reappointment of Oliver C. Galante as a Member of the Board of Registrars of Voters, committee report was received "ought to pass." Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 1 opposed (Gately opposed).
Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009

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On the reappointment of Lori Medeiros as a Member of the Woburn Handicapped and Disabled Citizens Commission, committee report was received "ought to pass." Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 1 opposed (Gately opposed).
Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009

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On the appointment of Dean Solomon as a Member of the Woburn Human Rights Commission, committee report was received "ought to pass." Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 1 opposed (Gately opposed).
Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009

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On the appointment of Geraldine Benecke as a Member of the Woburn Council on Aging, committee report was received "ought to pass." Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 1 opposed (Gately opposed).
Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009

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On the reappointment of Patricia Dyer as a Member of the Woburn Housing Authority, committee report was received "ought to pass." Alderman Gonsalves stated that this member if also a city employee and the board members receive a stipend, and that the board may have to be designated as a special municipal employee in order to approve this

reappointment. Alderman Gately stated that this is not a conflict based on nepotism, that the appointee is not an immediate family member within the definition, that she is a cousin, that this was not an issue two years ago, and that she does her job. President Doherty asked whether the Mayor has a disclosure statement on file indicating that the appointee is his cousin. Alderman Galvin stated that the member should not be appointed as she works for the Mayor in his office on a daily basis and that this may cloud her independence, that he used a dictionary definition of nepotism which is hiring a friend or family member without regard to her qualifications, that the member's daughter has been put on a board, that the Mayor's neighbors have been hired by the Mayor, that the Mayor has an assistant who is his neighbor, that the Mayor's next door neighbor was hired as Superintendent of the Department of Public Works, that this is a nepotistic method of hiring, that this is a pattern, and that the member received preferential treatment because she is his relative. Alderman Gately stated that the member is a part-time employee who receives no benefits, and that she was hired based on her qualifications. Alderman Galvin stated that the member was appointed because she is the Mayor's relative. Alderman Gonsalves stated that to be consistent members of the Woburn Housing Authority would have to be designated as special municipal employees, and that the member was appointed to the Woburn Housing Authority in the Spring of 2007 and subsequently appointed to work in the Mayor's office. Alderman Drapeau asked whether the appointment can be made with this question raised. Alderman Gonsalves stated that clarification is needed from the City Solicitor as to whether special municipal employee status is required for the board members. Alderman Gately stated that this is a federal agency with no funds received from the city. Alderman Mercer-Bruen stated that an order canbe entered designating the board members as special municipal employees. President Doherty stepped down from the chair and Alderman Galvin assumed the chair. President Doherty stated that he is concerned about the member's relationship with the Mayor's office, that he is concerned about the member's policy positions on the board, that the member endorsed building affordable housing at the Clapp School site, that this policy position caused issues in his ward, and that these policy positions should be considered. Motion made and 2nd that the MATTER be REFERRED TO THE COMMITTEE ON PERSONNEL and that an opinion be obtained from the City Solicitor as to whether special municipal employee status is required for members on the Woburn Housing Authority, 7 in favor, 2 opposed (Drapeau, Gately opposed).

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ORDERED That all city-funded projects over 5,000 square feet or costing $2 million or more meet the LEED Silver rating level, a construction standard that guides the design and construction of municipal buildings in a manner that provides healthier indoor environments, reduces operating costs, and conserves energy and resources.

s/Alderman Gonsalves

Alderman Gonsalves stated that she wants the School Building Committee to ensure that energy conservation measures are established in the ne Goodyear School, and that this will set a standard for buildings. President Doherty stated that NSTAR expressed concern

that they have not been given enough access to the public buildings, that NSTAR will provide upgrades at no cost to the city but have not been included in the process. Alderman Gonsalves stated that the city can also receive better reimbursement amounts for energy efficiency. Alderman Denaro stated that the 5,000 square feet threshold is to low, that the $2,000,000.00 cost threshold is fine, and that if a standard comes into affect after the bid process it is a change order which will cost more money. Alderman Drapeau stated that the process of pushing this ahead may impact the Goodyear School project, and that the goal at the Massachusetts State Building Authority is to template schools and simplify the design process. Alderman Gonsalves stated that Tappe Associates can design green buildings and that she wants this issue to be considered, and that this proposal can be amended but it will set the city in that direction. Alderman Drapeau stated that the State will dictate what the city must do with these projects. Alderman Mercer-Bruen stated that NSTAR will be presenting information to the city regarding green buildings. Motion made and 2nd that the MATTER be REFERRED TO THE COMMITTEE ON ORDINANCES and that Tappe Associates be invited to attend the committee meeting, all in favor, 9-0.

On the Taxi Cab License held by Mohamad S. Moharam dba First Cab, committee report was received: "Back for action and that a condition be added that the vehicle doors be marked with the name of the taxi company in a lettering size consistent with the lettering of city vehicles under the Municipal Code." Motion made and 2nd that the committee report be received, all in favor, 9-0. Motion made and 2nd that the LICENSE be GRANTED, AS AMENDED, with the condition: "1. That the name of the taxi company shall be printed on the two front doors of the vehicle in lettering no smaller than two-and-one-half inches in height," all in favor, 9-0.

Presented to the Mayor: May 8, 2009 s/Thomas L. McLaughlin May 11, 2009

Petition by Mohamad S. Moharam dba First cab of Woburn, 29 Cummings Park, Suite 440 for renewal of a Taxi Cab License. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON POLICE AND LICENSES, all in favor, 9-0.

ORDERED That Paul Tobin of 10 Stevin Drive be reappointed as a Member of the Woburn Recreation Commission for a term expiring April 1, 2013.

s/Alderman Gonsalves

Motion made and 2nd to waive Rule 34, all in favor, 9-0. Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0. Motion made and 2nd to restore Rule 34, all in favor, 9-0.

Motion made and 2nd to return to the regular order of business, all in favor, 9-0.

Motion made and 2nd to ADJOURN, all in favor, 9-0. Meeting adjourned at 8:32 p.m.

A TRUE RECORD ATTEST:

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