

**CITY OF WOBURN  
SEPTEMBER 6, 2011 - 7:30 P.M.  
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
DiTucci	Haggerty
Drapeau	Mercer-Bruen
Gaffney	Raymond
Denaro	

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The City Council observed a moment of silence in recognition of the tenth anniversary of the events of September 11, 2011.

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President Denaro extended the best wishes of the City to the Woburn Patrolman Robert DeNapoli and his family as he recovers from wounds incurred in the line of duty while responding to a robbery earlier today.

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

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**MAYOR'S COMMUNICATIONS:**

ORDERED That the sum of \$2,706,928.13 be and is hereby appropriated as so stated from Debt Reserve Acct #648059-596100 \$2,706,928.13 to Debt Principle Acct #0171059-591000 \$1,645,000.00, Debt Interest Acct #0171059-591500 \$1,061,928.13, Total \$2,706,928.13

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 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON FINANCE, all in favor, 9-0.

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**PUBLIC HEARINGS:**

On the petition by National Grid for a grant of right in a way to install approximately 120 feet of four (4) inch PL gas main and approximately fifty (50) feet of 1¼ inch PL gas service to serve 4 Fryeberg Road. PUBLIC HEARING OPENED. A communication was received from Superintendent of Public Works John Duran as follows: "1. Remove and replace existing 2 inch steel with proposed 4 inch plastic gas main, 2. Restore roadway to original condition or as approved by Superintendent of Public Works, 3. Service from street to house shall be 1 ¼ PL gas service." Appearing for the petitioner was Lien Gauthier, Construction Supervisor for National Grid and she stated that this is to provide service to a house on Fryeberg Road, that this is a new gas main from Mishawum Road to the house, that there is no gas service on that street to that house, that the petitioner will replaced the existing 2 inch steel pipe as requested by the Superintendent of Public Works, and that after installation of service a trench is allowed to settle for six months to a year before final patchwork is completed. Alderman Drapeau stated that work areas of National Grid are often poorly patched and cause poor roadway conditions, and that if work is performed in the center of the road he would prefer that the area be resurfaced from the center of the road to the curb. Alderman Gately stated that gas mains have been placed over sewer mains which causes issues if the Department of Public Works has to work on a sewer line. IN FAVOR: George Cain, 6 Fryeburg Road stated that he has no objection to the gas line and that he would like to see the line extended down the street to 8 Fryeburg Road, that he has wanted gas service for some time but was told that this could not be done, and that if construction is being done in the street the service could be extended down to his house. OPPOSED: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON SEPTEMBER 20, 2011 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON MUNICIPAL LANDS, 8 in favor, 1 opposed (Anderson opposed).

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On the petition by Alderman Gately relative to the structure or structures located at 52-54 High Street, Woburn for the purposes of determining whether said building or buildings are a nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or buildings or other structure, as said terms are used in Mass. 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 Gately stated that the city has worked with the owner of the property, that the property has been cleaned up, the grass and bushes trimmed, the sidewalk repaired and the glass pick up, that Building Inspector Thomas Quinn stated that there are no current violations, and that he asks that the petition be withdrawn. IN FAVOR: None. OPPOSED: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the MATTER be GIVEN LEAVE TO WITHDRAW AND PLACED ON FILE, all in favor, 9-0.

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On the petition on the recommendation of the City Clerk for the purposes of determining whether there is cause for revoking the following inflammable licenses and to take action following said hearing. PUBLIC HEARING OPENED. City Clerk Campbell reviewed

the particulars of each of the licenses. Rohm and Haas Company, 185 New Boston Street, Tanks removed – fire department advised tank was removed and notice of hearing was delivered by certified mail; Amerifit Pharma Inc., 11 State Street, Request of license holder – fire department advised that very small amount of flammables would be stored on site by current occupant of the property, Amerifit indicated in writing that it no longer required the flammable storage permit and notice sent by certified mail was returned “unable to forward”; Waste Management of Boston North, 204 Merrimac Street, Tanks removed – fire department advised that tanks were removed and notice of hearing was delivered by certified mail; Stephen & Adeline Dagata, 211 New Boston Street, Request of license holder – the license holder indicated that they no longer needed the license and notice of the hearing was delivered by certified mail; Matthew Aucoin, 25 Garfield Avenue, Tanks removed – the fire department advised that the tanks were removed and notice sent by certified mail was returned “no forwarding order on file”; Francis P. McHugh, 26 Jefferson Avenue, Failure to register – the fire department had no information on the location, notice sent by certified mail was returned “unable to forward”, notice was delivered by certified mail to a possible owner of the tanks; Tim’s Gas & Auto Repair, 146 Main Street, Failure to register – notice was served by constable, this is an ongoing gasoline service station, a certificate of registration and registration fee was filed indicating transfer to a new owner; William Spence & Sons, Inc., 30 Wyman Street, Tanks removed – fire department advised that tanks were removed and notice was delivered by certified mail. Motion made and 2<sup>nd</sup> that the public hearing with respect to Rohm and Haas Company, Amerifit Pharma Inc., Waste Management of Boston North, Stephen & Adeline Dagata, Matthew Aucoin and William Spence & Sons, Inc. be closed, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the INFLAMMABLE LICENSE HELD BY ROHM AND HAAS COMPANY, AMERIFIT PHARMA INC., WASTE MANAGEMENT OF BOSTON NORTH, STEPHEN & ADELINE DAGATA, MATTHEW AUCOIN, AND WILLIAM SPENCE & SONS, INC. be REVOKED, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the INFLAMMABLE LICENSES OF FRANCIS P. MCHUGH AND TIM’S GAS & AUTO REPAIR be REFERRED TO COMMITTEE ON POLICE AND LICENSES AND THE PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON OCTOBER 4, 2011, all in favor, 9-0.

**Presented to the Mayor: September 8, 2011                      s/Scott D. Galvin Sept. 8, 2011**

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Motion made and 2<sup>nd</sup> to hold the public hearing on the next two matters collectively, all in favor, 9-0.

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On the petition by Alderman Michael Raymond and Alderman Richard Gately to amend the 1985 Woburn Zoning Ordinances, as amended, by establishing a new Section 26 entitled Solar Overlay District as set forth in the petition (See City Council Journal of June 7, 2011 for full recitation of the ordinance). PUBLIC HEARING OPENED. A report was received from the Committee on Ordinances as follows: “ought to pass”. A communication dated August 4, 2011 was received from Edmund P. Tarallo, Planning Director as follows:

Re: Alderman Michael Raymond and Alderman Richard Gately – Zone Change – New Section 26 entitled Solar Overlay District

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on August 2, 2011, the Board voted to forward a favorable recommendation to the City Council regarding the zoning amendment adding a new Section 26 entitled “Solar Overlay District”.

If you have any questions or concerns regarding this matter, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

Alderman Raymond stated that the Planning Board voted for a favorable recommendation at its meeting tonight, that no particular project is being approved at this time, that these ordinances establish a base for the project, and that the City Council will review any potential development by way of the special permit process. IN FAVOR: None. OPPOSED: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor 9-0.

**Presented to the Mayor: September 8, 2011            s/Scott D. Galvin Sept. 8, 2011**

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On the petition by Alderman Raymond to amend the Zoning Map of the City of Woburn, as amended, by adding the parcel of land identified on the Assessors maps as Map 04, Block 01, Parcel 07 to the “Solar Overlay District” zoning district. PUBLIC HEARING OPENED. See notes of preceding public hearing. IN FAVOR: None. OPPOSED: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor 9-0.

**Presented to the Mayor: September 8, 2011            s/Scott D. Galvin Sept. 8, 2011**

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On the petition by Stephanie A. Maggiore, 6 Stafford Court, Haverhill, Massachusetts 01835 for a special permit pursuant to Section 5.1.35 of the 1985 Woburn Zoning Ordinances, as amended, to allow a dog daycare business at 167-171B Merrimac Street. No one appeared on the petition at the call of the matter. Motion made and 2<sup>nd</sup> the MATTER be LAID ON TABLE UNTIL THE END OF THE MEETING, all in favor, 9-0.

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On the petition by ZRC Operations Company Inc. dba Qdoba Mexican Grill, 4865 Ward Road, Suite 500, Wheat Ridge, Colorado 80033 for a special permit to modify a special permit issued on September 16, 2008, which allowed for a fast food restaurant and building signage, as modified by a special permit issued on October 8, 2009, as modified

by a special permit issued on June 29, 2010, pursuant to Section 5.1.29 of the 1985 Woburn Zoning Ordinances, as amended, to allow for outside patio seating at the Qdoba Mexican Grill at 300 Mishwaum Road. PUBLIC HEARING OPENED. Appearing for the petitioner was Attorney Joseph Tarby, Murtha Cullina LLP, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the petitioner is seeking to add five tables to outside patio seating, that the restaurant opened on October 25, 2010, that the patio was approved as part of the original plan but the petitioner did not request the outside seating at that time, that the Planning Board reviewed the matter at its meeting tonight and voted to send a favorable recommendation but has not forwarded a letter as of this time, that there is a clearance of 44 inches from the side of the building to the edge of the seating, that the architect indicates that the plan complies with the Americans with Disabilities Act, that there are no parking plan changes, that the original plan for the seating showed the entire area being fenced in, that there are currently no tables outside, that the petitioner does not believe that there will be an issue with parking, that the outside seating provides customers with the opportunity to sit outside but likely would not attract new customers, and that all prior litigation concerning the locus has been resolved. Attorney Tarby reviewed the comments of the Planning Director from a document entitled "Comments for the September 6, 2011 Planning Board Meeting" which stated "That the Planning Board send a favorable recommendation to the City Council for five tables and twenty seats and no fencing in accordance with the revised plan dated 9/6/2011." Attorney Tarby offered the City Council a revised plan of record entitled "Patio Plan" prepared by Lingle Design Group dated 09/06/11 for review. Motion made and 2<sup>nd</sup> that the document be received and made part of the record, all in favor, 9-0. Attorney Tarby offered the City Council a copy of a document entitled "Comments for the September 6, 2011 Planning Board Meeting" to the City Council for review. Motion made and 2<sup>nd</sup> that the document be received and made part of the record, all in favor, 9-0. Macnamara Garcia stated that she is the Regional Manager for Qdoba, that some of their facilities with outside seating have a fence and other do not, and that she would not object to the matter being reviewed in committee. Alderman Gately stated that the area of the patio is only ten feet wide, that 36 inches is required for handicapped accessibility, that it does not appear that the tables will fit, and that he is concerned about vehicles driving onto the patio without a fence. Alderman Anderson stated that the patio use will increase the number of customers and the need for parking, and that he is concerned with the impact of the proposal due to limited parking in that area. Alderman Haggerty stated that he would support approving the petition at this meeting if a fence is installed around the patio, that he has used this facility and there is no issue with parking. Alderman Mercer-Bruen stated that she wants to approve the plan with the four tables and a fence. IN FAVOR: Paul Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park stated that he is in favor of the petition, that there is never a problem with parking adjacent to the building for the businesses located there, and that the restaurant does not serve alcohol. OPPOSED: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 9-0.

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On the petition by FJ Catalano Ent. Inc., 188 Ayer Road, Harvard, Massachusetts 01451 for a special permit pursuant to Sections 5.1.23, 5.1.29, 5.1.63a, 7.3, 8.3 and 8.5 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the alteration of the existing nonconforming use and structure to relocate the existing Dunkin Donuts Store to the left side of the building, add a Drive-up Customer Service Facility, allow for 51 parking spaces and parking on a lot separate from 880 Main Street, all at 880 Main Street.

**PUBLIC HEARING OPENED.** A report was received from the Committee on Special Permits as follows: “ought to pass with the following conditions: 1. The Proposal, parking and landscaping shall be in accordance with the proposed plan dated August 29, 2011; 2. The hours of operation of the drive-up customer service facility shall be limited to Monday thru Saturday 5:00 am to 9:00 pm and Sunday from 7:00 am to 9:00 pm; 3. Signs shall be placed before the drive thru order board instructing patrons to turn off radios before entering the drive thru area; 4. The petitioner shall establish in-house procedures to instruct Dunkin Donut employees to tell customers to turn off radios while on the property. 5. Individually selected dozen donuts shall not be offered for sale in the drive thru lane; 6. That the special permit shall be limited to a “Dunkin Donuts” franchise only and no other fast food use without the approval of the City Council; 7. That the Planning Board shall retain jurisdiction over the landscaping; 8. Any future retail use of the 3000 square foot northeast portion of the building shall not commence prior to 10:00 am, and shall be subject to Special Permit application; 9. All dumpsters and waste containers shall be enclosed by means of a fence, wall or landscaping in compliance with the Woburn Zoning Ordinances; 10. Exterior construction activities on the Site shall not commence prior to 7:00 am and shall cease no later than 6:00 pm Monday through Saturday. This condition shall not apply to any work performed by any public utility; 11. During the Site redevelopment and construction phases, the Petitioner shall maintain all adjoining roadways free and clear of all debris; 12. All exterior building illumination shall be shielded in such a manner that will prevent direct light from impacting any abutting properties; 13. No parking spaces shall be used for snow storage. Snow shall be removed from the property as necessary. A copy of the snow removal plan shall be placed on file with the Department of Public Works; 14. Queuing will not be allowed beyond the northwest corner of the building; 15. That these findings are contingent upon the owner of record, Robert and Mary McSheffrey, filing a written statement with the City Clerk agreeing to be bound by the conditions of the special permit. If the written statement from the owners is not received then the Special Permit application shall be null and void; 16. That the parking spaces (shown on proposed plan dated August 29, 2011) on the north side of the building shall be removed to allow two lanes of traffic to the rear of the building; 17. That all signage comply with Woburn Zoning Ordinances; 18. That no tractor trailer deliveries be made to the front of the Dunkin Donuts building.”

Appearing for the petitioner was Attorney Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the petitioner met twice with the Committee on Special Permits, and that unless there are further questions he asks that the committee report be adopted. Alderman Raymond stated that his first concern is with the health, safety and welfare of the residents, that from concerns raised at the meetings then eighteen conditions were drafted, that if a project’s benefits outweigh concerns then he will support the project, that the building will be cleaned, that there have been no concerns expressed by neighboring residents, that the businesses in

the area were concerned with traffic impact, and that the traffic report shows no adverse traffic impact. IN FAVOR: Arthur Duffy, 38 Alfred Street stated that is in favor of the petition, that the petitioner has a good operation, and that the petitioner is supportive of community activities. OPPOSED: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

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**CITIZEN'S PARTICIPATION:** None.

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**COMMITTEE REPORTS:**

**FINANCE:**

On the Order to transfer the sum of \$5,000.00 from Senior Tax Work Off Program Account to Senior Center Van Account, committee report was received "ought to pass". Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.  
**Presented to the Mayor: September 8, 2011 s/Scott D. Galvin Sept. 8, 2011**

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**PERSONNEL:**

On the reappointment of Richard Lynch as a Member of the Woburn Golf & Ski Authority, committee report was received "ought to pass". Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.  
**Presented to the Mayor: September 8, 2011 s/Scott D. Galvin Sept. 8, 2011**

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**POLICE AND LICENSES:**

On the petition by Boston-Woburn Express Transportation for a new Common Carrier License for one vehicle, committee report was received "ought to pass". Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.  
**Presented to the Mayor September 8, 2011 and ten days having elapsed without same being approved, said License became effective without his signature on September 20, 2011.**

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On the review of the Taxi Cab License of A.A. Transportation, committee report was received "receive and place on file". Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

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**ORDINANCES:**

On the Order to added a new Section 2-196A “Equal Opportunity and Affirmative Action Policy” to Title 2, Article XXIX of the 1989 Woburn Municipal Code, as amended, committee report was received “ought to pass”. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: September 8, 2011            s/Scott D. Galvin Sept. 8, 2011**

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**NEW PETITIONS:**

Petition by National Grid for a grant of right in a way to install approximately 100 feet of 2 inch PL gas main and approximately 50 feet of 1 inch PL gas service to serve 3 Patriot Circle. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING ON SEPTEMBER 20, 2011, all in favor, 9-0.

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Petition by Accurate Auto Services, 7 Harrison Avenue, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.44 and Section 15 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the construction of a new building containing approximately 2,100 square feet to allow an automobile and truck garage within the Ground Water Protection District at 7 Harrison Avenue. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING ON OCTOBER 4, 2011, all in favor, 9-0.

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**COMMUNICATIONS AND REPORTS:**

A communication dated August 12, 2011 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 July 2011: number of parking violations issued 934, number of violations paid 453, number of violations outstanding 363, amount collected and submitted to the Office of the Collector \$34,891.00. There exists a backlog of 5,586 tickets for 1982 through 2010. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$8,100.00.

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

Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

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A communication dated September 1, 2011 was received from Attorney Joseph Tarby. Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:



Re: Petition of Woburn 38 Development LLC, 1042 Main Street and 0 Briarwood Road,  
Woburn, Massachusetts

Dear Mr. Campbell:

I respectfully request that the City Council public hearing on this matter presently scheduled for September 20, 2011 be further continued to the City Council meeting on October 18, 2011. If you need any further information, please contact me. Thank you.

Very truly yours, s/Joseph R. Tarby

Motion made and 2<sup>nd</sup> that communication be accepted and that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON OCTOBER 18, 2011, all in favor, 9-0.

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**UNFINISHED BUSINESS OF PRECEDING MEETING:** None.

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

ORDERED WHEREAS, there presently exists a structure or structures located in the City of Woburn, Massachusetts known and numbered as 602 Main Street; and

WHEREAS, the said building or buildings and the property is generally not being properly maintained;

NOW, THEREFORE, BE IT ORDERED be the City Council of the City of Woburn that the City Clerk and Clerk of the City Council schedule a public hearing pursuant to Mass. General Laws Ch. 139, Sec. 1, et. seq., and give notice thereof to the owner of said building or buildings, said hearing to be conducted for the purposes of determining whether said building or buildings are a nuisance, a nuisance to the neighborhood, dilapidated or dangerous building or buildings or other structure or structures, as said terms are used in Mass. 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.

s/Alderman Gaffney

Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING ON OCTOBER 4, 2011, all in favor, 9-0.

**Presented to the Mayor September 8, 2011 and ten days having elapsed without same being approved, said License became effective without his signature on September 20, 2011.**

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ORDERED That in accordance with Massachusetts General Laws Chapter 54, as amended, the City Clerk is hereby authorized and directed to notify and to warn such of the inhabitants of the City of Woburn as are qualified to vote in Municipal Elections to assemble at the polling places in their respective wards as designated herein, on TUESDAY, the EIGHTH DAY OF NOVEMBER, 2011 from 7:00 a.m. to 8:00 p.m., then and there to cast their votes in the MUNICIPAL ELECTION for the candidates for the following offices:

ENTIRE CITY MAYOR, ALDERMAN-AT-LARGE,  
SCHOOL COMMITTEE

EACH WARD WARD ALDERMAN

ENTIRE CITY Question One: Shall the license commission be authorized to grant licenses for the sale of wines and malt beverages to be drunk on the premises in restaurants having not less than 50 seats; provided, however, that not more than 8 licenses or such amount as allowed under section 17 of chapter 138 of the General Laws shall be in effect?

Ward-Precinct                      Polling Place Location

1-1                      Joyce Middle School Library  
55 Locust Street

1-2                      Clapp Elementary School Cafeteria  
Hudson Street and Arlington Road

2-1                      Shamrock Elementary School Gymnasium  
60 Green Street

2-2                      Shamrock Elementary School Gymnasium  
60 Green Street

3-1                      Hurd Elementary School Gymnasium  
75 Bedford Road

3-2                      Hurd Elementary School Gymnasium  
75 Bedford Road

- 4-1 Wyman Elementary School Auditorium  
Main Street and Eaton Avenue
- 4-2 White Elementary School  
36 Bow Street
- 5-1 Goodyear Elementary School Gymnasium  
41 Central Street
- 5-2 Goodyear Elementary School Gymnasium  
41 Central Street
- 6-1 Altavesta Elementary School Gymnasium  
990 Main Street
- 6-2 Altavesta Elementary School Gymnasium,  
990 Main Street
- 7-1 Reeves Elementary School Gymnasium  
240 Lexington Street
- 7-2 Reeves Elementary School Gymnasium  
240 Lexington Street

s/President Denaro

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: September 8, 2011 s/Scott D. Galvin Sept. 8, 2011**

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ORDERED That pursuant to the 1989 Woburn Municipal Code, as amended, Title 3, Article I, Section 3-6, the Director of the Council on Aging is hereby authorized to dispose of a 2002 Dodge Ramvan B3500 with Vehicle Identification Number 2B7LB31Z62K126595, which the Director has determined is of no value to the department and is no longer operable, by transferring the vehicle to the Department of Public Works to be used for parts.

s/President Denaro

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

**Presented to the Mayor September 8, 2011 and ten days having elapsed without same being approved, said License became effective without his signature on September 20, 2011.**

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RESOLVED Whereas, the purpose of the Boy Scouts of America, incorporated on February 8, 1910, and chartered by Congress in 1916, is to provide an educational program for boys and young adults to build character, to train in the responsibilities of participating citizenship, and to develop personal fitness; and

Whereas, for over 100 years, the Boy Scouts of America has been teaching values and leadership and preparing young people to make ethical choices over their lifetimes by instilling in them the values of the Scout Oath and Law; and

Whereas, Scout Law provides that Scouts be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent; and

Whereas, the Boy Scouts of America endeavors to develop American citizens who are physically, mentally, and emotionally fit; have a high degree of self-reliance as evidenced in such qualities as initiative, courage, and resourcefulness; have personal values based on religious concepts; have the desire and skills to help others; understand the principles of the American social, economic, and governmental systems; are knowledgeable about and take pride in their American heritage and understand our nation's role in the world; have a keen respect for the basic rights of all people; and are prepared to participate in and give leadership to American society; and

Whereas, to earn the Eagle Scout rank, the highest advancement rank in Scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills; and

Whereas, Andrew Cosmo Volpe has been recognized for fulfilling all the requirements necessary to advance to the rank of Eagle Scout;

Now, Therefore, Be It Resolved by the City Council of the City of Woburn that the residents of the City of Woburn extend their warm and proud congratulations to Andrew Cosmo Volpe for his dedicated work and accomplishments in attaining the rank of Eagle Scout and their best wishes for his continued success in his future endeavors.

s/Alderman DiTucci

Motion made and 2<sup>nd</sup> that the RESOLVE be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: September 8, 2011**      **s/Scott D. Galvin Sept. 8, 2011**

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RESOLVED Whereas, the Woburn Parkway and the adjacent land had been under control of the Metropolitan District Commission since the roadway was first constructed in 1913; and

Whereas, in the 1950s there was a general concern in the community that the parkway was not being sufficiently maintained and support grew among many city leaders for an effort that would lead to the City of Woburn taking possession of the property; and

Whereas, in December 1959, even before taking the oath of office, then Mayor-elect John F. Gilgun, Jr. filed legislation with the Great and General Court of the Commonwealth of Massachusetts that would transfer control over the Woburn Parkway and its adjacent land to the City of Woburn, but the measure was defeated; and

Whereas, Mayor John F. Gilgun, Jr. persevered and re-filed the bill in 1961 and with strong support of the city's delegation to the State House the measure passed and was signed into law by Governor John Volpe on May 26, 1961; and

Whereas, a deed of the Woburn Parkway and the adjacent land, approximately eleven acres in area, was delivered to the City of Woburn on December 29, 1961 and the City took possession of the property thereafter; and

Whereas, the Woburn Parkway, as part of the Horn Pond Conservation area, has become a premier year-round passive recreational area for the citizens of Woburn;

Now, Therefore, Be it Resolved by the City Council of the City of Woburn on behalf of the citizens of Woburn and in recognition of the 50<sup>th</sup> anniversary of the Woburn Parkway as a valuable community resource that thanks be extended to former Woburn Mayor John F. Gilgun, Jr. for his persistence and foresight in obtaining the land for the City and hereby recommends an appropriate marker be placed at the Woburn Parkway commemorating this important milestone.

s/Alderman DiTucci

Motion made and 2<sup>nd</sup> that the RESOLVE be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: September 8, 2011**      **s/Scott D. Galvin Sept. 8, 2011**

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On the petition by Stephanie A. Maggiore, 6 Stafford Court, Haverhill, Massachusetts 01835 for a special permit pursuant to Section 5.1.35 of the 1985 Woburn Zoning Ordinances, as amended, to allow a dog daycare business at 167-171B Merrimac Street. Motion made and 2<sup>nd</sup> that the MATTER be TAKEN FROM TABLE, all in favor, 9-0. PUBLIC HEARING OPENED. A copy of a communication dated September 6, 2011 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 167-171B Merrimac Street – Dog Daycare Special Permit – Special Permit Application Dated July 13, 2011

The applicant is seeking permission to open a dog daycare business at the above referenced location.

Upon review of the special permit application and submitted plans this office finds that no exterior work is being proposed and that all work will be within the building and no department review is required.

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

No one appeared for the petitioner on the matter. IN FAVOR: None. OPPOSED: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON OCTOBER 4, 2011 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

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Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 9-0. Meeting adjourned at 8:35 p.m.

A TRUE RECORD ATTEST:

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