

**CITY OF WOBURN
FEBRUARY 20, 2018 - 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Anderson	Gately
Campbell	Higgins
Concannon	Mercer-Bruen
Gaffney	Tedesco
Haggerty	

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 taking the following matter out of order, all in favor, 9-0.

Request from City Solicitor to meet with City Council in Executive Session such meeting in executive session under Purpose 3, G.L. Ch. 30A, Sec. 21(a)(3) relative to pending litigation of NAI Entertainment v. Woburn City Council. Motion made and 2nd that this portion of the meeting shall be held in Executive Session, ROLL CALL: Anderson - Yes, Campbell - Yes, Concannon - Yes, Gaffney - Yes, Gately - Yes, Higgins - Yes, Mercer-Bruen - Yes, Tedesco - Yes, Haggerty - Yes. President Haggerty stated that the City Council will return to open session upon completion of this discussion. The City Council removed to the Committee Room at 7:02 p.m. This portion of the meeting was held in Executive Session. The City Council returned to the Committee Room at 7:25 p.m. President Haggerty stated that no action was taken in Executive Session.

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

MAYOR'S COMMUNICATIONS: None.

PUBLIC HEARINGS:

On the petition by 36 Cabot Road LLC, 36 Cabot Road, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.30b, 5.1.42, 9 and 12 to allow construction of new building containing approximately 49,600 square feet of gross floor area more or less for 1. Wholesale establishment,

warehouse and distribution use (approximately 17,360 square feet of gross floor area, more or less), 2. Office use (approximately 24,800 square feet of gross floor area, more or less), and 3. Light manufacturing use (approximately 7,440 square feet of gross floor area, more or less), at 32 Cabot Road. PUBLIC HEARING OPENED. A communication dated February 17, 2018 with attachment was received from City Engineer John E. Corey, Jr., PE as follows:

Subject: 32 Cabot Rd. – Special Permit for Office Building

The above referenced site became developable under EPA's OU-2 project which restored Hall's Brook Holding Area. Previously, the site was part of the flood plain.

A review of the Project Impact Statement submitted by the developer indicates that there are no adverse impacts from the project on the municipal, sewer and water systems and we concur with this finding. Drainage and floodplain mitigation are also provided for in accordance with stormwater regulations.

The Traffic study for the project indicates that there will be longer queues at the Cabot Rd. entrance to Commerce Way. The Traffic Engineer has indicated that a right turn and through/left turn lane can be accommodated to mitigate these queues in the PM peak hours. The intersection passes the warrants for a traffic signal during the PM peak but not the AM peak. Mitigation of the traffic queue in the evening peak hour preferable over a traffic signal that would cause congestion on Commerce Way.

The condition of Cabot Rd. pavement has deteriorated over the years, although no mention was made in the development impact statement. We would propose that Cabot Rd be resurfaced and that new handicapped ramps be installed at Commerce Way along with an impressed sidewalk connecting the ramps.

The developer's attorney has submitted a cost estimate indicating a site development cost of \$4,475,000. On this basis, the mitigation fee would be \$134,250.00 at 3% and \$179,000.00 at 4%. The proposed development is for the construction of the basic building and final occupancy type has not been determined. If the development utilizes the Commerce Way Overlay District uses then there would be an increase in the mitigation fee over the usual 3%. We recommend that the mitigation fee be applied to resurfacing Cabot Rd. and restriping to allow for appropriate lane usage.

I trust the foregoing is sufficient for your needs. Should you have any questions or comments, please do not hesitate to contact me.

s/ John E. Corey, Jr., PE

Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. A communication dated February 7, 2018 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Special Permit Petition of 36 Cabot Road LLC, 32 Cabot Road, Woburn, MA

Dear Mr. Campbell:

On behalf of my client 36 Cabot Road LLC, I respectfully request that the public hearing scheduled for February 20, 2018 be continued to March 6, 2018.

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

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

Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MARCH 6, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 9-0.

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

On the petition by Jamieson Properties, 627 Main Street, Woburn, Massachusetts 01801 to amend the 1989 Woburn Zoning Ordinances, as amended by adding a Section 31 Federal Street Smart Growth Overlay District (FS/SGOD) in accordance with the purposes of G. L. Chapter 40R as set forth in the petition. PUBLIC HEARING OPENED. A communication dated February 7, 2018 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Proposed Amendment to Zoning Map of the City of Woburn/Jamieson Properties LLC, 14 and 14R Federal Street, Woburn, Massachusetts

Dear Mr. Campbell:

On behalf of my client Jamieson Properties LLC, I respectfully request that the public hearing scheduled for February 20, 2018 be continued to March 6, 2018. If you have any questions, please do not hesitate to contact me. Thank you.

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

Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY

COUNCIL ON MARCH 20, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, all in favor, 9-0.

On the petition by Jamieson Properties, 627 Main Street, Woburn, Massachusetts 01801 to amend the Zoning Map of the City of Woburn by changing the zoning district for the property located at 14 Federal Street and 14R Federal Street containing approximately 11,325.6 square feet of land from the B-D zoning district to the FS/SGOD zoning district. PUBLIC HEARING OPENED. A communication dated February 7, 2018 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Proposed Amendment to Zoning Map of the City of Woburn/Jamieson Properties LLC, 14 and 14R Federal Street, Woburn, Massachusetts

Dear Mr. Campbell:

On behalf of my client Jamieson Properties LLC, I respectfully request that the public hearing scheduled for February 20, 2018 be continued to March 6, 2018. If you have any questions, please do not hesitate to contact me. Thank you.

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

Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MARCH 20, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, all in favor, 9-0.

On the petition by Petrogas Group New England Inc., 168 N. Main Street, Suite B, Andover, Massachusetts 01810 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 7.3, 11.5, 5 Note 16 to allow the addition to and renovation of an existing building currently used as gasoline service station and convenience store at 325 Washington Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “back for action with conditions as follows: 1.) No vending or ice machines outside the building; 2.) A snow removal plan must be submitted to the city’s Building Dept.; 3.) The on-site dumpster must be enclosed within a fence and the fence must be maintained; 4.) Signage for employee parking must be posted for the employee parking spaces in the back of the building; 5.) The sign indicating the handicapped-accessible parking space must be maintained and the handicapped-accessible parking space itself must be painted and maintained; 6.) Trash removal must be in accordance with the municipal code and there shall be no trash removal before 7 a.m.; 7.) There shall be no used car sales on the lot; 8.) The landscaping must comply with the plan of record dated January 26, 2018; 9.) The parking lot must be kept clean and free of trash; 10.) Hours of operation shall be from 5

a.m. to 12 a.m., Sunday-Thursday and 5 a.m. to 1 a.m. on Friday and Saturday; 11.) Parking spaces must be striped and maintained as indicated on the plan of record; and 12.) There shall be no sales of wine and beer.” Motion made and 2nd that the plan entitled “Proposed Site Improvement Plans for Assessors Map 32 Block 2 Lot 5, 325 Washington Street, Woburn, Massachusetts” dated November 14, 2017, revised 1/2/18, revised 1/26/18, rev. 2/14/18 prepared by MHF Design Consultants, Inc. be received and made part of the record, all in favor, 9-0. Appearing for the petitioner was Attorney Joshua Lee Smith, Bowditch & Dewey, 311 Main Street, Worcester, Massachusetts 01615 and he stated that there is an existing gasoline service station, convenience store and fast food restaurant at the locus, that requests for variances have been withdrawn from the Board of Appeals, that the petition is for a 720 square foot addition to the rear of the building, that the building is currently 2,000 square feet, that there are no other substantial changes to the drive aisles, that four parking spaces to the rear will be removed, that the canopy will remain, that the landscaping will be enhanced, that the petitioner will renovate exterior portions of the building, that the Building Commissioner confirmed that the parking complies with the requirements, that the Traffic Safety Officer confirmed that there is no issue with the traffic patterns or traffic accidents, that the hours of the Speedway on Montvale Avenue are the same as the petitioner’s proposed hours of Sunday through Thursday between 5:00 a.m. to 12:00 midnight and Friday and Saturday between 5:00 a.m. to 1:00 a.m., that modifications have been made to round the curbing as requested, that the petitioner accepts the conditions recommended by the Committee on Special Permits, that the directional signs have been removed, that a memorandum from the Building Commissioner dated February 8, 2018 confirmed that the signs would conform to the zoning code including the removal of the directional signs, and that there was an issue about the language on restricting transferability of the special permit. Alderman Concannon stated that the intent is that any transfer is for an entity owning the property. Attorney Smith stated that the petitioner leases the property. Alderman Higgins stated that the language could apply to successors of the petitioner if that is an issue for financing. President Haggerty stated that the language could restrict the transfer except for the same or similar use. Alderman Anderson stated that there should be a requirement that the landscaping be maintained. PUBLIC COMMENTS: None. Motion made and 2nd that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS AMENDED with the conditions as follows: 1. That the conditions recommended by the Committee on Special Permits be conditions of the special permit, 2. That Condition 13 shall read : “The special permits granted herein are not transferable and the City Council shall permit any transfer of these special permits to a corporate affiliate of the petitioner,” and 3. That Condition 14 shall read: “The landscaping shall be maintained and any diseased or dead plantings shall be removed and replaced periodically,” all in favor, 9-0.

On the petition by NSTAR Electric Company d/b/a Eversource Energy for a grant of right in a public way to allow installation of a new subsurface 345 kilovolt transmission conduit duct bank with appurtenant communication/signal wires beneath Lake Avenue (approximately 1485 linear feet), Pickering Street (approximately 475 linear feet), Border Street (approximately 540 linear feet), Cross Street (approximately 365 linear feet),

Washington Street (approximately 2,375 linear feet), and Montvale Avenue (approximately 2090 linear feet). The duct bank is comprised of four (4) eight-inch (8") HDPE conduit and two (2) four-inch (4") and two (2) two-inch (2") PVC conduit. The conduit is encased in thermal duct bank concrete. PUBLIC HEARING OPENED.

Appearing for the petitioner was William Zamparelli, Community Relations & Economic Development Specialist, Eversource Energy and he offered a document entitled "Woburn to Wakefield Line Project, City of Woburn, Grant of Location Hearing, February 20, 2018" for the City Council to review. Motion made and 2nd that the document be received and made part of the record, all in favor, 9-0. Chad Roland, Project Manager, Eversource Energy stated that the purpose of the project is to improve system reliability and meet increasing demand in the area, that the line will be approximately 8½ miles, that Eversource will be performing the work in Woburn, Winchester and Stoneham and National Grid will be performing the work in Wakefield, that on February 14, 2018 the petitioner received tentative approval for the project from the Energy Facilities Siting Board (EFSB), that four vaults will be located in Woburn at Lake Avenue, Pickering Street, Washington Street and Montvale Avenue, that the petitioner is seeking permits from MassDOT, the Conservation Commission and the Department of Public Utilities, that safety is a top priority including traffic and public safety, that the line location will be marked in the streets before construction begins, that low-noise emitting equipment will be used during nighttime construction hours, that the petitioner will saw cut the pavement, excavate the trench and install conduit, that a key factor is managing disruption during construction, that traffic management plans have been prepared including police details, rerouting traffic and assuring pedestrian safety, that neighbors will be notified about the work, that the traffic plan will be adjusted to respond to police and fire requirements, that there will be some lane closures and detours during construction, that the hours of work on Border Street, Cross Street, Lake Avenue, Pickering Street and Washington Street will be between 9:00 a.m. to 4:00 p.m., that the hours of work on Montvale Avenue will be between 7:00 p.m. and 5:00 a.m., any work outside of these hours will require further city approval, that the final decision from the EFSB is expected to be received by February 27, 2018, and that the petitioner hopes to have all permits in place by the second quarter of 2018. Alderman Mercer-Bruen stated that Washington Street is heavily residential including a park, that she knows there have been some meetings with the city on this proposal, that she wants to be included in future meetings, that the abutters list did not go far enough, that the petitioner should notify residents of other area streets as they will be impacted by the noise and rerouting of traffic, and that this will be a very disruptive project. Nicole Bowden, Project Outreach Specialist, Siting and Construction Services, Eversource Energy stated that she will ask that notice go to residences on the additional streets, that the petitioner is willing to notify residents on the side streets, that a preconstruction open house will be held by the end of March 2018, and that meetings have taken place with the Department of Public Works and the Police Department. Alderman Mercer-Bruen stated that she has not been invited to the meetings and asks that she be invited to any future meetings, and that Reverse 911 can be used to notify residents. Ms. Bowden stated that the petitioner hopes to use the city's website to notify the community as well. Alderman Mercer-Bruen stated that there is a concern about safety of the proposed use to abutting neighbors with respect to electromagnetic fields (EMF). Mr. Roland stated that he does not have an EMF expert at

the meeting but can arrange for such a presentation. Ms. Bowden stated that an EMF expert is invited to the open houses. Alderman Mercer-Bruen stated that this is a public hearing and the information should be on the record. Mr. Roland stated that he would prefer to have the EMF expert present to answer any questions. Alderman Mercer-Bruen stated that the impact on property values is also a consideration, and that she has no further questions until this information is provided. Alderman Gately stated that he is amazed what the petitioner thinks they can do with these lines, that it will take a lot of work to deal with the infrastructure along the line, that Border Street and Pickering Street are two of the oldest streets in the city and are substandard streets, and that this project will have a big impact on those streets. Mr. Roland stated that it will take three days to install the vaults, and that the vaults are thirty feet long by eight feet wide. Alderman Gately stated that he does not know how the petitioner will install the line under the Aberjona River. Mr. Roland stated that the process will begin once the permits are issued, that the petitioner prefers to set the manholes and work from there, that Stoneham and Woburn have been cooperative but no petition has issued yet, and that the construction scheduled is based on when the permits are granted. Alderman Campbell stated that she wants to be part of any future meetings on this issue as well, that she is concerned about health issues that may rise from the wires, that a Dr. Peter Valberg spoke meeting before the Winchester Board of Selectmen concerning the project, that Dr. Valberg was on the faculty of the Harvard School of Public Health and spoke as an expert on EMF for the petitioner, that according to Woburn Health Organization information an EMF above .3 microteslas could cause harm to children including leukemia, that the expert told a neighbor that he did not have to worry because the microteslas were low near his home but the neighbor stated he was concerned about others as well, that the expert stated when crossing the line which seemed to be a reference to Woburn the EMF level rose to 3 microteslas which is ten times the .3 microteslas level, that there are many houses and a park along the route, and that she is concerned about the impact of the wires. Mr. Roland stated that he cannot address these issues about the impact on health and will defer to experts. Alderman Campbell stated that some lines are 175 kilovolts and other are 345 kilovolts, and that she learned that a 345 kilovolt line cannot be tuded. Mr. Roland stated that the entire line is 345 kilovolts, that he is not certain what tubing means, and that the line will be in an HDPE shell with standard concrete and then thermal concrete. Alderman Anderson stated that this matter should not be sent to committee until the city hears from the EMF expert, that the matter should be continued to a Regular Meeting of the City Council so that the testimony will be available on television, and that he is concerned about the safety of the line. Mr. Roland stated that this work will add redundancy to the existing service, and that no lines will be removed. Alderman Concannon stated that he shares the concerns that have been expressed, and that he wants to know why this project is absolutely necessary. Mr. Zamparelli stated that this project is part of 41 different projects being undertaken for ISO New England which manages energy distribution in New England, that the effort is to reduce the cost of electricity in New England, that there are expensive generators in the system, that less expensive generators cannot be used because of the infrastructure in place, that one of the benefits of the project will be a reduction in the energy costs of rate payers, and that the rate payers will pay for the construction over a two year period but will save on charges annually thereafter, and that it will take two years for full project completion. Mr. Roland

stated that work includes station work as well as trench work, that the construction will take ten to twelve months from end to end, and that all streets will be milled and overlaid curb to curb as the work progresses. PUBLIC COMMENTS: Brian Carpenter, 70 Washington Street stated that he has been following this project since the beginning, that he is concerned about health issues related to the project, that different cabling could be used to lower the EMF but this was rejected by the petitioner because of the cost, that the health concerns are legitimate, that the line will be thirty feet from the houses, that the property values will decrease, that East Woburn traffic is already bad, that ambulances use Washington Street to get to Winchester Hospital, that a vault with a higher EMF will be located at a school bus stop, that the EMF will spill out, that the work in the street may cause damage to the foundations of the older homes along the route, that there are old water and sewer lines along the route that could be affected, that an alternative route could be the existing power line right of way heading north from the Woburn substation and then burying the lines along I-95/Route 128 to Wakefield where the Wakefield substation can be seen from the highway, that the petitioner would not consider that route, that rates will increase, that the Mayor has been on board with this project since day one, and that the City Council should consider that residents and taxpayers when making this decision. Mike Kulis, 11 Washington Street stated that he is concerned about the project, that the petitioner should have their experts at this meeting, and that the petitioner should not have sent three representatives who do not have the proper information. Tom Gerety, 43 Washington Street stated that Dr. Valberg filed reports that allowed the project to go forward, that Dr. Valberg admits that the EMF will exceed World Health Organization limits, that the EMF will be three times higher at the vault in front of Leland Park, that Dr. Valberg indicated that EMF can cause childhood leukemia, that there is already a Superfund site in Woburn, that the residents from other communities have gotten together to investigate this issue, that Dr. Valberg was hired by the petitioner Eversource and he admitted the health issues, that New Hampshire stopped a utility project that was not good for the State, that the City Council has the authority to stop the process until information can be gathered about health effects, that the matter could be appealed to the State and the expert can be asked why he testified that the EMF from the line exceeds World Health Organization standards but he did not state that in his report, and that the core value of the City Council is to protect the residents. Sandra Nestor, 66 Washington Street stated that the street was recently repaved and will be dug up, that there may be an impact on house foundations, that she is concerned about the health effects on the residents including the children who live along the route, that there should be consideration of all the residents including those living along the side streets, that this is a large project, that the city must consider the impact on people in ambulances, schools buses and others who traverse the street, and that she has not heard of anything positive coming from the project except for the petitioner. Sheila Barker, 28 Lake Avenue stated that trailer trucks travel from Cambridge Road to Main Street along Lake Avenue, and that she is concerned about the project and the impact on traffic on the street which will harm public safety. Robert Buehler, 26 Montvale Road stated that the EMF report for Woburn prepared by Epsilon Associates is available online, that the report is based on an amp level however the proposal is for a cable larger than 206 amps, that he wants to know if the circuit will be loaded over 206 amps, that if the answer is in the affirmative the report will have to be redone because an increase in ampage will also

increase the EMF, that 345 kilovolts is a lot of energy coursing under the streets, that he would be concerned if the vaults are not pressure tested and tethered so that if the manholes explode the manhole cover will be held in place and the energy will be dissipated, that there is not a long history of 345 kilovolt lines, that a line of 115 kilovolts would be more appropriate, and that the city should consider hiring an energy consultant to review the proposal. Kathy Bailey, 4 Utica Street stated that she wants to know how this project will impact the widening of Montvale Avenue. Mr. Zamparelli stated that the petitioner will return to the next meeting and address these issues. Alderman Campbell stated that she wants to know if there are any other options or routes that the petitioner could take, and that if the petitioner looked at other options but decided not to use those options she wants to know why. Alderman Anderson stated that it looks as if nothing is brought to Woburn with this project. Mr. Zamparelli stated that this will be a direct line to Wakefield, that the redundancy and capacity to eliminate bottlenecks will be a benefit the region, and that the petitioner is undertaking the project on behalf of ISO New England. Alderman Mercer-Bruen stated that she wants to know more about the different material that could be used. Mr. Carpenter stated that the petitioner could use a different cable or technology to limit the EMF. Mr. Zamparelli stated that he is not certain about the EMF report, that the petitioner will have experts on the issue at the next meeting, that the testing information is available on the Energy Facilities Siting Board website, and that these issues were reviewed at those meetings. President Haggerty asked the petitioner to provide the City Council with the website links to the information. Mr. Zamparelli stated that the website links will be sent to the City Council. Alderman Mercer-Bruen stated that she wants to know who is on the Energy Facilities Siting Board. Mr. Roland stated that the names and titles of the members of the Energy Facilities Siting Board are included in the tentative decision. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MARCH 20, 2018, all in favor, 9-0.

On the petition by President Richard Haggerty and Alderman Lindsay Higgins to further amend the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. By adding a new paragraph 11.3.13 as follows: Minimum Mandatory Conditions. In addition to any other conditions that may be required pursuant to Section 11.3 it shall be a material condition for such Special Permits that any construction manager, general contractor or other lead or prime contractor, or any entity functioning in any such capacity, and any other contractor or subcontractor of any tier or other person or entity that is engaged to perform the construction work on the property that is the subject to such Special Permit shall comply with all laws applicable to the compensation of workers, including but not limited to the provisions of G.L. c. 149 (Labor and Industries) , G.L. c. 152 (Workers Compensation) and Chapter 58 of the Acts of 2006.; 2. By adding a new paragraph 11.3.14 as follows: Compliance/Remedies. If any person or entity that is subject to the foregoing Special Permits fails to comply with any such laws applicable to work on the project and the Building Commissioner is notified of, and confirms such failure, the Building Commissioner or his designee shall take such steps as are reasonably necessary, up to and including the issuance of a stop work order, directed to the party so failing or to the general contractor, relative to all work on the project, in order to achieve expedited

compliance. Such stop work order shall remain in effect until full compliance is achieved. PUBLIC HEARING OPENED. A communication dated January 10, 2018 with attachment was received from Tina P. Cassidy, Planning Board Director, Planning Board as follows:

Re: Petition to amend Section 11.3 of the Zoning Ordinance (Special Permits and Variances) by adding minimum mandatory conditions for special permits and attendant compliance and remedies/Alderman Haggerty and Higgins

Dear Councilors:

At a meeting of the Woburn Planning Board held on Tuesday, January 9, 2017, members of the Planning Board voted to unanimously (7-0-0) to recommend DENIAL of the above-referenced zoning amendment.

Denial of the proposed zoning amendment was predicated on the points raised by City Solicitor Ellen Callahan Doucette in the attached memorandum to the Planning Board dated January 9, 2018.

Please feel free to contact me if you have any questions relative to the Planning Board's vote on this matter.

Respectfully, s/Tina P. Cassidy, Planning Board Director

A communication dated February 20, 2018 was received from President Haggerty as follows:

Subject: 11.3.14 Compliance/Remedies

Alderman Higgins and I spoke regarding the public hearing scheduled for this evening on 11.3.13 Minimum Mandatory Conditions by adding a new paragraph 11.3.14 Compliance/Remedies and we are requesting the council allow us to leave to withdraw without prejudice. Thank you.

s/Richard M. Haggerty, Woburn City Council President

Motion made and 2nd that the communications be received and made part of the record, all in favor, 9-0. Motion made and 2nd to take the matter from Committee on Ordinances, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2nd that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2nd that the MATTER be GIVEN LEAVE TO WITHDRAW WITHOUT PREJUDICE, all in favor, 9-0.

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Loan Order to appropriate the sum of \$700,000.00 to pay the costs of the labor, materials and equipment required for the project known as Ned O'Brien Ice Rink Refrigeration Equipment & Mechanical Room Renovation and all other expenses incidental and related thereto, committee report was received "ought to pass". Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, ROLL CALL: Anderson – Yes, Campbell - Yes, Concannon - Yes, Gaffney - Yes, Gately - Yes, Higgins - Yes, Mercer-Bruen - Yes, Tedesco - Yes, Haggerty – Yes.

Presented to the Mayor: February 22, 2018 s/Scott D. Galvin February 22, 2018

On the Order to transfer the sum of \$4,090,214.26 from Unreserved Fund Balance Account to Various Capital Projects, committee report was received "ought to pass, as amended, with the amendments as follows: 1. Delete "Road Improvements \$700,000.00", and 2. Delete "Replace (2) 1997 6-wheel dumps" and insert in its place "Replace (1) 1997 6-wheel dump". Alderman Concannon stated that there was discussion in committee about the \$700,000.00 for road improvements, that the committee asked for more information, and that the additional information has not been received but he does not want to hold up the other matters in the Order which includes items such as fire department turnout gear and police cruisers. Alderman Mercer-Bruen stated that the City Council is not just waiting for a list of streets but is waiting for a \$700,000.00 commitment to work on those streets in the form of an appropriation, and that the Order was to be filed last Thursday for a discussion regarding roadway improvements. President Haggerty stated that the Mayor indicated he would send down a list of roads but the list has not been received, and that the matter could be held until the next meeting for the information to arrive. Alderman Gately stated that the Mayor did indicate that he would send the road improvement information, that many of the items in the Order relate to public safety matters, that he does not understand how \$231,000.00 for a book scanner for the library is included when public safety is the main concern of the appropriation, that the will not support the \$231,000.00 for the library book scanner, that he will wait for the Mayor to send the list of roads to be repaired, and that the City Council is still waiting for the list of roads from last year. Alderman Higgins stated that the School Department was requested to provide information on their items. Alderman Concannon stated that he spoke to School Committee members, that the School Department appropriations concern overall system upgrades, laptop carts, wi-fi improvements, and accessibility and reliability improvements. Alderman Anderson stated that there should be a date by which the funds have to be encumbered. President Haggerty stated that the no later than the end of the fiscal year would be an appropriate time for each department to encumber funds. Motion made and 2nd that the MATTER be LAID ON THE TABLE, 8 in favor, 1 opposed (Concannon opposed). Motion made and 2nd that a communication be sent to the Mayor requesting a \$700,000.00 appropriation for roadway improvements

including a list of streets to be repaired with the funds be filed with the City Council, all in favor, 9-0.

PUBLIC SAFETY AND LICENSES:

On the petition by Wassim (Sam) Nicolas dba Woburn Square Mobil for renewal of Second Class Motor Vehicles Sales License, committee report was received “ought to pass with existing conditions.” Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

Presented to the Mayor: February 22, 2018 s/Scott D. Galvin February 22, 2018

On the petition by Velozo Enterprises, Inc. dba Rogers Radiator for renewal of Second Class Motor Vehicles Sales License, committee report was received “ought to pass, as amended with the conditions as follows: 1. Limit of fifteen (15) vehicles, and 2. The striping of the parking lot must be maintained.” Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

Presented to the Mayor: February 22, 2018 s/Scott D. Galvin February 22, 2018

On the petition by Sams Liv Express, LLC for renewal of Livery License and increase to three (3) vehicles, committee report was received “ought to pass, as amended with the conditions as follows: 1. The license is limited to three (3) vehicles, and 2. All existing conditions shall remain in effect.” Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

Presented to the Mayor: February 22, 2018 s/Scott D. Galvin February 22, 2018

NEW PETITIONS:

Petition by Camargo Chauffeur Service LLC, 35 Dix Road Ext. for renewal of Livery License. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

Petition by TransAction Corporate Shuttles, Inc., 5 Wheeling Avenue for renewal of Common Carrier License and increase in number of vehicles. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

Petition by ecoATM, LLC, 296 Mishawum Road for renewal of License to Purchase and Sell Second-Hand and Personal Articles of Value and Collectibles. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

COMMUNICATIONS AND REPORTS:

A communication dated February 14, 2018 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 meeting for the month of January 2018. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A communication dated February 14, 2018 was received from Joanne Collins, Director, Woburn Council on Aging along with a copy of the Woburn Council on Aging Annual Report for the time period January 1, 2017 to December 31, 2017. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS:

A communication dated February 15, 2018 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Thomas C. Quinn, 6 Newbridge Avenue, to serve on the Housing Authority Board, with term to expire March 31, 2023; subject to confirmation by the City Council.

Mr. Quinn's appointment fills the seat of Kevin Feeney, whose term has expired.

Respectfully, s/Scott D. Galvin, Mayor

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

MOTIONS, ORDERS AND RESOLUTIONS:

RESOLVED Whereas, the City Council granted a Special Permit on February 6, 2018 to Shaun K. Marsh, 101 Forest Park Road, Woburn, Massachusetts pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5, Note 15 to allow a new 900 square foot garage with two ten foot doors, in addition to the existing garage, at 101 Forest Park Road; and

Whereas, it was the intent of the City Council to allow Mr. Marsh to continue to use the existing garage; and

Whereas, the plans presented to the City Council reflect the fact that the existing garage is to remain unchanged; and

Whereas, it is prudent to clarify this point;

Now, therefore, let it be Resolved that a communication be sent to the Building Inspector stating that it was the understanding and intent of the City Council that the existing garage at the location would remain unchanged and subject to the continued use as a garage.

s/Alderman Anderson and Alderman Tedesco

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

Motion made and 2nd to ADJOURN, all in favor, 9-0. Meeting adjourned at 8:55 p.m.

A TRUE RECORD ATTEST:

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