

**CITY OF WOBURN
 SEPTEMBER 8, 2020 – 7:00 P.M.
 REGULAR MEETING OF THE CITY COUNCIL
 HELD AS A VIRTUAL ONLINE MEETING
 PURSUANT TO GOVERNOR’S DECLARATION OF
 STATE OF EMERGENCY**

Roll Call

Campbell	Gately
Concannon	Mercer-Bruen
Dillon	Tedesco
Ferullo	Higgins

VOTED to dispense with the reading of the previous meeting’s Journal and to APPROVE,
 ROLL CALL: Campbell - Yes; Concannon - Yes; Dillon - Yes; Ferullo - Yes; Gately - Yes;
 Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes.

Motion made and 2nd to take the election of the Ward out of order, ROLL CALL: Campbell -
 Yes; Concannon - Yes; Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes;
 Tedesco - Yes; Higgins – Yes.

LIAISON:

On the election to fill the vacancy in the office of Ward Four Alderman. Committee report was received “back for action”. Motion made and 2nd to accept the communication dated September 4, 2020 from Philip J. McGovern, ROLL CALL: Campbell - Yes; Concannon - Yes; Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes. Alderman Campbell stated that she thanked all the candidates who came forward, that they were excellent candidates, that there were a couple of candidates with experience on the City Council who can begin work from their first day, that one candidate represented Ward Four previously, had the trust of the residents and this motivated her decision. The City Council proceeded to the election of a Ward Four Alderman by roll call vote and after eight ballots the vote was as follows:

<u>Alderman</u>	<u>Ballot 1</u>	<u>Ballot 2</u>	<u>Ballot 3</u>	<u>Ballot 4</u>
Campbell	Booker	Booker	Booker	Dillon
Concannon	DiMauro	DiMauro	DiMauro	DiMauro
Dillon	Abstained	Abstained	Abstained	Abstained
Ferullo	Langone	Langone	Dillon	Dillon
Gately	Meaney	Dillon	Langone	Langone
Mercer-Bruen	Demers	Demers	Demers	Demers
Tedesco	Booker	Booker	DiMauro	Demers

Higgins	Demers	Demers	Demers	Demers
<u>Alderman</u>	<u>Ballot 5</u>	<u>Ballot 6</u>	<u>Ballot 7</u>	<u>Ballot 8</u>
Campbell	Dillon	Langone	Langone	Langone
Concannon	DiMauro	DiMauro	DiMauro	Demers
Dillon	Abstained	Abstained	Abstained	Abstained
Ferullo	Dillon	Langone	Langone	Demers
Gately	Langone	Langone	Langone	Langone
Mercer-Bruen	Demers	Demers	Demers	Demers
Tedesco	Demers	Demers	Demers	Demers
Higgins	Demers	Demers	Demers	Demers

Joseph E. Demers, having received the necessary majority of five (5) votes, was declared by the President elected to the office of Ward Four Alderman. The City Clerk administered the oath of office to Joseph E. Demers and he assumed his seat on the virtual meeting with the City Council. Motion made and 2nd that the election of Joseph E. Demers as Ward Four Alderman be made unanimous, ROLL CALL: Campbell - Yes; Concannon - Yes; Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes.

I, Joseph E. Demers, do solemnly swear that I will bear true faith and allegiance to the Commonwealth of Massachusetts and will support the Constitution thereof, so help me God.

I, Joseph E. Demers, do solemnly swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent upon me as Alderman, according to the best of my abilities and understanding, agreeably to the rules and regulations of the Constitution and Laws of the Commonwealth, so help me God.

Joseph E. Demers

Sworn to, before me, by the above named Joseph E. Demers.

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

Motion made and 2nd to return to the regular order of business, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes.

MAYOR’S COMMUNICATIONS: None.

NEW PETITIONS:

Petition by New England Orienteering Club, Inc., 9 Cannon Road for a Special Event Permit to allow a map and compass sporting event at Horn Pond September 20, 2020. A communication was received from Joanne Sankus for the petitioner as follows:

Alternate to the one day format, Online registration, no registration table. Live streamers with a QR code on them so people can self-time. Have streamers left in place for one week Sunday through Sunday, 8 days. This is how we have been doing events in other locations.

s/Joanne Sankus for Horn Pond orienteering Sept. 20 to 27

Motion made and 2nd that the SPECIAL EVENT PERMIT be GRANTED as outlined in the letter received from Joanne Sankus, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes.

Presented to the Mayor September 10, 2020 and returned with the notation “Exceeds gathering limits allowed by State under Phase III opening.” and without his signature.

Petition by Boston Gas dba National Grid for grant of right in a way to install approximately 500 feet of two inch plastic gas main in Crossman Road to service the structures at 3, 5 and 7 Crossman Road. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes.

Petition by Tom Morales and Michelle Morales, 390 Russell Street, Woburn, Massachusetts 01801 for a special permit to allow 750 yards of fill at 390 Russell Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes.

Petition by MVRH Realty, LLC, c/o Bohler, 353 Turnpike Road, Southborough, Massachusetts 01772 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 9.4.2.1, 26.4.2.b.iii and 7.3 to allow amendment of Special Permit and Site Plan of recorded dated December 2, 2005 for proposed Solar Photovoltaic Installation, construction of a structure in floodplain, extension of alteration of existing nonconforming use or structure, and solar carport/canopy in non-residential district at 20 Cabot Road. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes.

PUBLIC HEARINGS:

On the petition by Tesla Inc., 3500 Deer Creek Road, Palo Alto, California 94304 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.23 amend a special permit issued November 13, 1997 to allow installation of twelve (12) Tesla charging posts, four (4) Level 2 charging posts, three (3) Level 3 Tesla superchargers, transformers, one (1) switchgear and conduits at 101 Commerce Way. PUBLIC HEARING OPENED. A communication dated August 5, 2020 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Planning Department comments on special permit modification for property located at 101 Commerce Way/Tesla Inc.

Dear Council:

The Planning Department has received a modification request for an existing Special Permit at the above-referenced property. The applicant had initially submitted this Petition as a Special Permit for an accessory use but withdrew and refiled it as a modification to an existing Special Permit, dated November 13, 1997, that had been granted pursuant to Section 5.1(23) of the Woburn Zoning Ordinance (WZO) for the operation of a Target-anchored shopping center in an Interstate Business (B-I) zoning district.

Otherwise, the pending Petition does not appear to differ from the earlier one. Based on that assumption, Planning staff's only comment is to point out that in granting the requested Special Permit, the Council will be determining that electric vehicle charging stations are a use consistent with the definition of SHOPPING CENTER as that term is defined in Section 2 of the WZO. This specific issue was discussed in a June 17, 2020 memorandum to the Council from City Solicitor Ellen Callahan Doucette.

The other observations, comments, and recommended conditions listed in the Planning Department's May 26, 2020 comment letter to the Council on this application still stand. The earlier comment letter is attached hereto for your information; please feel free to contact me if I can be of further assistance.

Respectfully, s/Dan Orr, City Planner/Grant Writer

Attached thereto was a memorandum dated May 26, 2020 from Tina P. Cassidy, Planning Board Director/WRA Administrator as follows:

Re: Planning Department comments on special permit application for property located at 101 Commerce Way/Tesla Inc.

Dear Council:

The Planning Department has reviewed the request for a Special Permit application pursuant to Section 5.1 (56) of the Woburn Zoning Ordinances (WZO). Specifically, the applicant proposes to install twelve (12) Tesla electric vehicle (EV) charging posts and two (2) Level II universal charging posts (supporting up to four [4] electric vehicles), amounting to fourteen (14) total proposed charging posts, in addition to supporting equipment. Although the Petition was submitted independent of the current principal use (i.e., not as a modification to an existing special permit), the project is proposed as an accessory use exceeding 900-square feet in an existing parking lot (located at a commercial property currently anchored by Target department store). The subject property is located within a Business Interstate (B-I) district. The Petitioner notes that no modifications to existing buildings or parking lot drainage infrastructure are contemplated as part of this project.

Planning staff noted that the Treasurer's/Collector's form in the application package was not signed by that office. Planning staff also reviewed the application and engineer-certified site plan set (dated 7/10/19, last revised 3/16/20) jointly with the Building Commissioner and offers the following observations and comments:

Zoning & Use Classifications

- Fundamentally, the applicant has not provided sufficient justification or documentation, to the satisfaction of the Building Commissioner, supporting the argument that the proposed use is accessory to the current principal use(s). Further, should the applicant instead choose to pursue approval of a special permit by categorizing the proposal as a new principal use, a use description within the Section 5.1 Table of Use regulations must be identified. It should be noted that applicant has made initial contact with Commissioner Quinn on this point, but the fundamental question of whether this use is a permitted accessory use remains unresolved. The applicant should be required to provide additional information to clarify the foregoing questions about proposed use prior to further action on this Petition.
- The charging stations and equipment accessory to it do not observe the 25-foot side setback requirements for the B-I zoning district set forth in Table 6.1 ("Table of Dimensional Regulations"). The Petitioner must either obtain a variance from the Board of Appeals using the current EV charger configuration or modify the site plan to meet zoning regulations prior to further action on this Petition. If a variance is needed, it must be obtained prior to submission of a special permit application (Section 11.3.1 of the WZO).
- The description found in the application appears to suggest that the Tesla electric charging posts will be exclusively for the purpose of charging Tesla-branded electric vehicles (EVs), whereas the "universal" Chargepoint posts are intended to service all other branded EVs. The Petitioner should verify that this is a correct understanding of the EV charging arrangement as proposed.

Parking & Mobility

- Sheet C-2 indicates 15 existing parking spaces will be affected if the special permit is granted (Sheet C-3 indicates 16). These spaces may be essential to ensuring the retail store (Target) still has sufficient parking to meet minimum zoning requirements. The Petitioner should amend the plan by adding a parking table that calculates the number of spaces required and provided for both Target and the envisioned use.
- The site plan adequately identifies the location of the proposed EV charging spaces. However, the impact of reducing standard parking spaces originally intended to serve the existing onsite uses has not been indicated in the form of an updated parking calculation table. Although there is potential for mixed-use “overlap” for patrons utilizing both the EV charging stations and electing to go shopping on the premises, the application does not contain a parking study supporting the likelihood of that activity. Moreover, the proportion of proposed spaces effectively reserved for Tesla vehicles may in fact be disproportionate to the percentage of Tesla owners amongst the general population, creating an unintended imbalance in parking availability.
- Due consideration should be given to the intensity of vehicle trips generated by introducing EV charging infrastructure to the site, including vehicle trips for the purpose of equipment maintenance and patrons of the EV charging stations who may visit other establishments on the property. The application presumes that the proposed use “should not significantly impact traffic volumes,” but this statement cannot be independently verified by any other information contained in the application package.

Access & Environment

- The site plan does not currently incorporate provisions to comply with 521 CMR (Architectural Access Board) or the Americans with Disabilities Act (ADA) regulations. The Council should require the Petitioner to demonstrate how the proposed use will meet compliance under these regulations.
- Although the proposed site improvements appear to be outside of the limits of an adjacent flood plain area (based on information provided on both the submitted site plan and the City’s GIS database), construction of some of those improvements may in fact take place in the floodplain area. Given its proximity, it is difficult to imagine how some of the work, including gate relocation and partial fence replacement, could take place without some equipment or personnel within the floodplain area. The Council should consider requiring the Petitioner to submit a construction plan that verifies the existing floodplain will be unaffected by any and all planned demolition and construction activities. In addition, due to the area’s historic contamination with Class A soils, the construction plan should provide written assurances that ground disturbances required by the installation of conduit will be completed with appropriate environmental safeguards and methods.
- Sheet C-2 indicates that the existing 14’ wide swing gate in the chain link fence will be relocated to the south, and the void filled with new chain link fencing. This fencing will not provide any effective screening for the supporting equipment, which will be highly visible from roadways. In addition, the placement of the relocated swing gate appears to

conflict with use of several existing parking spaces. Finally, how can work on the fence occur without impact to the abutting floodplain area?

Proposed Signage

- The applicant has included the design and dimensions of proposed Tesla parking signage as part of site plan on Sheet C-4 (“Equipment Elevation and Signage”). However, the Petitioner should verify whether this sheet comprises the entirety of new signage proposed for the site (for example, if identification signage will also be proposed for the Chargepoint-serviced spaces). Will any signage be visible from Commerce Way or Atlantic Avenue? If additional signage is contemplated, it should be included on a modified version of the site plan. If signage is included in the special permit package, the applicant should ensure that all signage in fact meets the requirements of Section 13 prior to action on this special permit application. Failure to verify zoning compliance now could prove problematic in the future. If the Building Commissioner determines the signage does not comply, the Petitioner will either need a variance from the Zoning Board of Appeals or will need to file a revised special permit application for review and approval by the Council.

Other Design Concerns

- The site plan does not contain any provisions for snow management/storage locations, screened refuse collection to service the users of the charging stations, and “dark sky” compliant lighting details for the two (2) proposed pole-mounted lighting fixtures. These features should be added to a modified version of the proposed site plan.

If the Council ultimately decides to grant the requested special permit after receiving all outstanding information, Planning staff recommends the following as minimum conditions of approval:

1. That the Petitioner be required to file all modified Plans of Record with the Inspectional Services Department; and
2. That any new signage is subject to review by the Inspectional Services Department for compliance with all general and B-I zoning district-specific sign regulations set forth in Section 13 of the WZO and will require the submission of separate application(s) to the Inspectional Services Department.

Please feel free to contact me if you have any questions about this recommendation.

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

Motion made and 2nd that the communication be received and made part of the record, Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes. Appearing for the petitioner was Ed Noseworthy of Tesla Inc. and he stated that the proposal is to install electric vehicle charging stations in the Target store parking lot, that this will be a convenient charging location for

customers, that the stalls currently exist, that the power tie-in is close, that the power design has been completed by Eversource, that additional lighting will be installed, this this petition seeks a modification of an existing special permit, and that the petitioner reviewed the comments from the Planning Board. Alderman Mercer-Bruen stated that she wants to be certain there is trash control at the site, that there should be more than one trash barrel provided, and that if the charging stations are no longer needed the petitioner must remove the charging stations and restore the property to its original condition. Trevor Smith for the petitioner stated that the petitioner has over 1,000 supercharge locations across the country, that four posts will serve non-Tesla vehicles, that the petitioner will not have attendants onsite, that the location is within the bounds of the Target property as an amenity for their customers, and that trash removal and landscaping at the site is the responsibility of Target and not Tesla. Alderman Mercer-Bruen stated that arrangement is between Target and Tesla and not the City of Woburn, that she will request a condition that a copy of the special permit conditions be provided to Target, and that she will request Target provide contact information in the event there is an issue. Alderman Concannon stated that the City Solicitor and the Building Commissioner have opined that granting this special permit will recognize charging stations as an accessory use for shopping centers. Alderman Gately stated that he is not in favor of the petition, that he does not like the setup of the stations, that he walked the area, that he wants to know who will shovel the snow and put down sand and salt for customer safety, and that he will not support the petition. Motion made and 2nd that the public hearing be opened for public comments, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes. PUBLIC COMMENTS: None. Motion made and 2nd that the public hearing be closed, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes. PUBLIC HEARING CLOSED. Motion made and 2nd that the following conditions be adopted as conditions of the special permit: 1. That the site plan of record shall be the site plan entitled “Tesla – Woburn MA –T1266” dated 3/16/2020; 2. That conditions of any prior special permit remain in full force and effect unless modified herein; 3. That proper lighting shall be installed and maintained; 4. That adequate trash removal shall be provided; 5. That the area shall be kept clean and neat; 6. That a snow storage plan for the charging station area shall be filed with the Building Commissioner; 7. That if the charging stations are no longer used as charging stations the units shall be removed and the area restored to its original condition; 8. That a copy of the conditions of this special permit shall be sent to Target; and 9. That the City Council makes a finding that electric vehicle charging stations are an accessory use consistent with the definition of a shopping center under the Woburn Zoning Ordinances, as amended, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately – No; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes. Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS AMENDED, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes.

On the petition by LCS Woburn LLC, 400 Locust Street, Suite 820, Des Moines, Iowa 50309-2334 for a special permit with site plan review pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 28, 5.2.1.4, 28.6.2.2, 28.6.2.9, 28.3, 28.8.4, 5.3.4, 5.1.57b

and 28.11.6 to 1. allow for 103 congregate elderly housing units; 2. allow for an extended care facility (84 assisted living units and 36 memory care units); 3. allow a reduction in number of required parking spaces from 281 to 193; 4. Allow for retaining wall exceeding six (6) feet in height up to ten (10) feet in height; 5. Allow for overnight parking of up to two (2) passenger vans); 6. Allow relief from Section 5.2.1.4 requiring access from lot's legal street frontage; and 7. Approval of all signage as set forth on the plans, all at 2 Hill Street.

PUBLIC HEARING OPENED. A communication dated August 6, 2020 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 entitled Special Permit with Site Plan Review application of Pulte Homes LLC, 2 Hill Street, Woburn, Massachusetts. A communication dated August 11, 2020 was received from Attorney Peter L. Tamm and Attorney Michael J. Flannery, Goulston & Storrs entitled The Vale: Emergency Access through Winchester; Status of Sunset Road. A communication dated September 8, 2020 with attachments was received from City Solicitor Ellen Callahan Doucette entitled Special Permit Applications – The Vale – Split Lot – Emergency Access. A communication dated September 6, 2020 was received from Ann Sera, 5 Andrea Circle, Winchester, Massachusetts 01890. Motion made and 2nd that the communications be received and made part of the record, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. Motion made by Alderman Tedesco and 2nd by Alderman Mercer-Bruen to allow reconsideration of his vote to accept the communications, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. Motion made and 2nd that the communications be received and made part of the record, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. Appearing for the petitioner was Attorney Joseph R. Tarby, III, and he stated that the proposal is to construct a residential development with independent living, assisted living and memory care components licensed by the Commonwealth of Massachusetts, that there will be landscaped courtyards, and that there will be walking paths for residents. Dylan Stevens, Stantec Consulting, Boston, Massachusetts stated that there will be 147 surface parking spaces and a continuous pedestrian route. Rick Bryant, Stantec Consulting, Boston, Massachusetts stated that they reviewed ITE data and data from the Woburn Benchmark location relative to parking uses, and that .41 vehicles are expected per dwelling unit. Adam Yothers, Project Manager, Dimella Shaffer, 281 Summer Street, Sixth Floor, Boston, Massachusetts 02210 reviewed the exterior renderings of the project. Chris Manning, LCS Inc. stated that the petitioner has been developing senior housing since 1971, that they have more than 150 communities in the country, and that this location will be their seventh The Delaney project. Michelle Crowley, Crowley Cottrell, LLC, 171 Milk Street, Floor 2, Boston, Massachusetts 02109 and she stated that she is the landscape architect for the project, and she in reference to the plans on file reviewed the types of plantings that will be on site. Mr. Stevens stated that the petitioner has not appeared before the Conservation Commission yet but an appearance before that board will be necessary. Attorney Tarby stated that the requests for demolition permits will be handled by the property owner Montvale Land LLC and Legatt McCall. Chad Reynolds, Montvale Land LLC stated that they are the property owner, that they intend to take public comments and have a remediation plan approved by mid-October 2020, that they are working with the Building Commissioner to obtain remediation and abatement permits, that they are

working to finalize documents to be in position by the fourth quarter of this year in order to widen Hill Street, that they are aware of the bicycle path, and that the bicycle path will be an asset to the project. Alderman Campbell asked how many parking spaces will be used during the day, that the Woburn Benchmark site often does not have sufficient parking particularly during special events, and wanted to know if there is overflow parking available. Mr. Bryant stated that there will be more than enough parking including during special events. Alderman Campbell stated that she is concerned there may not be sufficient parking for the use. Ms. Crowley stated that they will consider planting roses in areas where residents would not be able to touch them. Alderman Mercer-Bruen asked what the age of residents typically would be. Mr. Manning stated that the average resident age is 80 years old, that the petitioner will provide three meals each day for the residents, that there will be 103 independent living units and 103 parking spaces for each unit, that vans will be available to transport residents offsite, and that they do not expect many residents to have cars. Alderman Mercer-Bruen stated that she is concerned there will not be sufficient parking. Mr. Manning stated that each unit will have one parking space. Mr. Bryant stated that they petitioner looked at industry standards and the Woburn Benchmark, that independent residents are more likely to own a car, that this is 50% higher than the assisted living residents, and that memory care residents generally do not drive. Alderman Dillon stated that a walking visit to the site may be helpful for the review process. Alderman Tedesco stated that a site visit could be scheduled by each Alderman, and that visiting the site as a body could create Open Meeting Law issues. Attorney Tarby stated that the petitioner is open to having the Aldermen walk the site. Motion made and 2nd that the public hearing be opened for public comments, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. PUBLIC COMMENTS: Catherine Moore, 15 Ledge Street, Stoneham stated that the building rises higher than the trees on I-93 and asked whether there would be traffic noise, that she wanted to know if there would be a portico for residents when they are dropped off, wanted to know if there was cover for pedestrians from the door to the garage, and that she is concerned about the impact of brick sidewalks on the residents. Joanne Shea O’Brien, 41 Lincoln Street, Winchester stated that she is associated with the Health and Safety Committee at the Muraco Elementary School in Winchester, that they have worked on traffic safety improvements in the area, and that she is concerned about the impact of the project on area traffic. Morgan Sweeney, 25 Sunset Road, Winchester stated that walking the grounds would be valuable, that this is a massive project impacting more than the Woburn community, and that there should be a site visit scheduled. Susan Verdicchio, Winchester Select Board stated that she wants to see the elevation of the project from the vantage point of Sunset Road, that there is a surface stormwater basin, and that she wants to know whether the surface stormwater basin will be screened. Ann Sera, 5 Andrea Circle, Winchester stated that there are references to the plan to future work, that she wants to know the height of the buildings and what rooftop structures there will be, that it is difficult to see the site because of the growth of trees and weeds, that the best way to see the site is by satellite view, that she wants to know the number of assisted living units and the number of independent living units, that she wants to know if there is a stove in the independent living units and that there would not be a stove in the assisted living units, that there are no stoves in the Woburn Benchmark units, and that she wants to know what utilities are in the units. Arthur Kreiger, Anderson Kreiger, 50 Milk Street, 21st Floor, Boston, Massachusetts 02109 stated that site visits are excluded from the Open Meeting Law, that the

City Council can walk the parcel but cannot deliberate while doing so, and that he wants to know when the Committee on Special Permits will meet on this matter. President Higgins stated due to the size of the Committee Room the decision has been made not to have committee meetings on this petitions and to only meet at regular City Council meetings. Andy Hrycyna, Mystic River Watershed Association, P.O. Box 390, Arlington, Massachusetts 02476 stated that they will submit comments in writing. Attorney Tarby stated that the renderings show the carport and the portico. George Ryan, Stantec Consulting, Boston, Massachusetts spoke about the stormwater review. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON OCTOBER 6, 2020, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

On the petition by Pulte Homes of New England, LLC, 115 Flanders Road, Suite 200, Westborough, Massachusetts 01581 for a special permit with site plan review pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 28, 28.6.1.1., 28.6.2.2, 5.2.1.4, 5.3.2, 5.3.4, 28.8.3 to allow development of residential townhome and multifamily components of the larger master-plan approved redevelopment including 75 townhome dwellings in two and three-unit buildings and 122 multifamily garden-style units in two 36-unit buildings and one 50 unit building with 1. Relief from Section 5.2.1.4 requiring access from lot's legal street frontage; 2. Relief from Section 5.3.2 for seven (7) foot high fence along street frontage, retaining walls in excess of six (6) feet in height and 48 inch high fall protection fencing on top of walls; 3. Relief from Section 5.3.4 for seven (7) foot high fence along street frontage, retaining walls in excess of six (6) feet in height, 48 inch high fall protection fencing on top of walls and seven (7) foot high fence around recycling area; and 4. Relief from 28.8.3 for townhome common two-way driveways twenty (20) feet in width, all at portions of Hill Street and 1 Washington Avenue. PUBLIC HEARING OPENED. A communication dated August 6, 2020 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 entitled Special Permit with Site Plan Review application of LCS Woburn LLC, 2 Hill Street, Woburn, Massachusetts. A communication dated August 11, 2020 was received from Attorney Peter L. Tamm and Attorney Michael J. Flannery, Goulston & Storrs entitled The Vale: Emergency Access through Winchester; Status of Sunset Road. A communication dated September 8, 2020 with attachments was received from City Solicitor Ellen Callahan Doucette entitled Special Permit Applications – The Vale – Split Lot – Emergency Access. A communication dated September 6, 2020 was received from Ann Sera, 5 Andrea Circle, Winchester, Massachusetts 01890. Motion made and 2nd that the communications be received and made part of the record, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. Appearing for the petitioner was Attorney Joseph R. Tarby, III and he stated this is a residential development, that there will be thirty affordable units provided, that this project redevelops a vacant industrial use to a residential use, that there will be 197 one, two and three-bedroom units consisting of 75 townhouses and 122 multifamily garden style units, that the height of the buildings will be lower than allowed under the ordinances, and that the stormwater plan is under peer review and will be reviewed also by the Conservation

Commission. Matthew Leidner, Civil Design Group, LLC, 21 High Street, Suite 305B, North Andover, Massachusetts 01845 and he stated that there is a retaining wall along portions of Sunset Road and no retaining wall along other sections of Sunset Road, that there will be a seven foot high fence with a twelve inch lattice at the top portion, that the retaining wall will face the townhouses, that the retaining wall will not be visible from Sunset Road, that there will be a 35 foot set back from Sunset Road which exceeds the required setback of 25 feet, that landscaping will be provided on the Sunset Road side of the fence, that there is an updated landscape plan, that the multiunit buildings are 60 feet tall which is below the 80 foot height allowed under the zoning ordinances, that the multiunit buildings are pushed back from Sunset Road, and that 15% of the units will be affordable. Motion made and 2nd that the public hearing be opened for public comments, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. PUBLIC COMMENTS: Ann Sera, 5 Andrea Circle, Winchester stated that the proposed evergreen trees are not on the Pulte property, that at the cul-de-sac the trees are on the LCS property, that she has issues with the site grading, that the infrastructure should be reviewed, that the water distribution system is not on the plans and therefore cannot be reviewed, and that she wants to see the basin moved. Mark Dougherty, 73 Sunset Road, Winchester stated that he is shocked the roads are dead end roads, and that these roads are dangerous for the residents of the development. Susan Verdicchio, Winchester Select Board stated that she wants to know how wide the driveways are, that it may be better to have a ring road rather than cul-de-sacs, that there should be a requirement that the plantings be maintained, and that she is concerned about how the water in the detention basin will be treated. Tom Eid, 28 Maxwell Road, Winchester stated that he has concerns about the road preparation and access to Churchill Road in Winchester. David Menninger, 69 Sunset Road, Winchester stated that he submitted a letter to the City Council, that he does not understand the process, and that there are variances requested by the petitioner before larger issues are resolved. Motion made and 2nd that the communication dated August 21, 2020 from David Menninger be received and made part of the record, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. Attorney Tarby stated that he will not address the stormwater questions in view of the pending peer review. Mr. Leidner stated that the Fire Department reviewed and approved the roadway turnarounds. Attorney Tarby stated that no variances have been requested for this project just special permits. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON OCTOBER 6, 2020, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

Motion made and 2nd for a two-minute recess, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes.

President Higgins called the meeting back to order. Motion made and 2nd that the meeting return to the regular order of business, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco –

Yes; Higgins – Yes.

On the petition by Alderman Mercer-Bruen concerning the structure or structures located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 11 Montvale Road, Woburn, Massachusetts, for the purposes of determining whether said structure or structures are a public nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED. A communication dated August 24, 2020 was received from Attorney Julie Johnson, P.O. Box 12, Townsend, Massachusetts 01469 as follows:

Good afternoon Mr. Campbell,

As instructed by the City Council I am advising of our progress to date:

The vehicle has been removed from the driveway and the yard has been fully cleaned up. My client has engaged a landscaper who will maintain/upkeep the yard every two weeks until further notice. The pest control company continues to make monthly visits per the contract.

At present, my client has accepted an offer to sell the property and we expect to execute the P&S within a day. The property is being sold in "as is" condition with my client agreeing to cooperate so that the Buyer may begin the permitting process in anticipation of the closing. This will expedite the next phase of work on the property which will be done by the new owner.

The closing date will be on or about 9/30 depending on my client's ability to obtain both "Licenses to Sell" from the Middlesex Probate and Family Court, taking into account the delays due to Covid.

Once we have a signed P&S, I will email confirmation to you. Unless I hear otherwise, I will assume my client will be on the agenda for the 8th.

Sincerely, Julie Johnson, Attorney at Law

A communication dated September 4, 2020 was received from Attorney Julie Johnson, P.O. Box 12, Townsend, Massachusetts 01469 as follows:

Good afternoon Mr. Campbell,

The P&S for 11 Montvale has been signed by both the Seller and Buyers. The closing is confirmed for 9/30, pending finalization of the necessary Court documentation.

Thank you, Julie Johnson, Attorney at Law

Motion made and 2nd that the communications be received and made part of the record, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. Alderman Mercer-Bruen stated that a purchase and sale agreement was executed and a closing date has been scheduled, that much of the requested work is complete, that a couple of items are continuing such as monitoring the landscape, and that this matter should be continued to a meeting in October for review. Appearing was Attorney Julie Johnson and she stated that her understanding is the building will be torn down, and that the transfer is in process. Motion made and 2nd that the public hearing be opened for public comments, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON OCTOBER 20, 2020, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

On the petition by President Higgins concerning the structure or structures located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 8 Russell Court, Woburn, Massachusetts, for the purposes of determining whether said structure or structures are a public nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation.. PUBLIC HEARING OPENED. A communication dated September 3, 2020 was received from Building Commissioner Thomas C. Quinn, Jr. as follows:

Re: 8 Russell Court

Regarding the above referenced address site visits have continued with the most recent site inspection occurring on August 31, 2020.

At the time of this inspection it was evident that there has been no progress made by the owner to resolve the issues, the exterior grounds are overgrown, numerous items are scattered throughout the property and there are also many vehicles that appear to not be operational and loaded with trash.

As all are aware the City of Woburn Inspectional Services has made numerous attempts to work with the current owner to resolve issues and at this time, I would ask the City Council to declare this property a public nuisance as the owner has not made any attempt to resolve.

If I can be of further assistance with this matter do not hesitate to contact me.

s/Thomas C. Quinn Jr., Building Commissioner

A communication dated September 3, 2020 was received from Rebecca Spoerri-Bowman, D.O., 23 Warren Avenue, Suite 185, Woburn, Massachusetts 01801 concerning the property owner. Motion made and 2nd that the communications be received and made part of the record, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. President Higgins stated that she is waiting for a determination from the Board of Health concerning the issue. Motion made and 2nd that the public hearing be opened for public comments, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes. PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON OCTOBER 20, 2020, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Abstained, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

COMMITTEE REPORTS:

PUBLIC SAFETY AND LICENSES:

On the petition for renewal of Livery License by Kelley Towncar, Inc., committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

Presented to the Mayor: September 10, 2020 s/Scott D. Galvin September 10, 2020

On the petition for a new Livery License by Boston Express Livery Service Inc., committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

Presented to the Mayor: September 10, 2020 s/Scott D. Galvin September 10, 2020

On the petition for renewal of Livery License by Checker Cab of Woburn Inc., committee report was received “ought to pass with any existing conditions and limitations”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

Presented to the Mayor: September 10, 2020 s/Scott D. Galvin September 10, 2020

On the petition for renewal of Taxi Cab License by Checker Cab of Woburn Inc., committee report was received “ought to pass with any existing conditions and limitations”. Motion

made and 2nd that the COMMITTEE REPORT be ADOPTED, Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

Presented to the Mayor: September 10, 2020 s/Scott D. Galvin September 10, 2020

CITIZEN’S PARTICIPATION: None.

COMMUNICATIONS AND REPORTS:

A communication dated September 1, 2020 was received from Charles O’Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

Council Members,

In accordance with Massachusetts General Laws Chapter 90, Section 20½ I am submitting the following parking ticket report. Figures cited below are for the Month of January 2020 to July 2020: Number of violations issued 451, Numbers of violations paid 227, Number of violations outstanding 203, Amount collected and submitted to Collectors Office \$21,309.80, Parking fines referred to the Handicap Commission \$7,200.00.

There is a backlog of 1472 unpaid tickets dating from January 2004 to December 2019. A 21 day late notice is sent to vehicle owners who have not paid the fine. After 28 days, if the fine still has not been paid, that information is forwarded to the Registry of Motor Vehicles for administrative action.

Respectfully submitted, s/Charles O’Connor, Parking Clerk

Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

A communication dated August 4, 2020 was received from City Solicitor Ellen Callahan Doucette concerning the authority of the City Council over the Woburn Public Library. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

A communication dated July 29, 2020 with attachment was received from Larry Guisepppe, Director, Woburn Veterans’ Services as follows:

Dear City Clerk:

Attached is a request to be read at the next Woburn City Council meeting regarding Municipal Flag Pole guidelines, which I am asking the City Council to support and adopt.

Please feel free to call me should there be questions regarding this proposed ordinance.

Sincerely, s/Larry Guiseppe, Director

Attached thereto was the following proposed ordinance:

ORDERED Whereas, there have been increased requests for flags representing various organizations to be flown on municipal flagpoles; and

Whereas, there is a need to create policy and guidelines in order to effectively, efficiently, and judicially allow appropriate times for these organizations' flags to be represented; and

Whereas, municipal flagpoles traditionally have been under the direction and control of the Director of Veterans Services;

Now, Therefore, Be it Ordained by the City Council of the City of Woburn that Title 12 of the 1989 Woburn Municipal Code, as amended, be further amended by adding in its entirety the following:

Article XV. Municipal Flagpoles

12-58 Municipal Flagpole Guidelines

A. Purpose

The purpose of this ordinance is to describe and authorize what flags and the timeframe for when flags may be flown on municipal flagpoles.

B. Definitions

The following words shall, unless the context clearly requires otherwise, have the following meanings:

1. "Flag" shall mean a piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country, institution, or as a decoration during public festivities.
2. "Flagpole" shall mean a pole used for flying a flag.
3. "Municipal Flagpole" shall mean a flagpole that is located on property owned by the City of Woburn and designated herein.
 - a. The following flagpoles are considered municipal flagpoles:

- i. The three (3) flagpoles located on Woburn Common and its surrounding islands
 - ii. Ferullo Flag Park
 - iii. Hammond Square Flagpole
 - iv. South End Italian Park
 - v. DAV Flagpole at Horn Pond
 - vi. Duran Flagpole at Horn Pond
 - vii. Gold Star Flagpole at Horn Pond
- b. The following flagpoles located on property of or controlled by the following are excluded from this definition:
- i. Fire Department
 - ii. Police Department
 - iii. Recreational Fields under the control of the Recreation Department
 - iv. Woburn Public Schools

C. Direction and Control

1. Municipal flagpoles shall be under the direction and control of the Director of Veterans Services.
2. Only flags authorized by the Director of Veterans Services may be flown on municipal flagpoles.

D. Restrictions

1. Woburn Common and surrounding islands:
 - a. Only the American Flag shall be flown on the large flagpole on the Common, and/or a military flag of smaller size may be flown under the American Flag for no more than 7 days.
 - b. Only the MIA/POW flag and/or Purple Heart flag shall be flown on the flagpole at what is commonly known to be “the Busy Bend Island”.
 - c. Only the Blue Star and/or Gold Star flag shall be flown on the westerly island at Woburn Common, which is commonly known to be “Berardi Island”. Other flags may be flown on this flagpole upon request to and approval by the Director of Veterans Services. Examples of other flags that may be flown include but are not limited to, festivals, police or fire, memorials, Irish American, Greek, Brazilian, organizations such as cancer support organizations, Gay Pride, and others. Such other flags may not be flown for more than seven (7) contiguous days a year.
2. Ferullo Flag Park – Only the American flag, military flags (flags representing the service branches), or MIA/POW flags may be flown on flagpoles at Ferullo Flag Park.
3. Hammond Square Flagpole – Only the American flag shall be flown on the Hammond Square Flagpole.

4. South End Italian Park – Only the American flag shall be flown on flagpole(s) at the South End Italian Park.
5. DAV Flagpole at Horn Pond – Only the American flag shall be flown on the DAV Flagpole at Horn Pond.
6. Duran Flagpole at Horn Pond – Only the American flag shall be flown on the DAV Flagpole at Horn Pond.
7. Gold Star Flagpole at Horn Pond – Only the American flag and the Gold Star flag shall be flown on the Gold Star Flagpole at Horn Pond.

E. Effective Date

All of the requirements set forth in this Ordinance shall take effect September 1, 2020.

F. Severability

It is the intention of the City Council that each separate provision of this chapter shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provision of this chapter be declared to be invalid by a court of competent jurisdiction, the remaining provisions of this chapter shall remain valid and enforceable.

Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

APPOINTMENTS AND ELECTIONS:

A communication dated August 19, 2020 was received from Mayor Scott D. Galvin as follows:

Dear President Higgins and Members of the Woburn City Council:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Timothy J. Donovan, 30 Vernon Street, to the Handicapped Commission, to a term to expire on December 31, 2020, subject to approval of the City Council.

Respectfully, s/Scott D. Galvin, Mayor

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PERSONNEL, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

A communication dated August 19, 2020 was received from Mayor Scott D. Galvin as follows:

Dear President Higgins and Members of the Woburn City Council:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Cassandra A. Connolly, 11 Hilltop Parkway, to the Handicapped Commission, to a term to expire on September 1, 2020, subject to approval of the City Council.

Respectfully, s/Scott D. Galvin, Mayor

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PERSONNEL, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

A communication dated August 19, 2020 was received from Mayor Scott D. Galvin as follows:

Dear President Higgins and Members of the Woburn City Council:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Paul A. Scanlon, Jr., 11 Thornton Street, to the Handicapped Commission, to a term to expire on September 1, 2020, subject to approval of the City Council.

Respectfully, s/Scott D. Galvin, Mayor

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PERSONNEL, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

A communication dated August 19, 2020 was received from Mayor Scott D. Galvin as follows:

Dear President Higgins and Members of the Woburn City Council:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Stephanie E. Collins, 24 Lexington Street, to the Handicapped Commission, to a term to expire on September 1, 2020, subject to approval of the City Council.

Respectfully, s/Scott D. Galvin, Mayor

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PERSONNEL, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

A communication dated August 19, 2020 was received from Mayor Scott D. Galvin as follows:

Dear President Higgins and Members of the Woburn City Council:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Robert Toro, 12 Frank Street Court, to the Handicapped Commission, to a term to expire on September 1, 2020, subject to approval of the City Council.

Respectfully, s/Scott D. Galvin, Mayor

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PERSONNEL, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

A communication dated August 19, 2020 was received from Mayor Scott D. Galvin as follows:

Dear President Higgins and Members of the Woburn City Council:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Joseph Flaherty, 6 Princeton Road, to the Handicapped Commission, to a term to expire on September 1, 2020, subject to approval of the City Council.

Respectfully, s/Scott D. Galvin, Mayor

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PERSONNEL, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

A communication dated August 19, 2020 was received from Mayor Scott D. Galvin as follows:

Dear President Higgins and Members of the Woburn City Council:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Jan H. Fuller, 178 Montvale Avenue, to the Handicapped Commission, to a term to expire on September 1, 2020, subject to approval of the City Council.

Respectfully, s/Scott D. Galvin, Mayor

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PERSONNEL, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED Whereas, August 18, 2020, marked the 100th anniversary of the passage of the 19th Amendment to the U.S. Constitution, giving women the right to vote; and

Whereas, Massachusetts, home to courageous early suffragists, was one of the first states to ratify the 19th Amendment on June 25th, 1919;

Now, Therefore, Be it Ordained by the City Council of the City of Woburn that a petition be filed with the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court. The Mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT TO AMEND THE CHARTER OF THE CITY OF WOBURN TO CHANGE THE NAME OF THE MEMBERS OF THE CITY COUNCIL FROM ALDERMAN TO CITY COUNCILOR

SECTION 1. The first sentence of section 2 of chapter 172 of the acts of 1897, is hereby amended by striking out the word “aldermen”, and inserting in place thereof the following word: - councilor.

SECTION 2. The first sentence of section 5 of chapter 172 of the acts of 1897, as most recently amended by chapter 194 of the acts of 1928, is hereby further amended by striking out the word “aldermen”, and inserting in place thereof the following word: - councilor.

SECTION 3. Section 9 of chapter 172 of the acts of 1897, as most recently amended by chapter 229 of the acts of 1946, is hereby further amended by striking out the word “aldermen”, each time it appears, and inserting in place thereof, in each instance, the following word: - councilor.

SECTION 4. The title and the first sentence of section 10 of chapter 172 of the acts of 1897, as most recently amended by chapter 21 of the special acts of 1918, is hereby further amended by striking out the words “aldermen”, and inserting in place thereof, the following words: - councilor.

SECTION 5. The first sentence of section 11 of chapter 172 of the acts of 1897, as most recently amended by chapter 18 of the special acts of 1917, is hereby further amended by striking out the word “aldermen”, and inserting in place thereof, the following word: - councilor.

SECTION 6. Section 12 of chapter 172 of the acts of 1897, is hereby amended by striking out the word “alderman”, and inserting in place thereof, the following word: - councilor.

SECTION 7. The last sentence of section 13 of chapter 172 of the acts of 1897, is hereby amended by striking out the words “boards of aldermen and”.

SECTION 8. The last sentence of section 1 of chapter 139 of the acts of 1946, as most recently amended by chapter 53 of the special acts of 2007, is hereby further amended is hereby amended by striking out the words “board of aldermen”, and inserting in place thereof, the following words: - city council.

SECTION 9. Section 3 of chapter 139 of the acts of 1946, is hereby amended by striking out the words “alderman-at-large”, and inserting in place thereof, the following words: - councilor-at-large.

SECTION 10. The first sentence of section 1 of chapter 103 of the acts of 2005, is hereby amended by striking out the word “aldermen”, and inserting in place thereof, the following word: - councilors.

SECTION 11. The last sentence of section 3 of chapter 103 of the acts of 2005, is hereby amended by striking out the word “aldermen”, and inserting in place thereof, the following word: - councilors.

SECTION 12. The first sentence of section 1 of chapter 103 of the acts of 2005, is hereby amended by striking out the word “aldermen”, and inserting in place thereof, the following word: - councilors.

SECTION 13. This act shall take effect upon its passage.

s/Alderman Tedesco, President Higgins, Alderman Ferullo, Alderman Mercer-Bruen, Alderman Gately, Alderman Dillon, Alderman Demers

Alderman Campbell stated that there should be consideration given to what other changes may be required for this amendment such as the costs for replacing stationary, plaques and looking into whether the ordinances would also have to be amended. Motion made and 2nd

that the MATTER be LAID ON THE TABLE, ROLL CALL: Campbell - Yes; Concannon - Yes; Demers – Yes, Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco – Yes; Higgins – Yes.

Motion made and 2nd to ADJOURN, ROLL CALL: Campbell - Yes; Concannon - Yes; Dillon - Yes; Ferullo - Yes; Gately - Yes; Mercer-Bruen - Yes; Tedesco - Yes; Higgins – Yes. Meeting adjourned at 10:23 p.m.

A TRUE RECORD ATTEST:

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