

**CITY OF WOBURN  
FEBRUARY 7, 2017 - 7:00 P.M.  
REGULAR MEETING OF THE CITY COUNCIL**

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.

**MAYOR'S COMMUNICATIONS:**

ORDERED That the sum of \$240,000.00 be and is hereby appropriated as so stated from Unreserved Fund Balance Acct #01-356000 to Veterans Cash Aid Acct #0154357-577000.

I hereby recommend the above. s/Mayor Scott D. Galvin  
I hereby approved the above. s/Lawrence Guiseppe, Veteran's Agent  
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/Alderman \_\_\_\_\_

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ORDERED That the sum of \$20,000.00 be and is hereby appropriated as so stated from BLS Ambulance Receipts Acct #31359-590000 \$20,000.00 to Fire Apparatus Maintenance Acct #0122054-544400 \$20,000.00.

I hereby recommend the above. s/Mayor Scott D. Galvin  
I hereby approved the above. s/Timothy Ring, Chief Fire Department  
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/Alderman \_\_\_\_\_

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ORDERED That the sum of \$2,274,560.00 be and is hereby transferred as so stated from Unreserved Fund Balance Acct #01-356000 \$2,274,560.00 to Various Capital Projects (see attached breakdown) \$2,274,560.00

I hereby recommend the above. s/Mayor Scott D. Galvin

I hereby approved the above. s/Timothy Ring, Chief Fire Department  
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/Alderman \_\_\_\_\_

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A communication dated February 2, 2017 with attachment was received from His Honor the Mayor as follows:

On June 3, 2016, Governor Baker signed into law An Act to Improve Public Records that most relevant portion of which is set out in a new statute, M.G.L. c.66, §6A, which became effective on January 1, 2017. In accordance with this new statute, municipalities are required to designate one or more Records Access Officers (RAO) who will be responsible for coordinating responses to requests for access to public records. One of the RAOs is the City Clerk, and I have designated the City Solicitor as the other RAO for the City of Woburn.

Although each department head remains the custodian of that departments' records, all public records requests must be directed to the attention of the RAOs who, in accordance with the newly enacted statutes and rules and regulations, will:

- Coordinate the City's response to requests for access to public records;
- Assist individuals seeking public records in identifying records requested;
- Assist the custodian of records in preserving public records; and
- Prepare guidelines that enable requestors to make informed requests.

Of note, this new statute provides that the failure to produce responsive documents in a timely manner exposes the City to litigation and the award of attorney's fees. Due to the increased responsibilities of this position which are outside the scope of their regular duties, I have established a \$6,500.00 annual stipend for each RAO position limiting such positions to two. Submitted herewith, is an Order and an appropriation.

Thank you for your attention and consideration.

Sincerely, s/Scott D. Galvin, Mayor

Attached thereto was the following Order:

**ORDERED** Be it ordained by the City Council of the City of Woburn, that Title II, Article XXVIII. Compensation of Officers and Employees, Section 2-180, Base Salaries, be amended by inserting the following position and stipend as follows:

Records Access Officer (MGL Ch. 66, §6A) (2).....\$6,500.00

This ordinance shall be effective January 1, 2017.

s/Alderman \_\_\_\_\_

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ORDERED Be it Ordained by the City Council of the City of Woburn, that pursuant to M.G.L. c.59, §38H and c.164, §1, and any other relevant enabling authority, the Mayor, in consultation with the Board of Assessors, is hereby authorized to negotiate an agreement with ECA Solar Systems W.B. LLC of Boston, Massachusetts, and its successors and assigns, for a payment in lieu of taxes for the personal property associated with the privately owned and operated solar photovoltaic facility installed on the rooftop at 181 New Boston Street, Woburn shown on the Woburn Assessors Maps as Parcel 15-1-13, for a term of fifteen (15) years, on such terms and conditions as the Mayor and the Board of Assessors deem in the best interest of the City, and to take all necessary action and to execute all necessary documents to implement, administer and enforce such agreement, or to take any relevant action thereto.

s/Alderman \_\_\_\_\_

**PUBLIC HEARINGS:**

On the petition by Boys & Girls Club of Woburn, Charles Gardner Lane, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1, Note 14 to conduct a six-day carnival from May 9, 2017 to May 14, 2017 at the National Amusements site (Showcase Cinemas), 25 Middlesex Canal Park. PUBLIC HEARING OPENED. A communication dated February 2, 2017 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Department as follows:

Re: Planning Department comments on special permit petition to conduct a six-day fundraising carnival from May 9 – May 15, 2017 at 25 Middlesex Canal Park/Boys and Girls Club of Woburn, Inc.

Dear Council:

The Planning Department has reviewed the above-referenced application for the requested use pursuant to Section 5.1.75 of the Woburn Zoning Ordinances, as amended (WZO). The application however, incorrectly references Section 5.1.14 which in fact would not apply to the use/activity proposed in this application. The property in question is zoned B-I (Interstate Business) and the requested use is allowed by City Council Special Permit in accordance with Section 5.1.75.

The Planning Department takes no exception to this request. However, as noted in the attached guidance document issued by City Solicitor Ellen Callahan Doucette, Chapter

309 of the Acts of 2016 requires that notice be given to the Middlesex Canal Commission if a permitted activity will be located within one hundred feet (100') of the route of the Middlesex Canal.

Should the Council elect to grant this request, Planning Staff recommends the following:

1. That the City Council determine whether or not the proposed activity will be located within 100' of the route of the Middlesex Canal. If it will be, the Middlesex Canal Commission must receive notice of the proposed project/activity at least fourteen (14) days prior to a vote of the Council; and
2. That the applicant be required to comply with the requirements of Note 14 to Section 5.1.75, Table of Use Regulations of the WZO. Note 14 limits the hours of operation on Sundays and other days and sets certain applicable insurance and minimum notification requirements.

Please feel free to contact me if you have any questions or concerns regarding this recommendation.

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

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On the petition by Sports Management Services, Inc., an individual owning land to be affected by change or adoption, to amend the Zoning Map of the City of Woburn by changing the zoning district for two parcels of land known as Lot 69-08-07 on Garfield Avenue and Lot 69-08-08 on Garfield Avenue together containing approximately 2.92 acres of land as shown on a plan by Allen & Major Associates, Inc. entitled "Parcel Rezoning Plan" dated November 10, 2016 from R-2/I-G to R-3. PUBLIC HEARING OPENED. A communication dated January 25, 2017 was received from Tina P. Cassidy, Planning Board Director, Woburn Planning Board as follows:

Re: Zoning Map amendment to rezone two parcels on Garfield Avenue from the R-2 and I-G zoning districts to the R-3 zoning district/Sports Managements Services, Inc.

Dear Mr. Campbell:

At a meeting of the Woburn Planning Board held on Tuesday, January 24, 2017, the Board opened the public hearing on the above-referenced petition. After some discussion, the Board voted unanimously (5-0-0, with Mr. Kevin Donovan recusing) to continue the public hearing to the Board's February 28, 2017 meeting.

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

A communication dated January 19, 2017 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Petition to amend Zoning Map, Sports Managements Services, Inc., Garfield Avenue, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent Sports Managements Services, Inc. in connection with the above-referenced Petition. On behalf of my client I respectfully request that the Public Hearing scheduled before the City Council for February 7, 2017 be continued to the City Council Meeting scheduled for March 7, 2017. If you have any questions please feel free to contact me. Thank you.

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

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On the petition by 600 MetroNorth Corporate Center to amend the 1985 Woburn Zoning Ordinances, as amended, by amending Section 13 Sign Regulations relative to billboards; and by adding a new Section 29 Billboards as set forth in the petition. PUBLIC HEARING OPENED. A communication dated January 25, 2017 was received from Tina P. Cassidy, Planning Board Director, Woburn Planning Board as follows:

Re: Proposed zoning text amendment to allow billboards as special permit use (City Council) in the OP-93 and I-P2 zoning districts/600 MetroNorth Corporate Center LLC

Dear Mr. Campbell:

At a meeting of the Woburn Planning Board held on Tuesday, January 24, 2017, the Board opened the public hearing on the above-referenced matter and then voted unanimously (6-0-0) to continue the public hearing to the Board's February 14, 2017 meeting.

Please feel free to contact me if you have any questions about the Board's deliberations on this matter.

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

A communication dated January 30, 2017 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Proposed amendment to Section 13 of the 1985 City of Woburn Zoning Ordinance, as amended and proposed new Section 28

Dear Mr. Campbell:

On behalf of my client I respectfully request that the Public Hearing scheduled for February 7, 2017 be continued to the City Council meeting scheduled for March 7, 2017. The Planning Board continued its Public Hearing on the proposed amendment to February 14, 2017. If you have any questions, please contact me. Thank you.

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

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On the petition by Minast, LLC, 11 Presidential Way, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, to modify a special permit dated January 9, 2014, as modified by decisions dated October 29, 2015 and August 11, 2016 to allow for the deletion or modification of Condition 3 of the Decision relative to mitigation at Lot 1, Presidential Way. PUBLIC HEARING OPENED. A communication dated February 2, 2017 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Planning Department comments on a request to modify a special permit decision for 11 Presidential Way/Minast, LLC

Dear Council:

The Planning Department has reviewed the above-referenced petition, which seeks to modify an existing special permit pursuant to Section 11.3.12 of the Woburn Zoning Ordinance (WZO). The petitioner requests that a “deletion or modification” be made to Condition #3 of the Decision, originally dated July 9, 2015, with modifications dated October 29, 2015 and August 11, 2016.

The Petitioner’s attorney has proposed no specific modification to the previously-imposed condition and posits instead that deletion of the condition may be the appropriate option, at the Council’s discretion. The Petitioner claims to have “expended monies for offsite mitigation on Presidential Way”, apparently in lieu of completing the improvements required by Condition #3 of the earlier Special Permit decision. The application does not detail the cost and scope of work which was completed on Presidential Way, why that work was performed in lieu of the construction required by the Special Permit Decision and who authorized the substitution. Therefore, Planning staff cannot make a specific recommendation as to the wisdom of modifying or deleting this condition.

Planning staff respectfully suggests that the Council should require the applicant to provide a written detailed summary of improvements made to Presidential Way along with paid invoices so it can determine whether the scope of the “substituted” work would meet the requirements of the mitigation ordinance. The Council should also determine whether the “alternative” improvements made to Presidential Way were comparable in terms of public benefit to those that were initially required in the Special Permit Decision. In addition, the Council may want to ask the City’s Engineering Department

for its opinion relative to whether the construction on Presidential Circle was/is satisfactory from the City's perspective.

Lastly, Planning staff suggests that if the Council elects to grant this Special Permit modification, the remaining conditions of approval imposed in connection with the original Special Permit and its two subsequent modifications, to the extent they are still applicable, remain in full force and effect.

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

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

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On the petition by Commonwealth Investment Properties LLC, 12 Chandler Road, Burlington, Massachusetts 01803 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended Section 7.3 to alter and reconstruct a pre-existing nonconforming three family residential dwelling by razing the existing structure and replacing with a new three family dwelling house at 43-45 Church Street. PUBLIC HEARING OPENED.

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On the petition by President Richard Haggerty to amend Section 5.1.42a Self-storage Warehouse facility of the 1985 City of Woburn Zoning Ordinance, as amended, by deleting the "P" under the B-I, I-P and I-G zoning districts and replacing same with a "-" thereby making the use a prohibited use in those zoning districts. PUBLIC HEARING OPENED. A report was received from the Committee on Ordinances as follows: "ought to pass." A communication dated January 11, 2017 was received from Tina P. Cassidy, Planning Board Director, Woburn Planning Board as follows:

Re: Proposed zoning text amendment to delete "Self Storage Warehouse Facility" use as a permitted use in the B-I, I-P, and I-G zoning districts

Dear Councilors:

At a meeting of the Woburn Planning Board held on Tuesday, January 10, 2017, the Board conducted and concluded a public hearing on a proposed zoning text amendment sponsored by Alderman Richard Haggerty. The proposed amendment would delete the use "Self-Storage Warehouse Facility" as a use allowed by special permit in the B-I, I-P, and I-G Zoning Districts. If adopted, the result would be that self-storage warehouse facilities will not be permitted in any zoning district in the City of Woburn.

Following deliberation on the merits of the proposal, the Planning Board voted unanimously (7-0) to recommend to the City Council that the proposed amendment be adopted.

If you have any questions regarding the Board's vote please do not hesitate to contact me.

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

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On the petition by Alderman Anderson to amend Section 3 Administration, Enforcement and Appeals of the 1985 Zoning Ordinance of the City of Woburn, as amended, by inserting a new Subsection 3.4 as follows: “3.4 Administrative Correction of Scrivener’s Errors: Typographical or numbering errors which do not affect the intent or substance of this Ordinance or any of its articles or sections may be corrected by the City Clerk, without need of a public hearing or further legislative action, by filing a revised copy of same in the Offices of the City Clerk, City Solicitor and Building Commissioner, with a ‘Scrivener’s Note’ providing the date and substance of the correction.” PUBLIC HEARING OPENED. A communication dated January 11, 2017 was received from the Tina P. Cassidy, Planning Board Director, Woburn Planning Board as follows:

Re: Proposed zoning text amendment to insert provision in Section 3 of Zoning Ordinance relative to scrivener’s errors

Dear Councilors:

At a meeting of the Woburn Planning Board held on Tuesday, January 10, 2017, the Board conducted and concluded a public hearing on a proposed zoning text amendment sponsored by Alderman Michael Anderson. The proposed amendment would add a new subsection 3.4 to the zoning ordinance which would authorize the City Clerk to correct typographical and numbering errors that do not affect the intent or substance of any part of the zoning ordinance.

Following deliberation on the merits of the proposal, the Planning Board voted 6-1 (Bolgen, Donovan, Turner, Callahan, Ventresca, Edmonds in favor, Doherty against) to recommend to the City Council that the proposed amendment be adopted.

If you have any questions regarding the Board’s vote please do not hesitate to contact me.

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

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On the petition by President Haggerty, Alderman Campbell and Alderman Anderson to amend the 1985 Woburn Zoning Ordinances, as amended, by adding new definitions for “Marijuana Accessories”, “Marijuana Cultivator”, “Marijuana Establishment”, “Marijuana Product Manufacturer”, “Marijuana Products”, “Marijuana Retailer” and “Marijuana Testing Facility” to Section 2 Definitions; by amending Section 5.1.33c to “Medical Marijuana Treatment Center; Marijuana Establishment” by special permit in IP-2 zoning district and prohibited in all other zoning districts; and by amending Note 19b of Section 5.1 relative to Medical Marijuana Treatment Center and Marijuana Establishment, as set forth in the petition. PUBLIC HEARING OPENED. A copy of a



communication dated January 12, 2017 from City Solicitor to Alderman Joanne Campbell regarding the proposed zoning amendment was received.

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**CITIZEN’S PARTICIPATION:** None.

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**COMMITTEE REPORTS:**

**FINANCE:**

On the Order to transfer the sum of \$800,000.00 from Overlay Reserve Acct to OPEB Trust Fund Acct \$750,000.00 and Assessor Appraisals Acct \$50,000.00, committee report was received “ought to pass”.

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**ORDINANCES:**

On the Order to amend Title 14, Article I, Section 14-7 of the 1989 Woburn Municipal Code, as amended, relative to Trash Removal and Recycling Condominium Associations, committee report was received “ought to pass, as amended with the amendments as follows:

Be it Ordained by the City Council of the City of Woburn that:

Title 14, Article I, Section 14-7 of the 1989 Woburn Municipal Code, as amended, be further amended as follows by replacing the existing 14-7 with the following:

14-7 Trash Removal and Recycling – Condominium Associations

- A. The Board of Health shall provide for the collection and disposal of recyclable material and garbage from residential condominiums in existence as of December 31, 2016 that are not subject to a Special Permit in the same fashion as the City provides those services to single family residences. For those residential condominium associations in existence as of December 31, 2016 that are subject to a Special Permit, the Board of Health shall continue to provide for the collection and disposal of recyclable material and garbage from those residential condominiums in the same fashion as the City provides those services to single family residences provided, however, in the event that the Special Permit is ever subject to review or modification, the matter may be reconsidered and the service may be modified or terminated. The Board of Health may establish reasonable regulations in relation to the manner of collection provided same are not more burdensome on the condominium association or unit owners than those imposed on similarly situated single family residences or other facilities to which public trash removal is provided in the City of Woburn. No collections of any refuse will be made at any time, or services in connection with disposal rendered to any commercial enterprise or

apartment house or residential condominium association not in existence as of December 31, 2016 where the number of apartments or units exceed three (3).

**B. Condominium Association Responsibilities.**

1. To keep the area around the trash containers free of litter and refuse.
2. Associations must keep clean access for the contractor to collect containers whether or not the City is providing the service. If the city contractor is unable to collect the containers due to vehicles or other impediments (such as snow or ice), it will be the association's responsibility to have the containers disposed of at their expense.
3. Failure to comply with any of the above shall be cause for suspension.

**C. Recycling.**

1. Any condominium units/associations who according to this ordinance may have their refuse/trash collected by the City contractor must participate fully in the City of Woburn recycling program in order to do so.
2. No recyclable material shall be included in rubbish or garbage collected pursuant to 1989 Woburn Municipal Code, as amended.
3. Any dumpster or containers that may be required in order to recycle will be provided at the expense of the association.”

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**NEW PETITIONS:**

Petition by EC Inc. dba Xpress Fuel, 505 Main Street for renewal of Second Class Motor Vehicle Sales License.

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Petition by Abdikadir H. Wardere, 241 Lexington Street, Apt 15-1A, Woburn, Massachusetts 01801 for a new Livery License for one (1) vehicle.

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A communication dated January 18, 2017 was received from Sheila Scheick, M.Ed., LMT, Owner, Zen Muscular Therapy & Wellness Center, LLC, 100 Trade Center, Suite 725, Woburn, Massachusetts 01801 as follows:

Dear Woburn City Council Members:

I am writing to request that a minor modification be made to the special permit that was granted to me, Sheila Scheick/Zen Muscular Therapy & Wellness Center, LLC, 75

School Street, Andover, MA 01801, Petitioner and Cummings Properties, LLC, 200 West Cummings Park, Woburn, MA 01801, Landowner for the land affected located at 100 TradeCenter, Suite 725, 100 Sylvan Road, Woburn, Massachusetts. The decision of the City Council is on file at the Office of the City Clerk, Volume 56, Page 152. The special permit was certified on August 26, 2010.

The minor modification that I am requesting is a change in the suite number from Suite 725 to Suite 670. I am moving my wellness center business down the hall in the same building where it is currently located to downsize the space/square footage. All other aspects of the original special permit will remain the same and be adhered to, including but not limited to the requirement that all muscular therapy shall be provided by a duly licensed massage therapist.

It is my hope that this minor modification will be allowed rather than going through the entire process of getting a new special permit as nothing but the suite number will be changing from the original special permit issued to me in 2010. I have enjoyed being a business owner in Woburn for the last several years and look forward to continuing to work in Woburn and to contribute to the local economy.

Sincerely, s/Sheila Scheick, M.Ed., LMT, Owner  
Zen Muscular Therapy & Wellness Center, LLC

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A communication dated February 1, 2017 was received from John A. Buttaro, Trustee, Salvatore F. Buttaro & Marie J. Buttaro Irrevocable Trust, Petitioner, 16 Buttaro Road, Woburn, Massachusetts 01801 with a plan attached thereto entitled "Plot Plan, 16 Buttaro Road, Woburn, Mass." prepared by Edward J. Farrell, Professional Land Surveyor dated January 20, 2017, revised February 1, 2017, as follows:

Mr. Campbell:

I am writing today in reference to the special permit granted on January 26, 2017 for 16 Buttaro Road.

I would like to request a minor amendment to the awarded special permit plan. In order to maximize exposure for planned solar panels – I would like to make sure the roof of the garage is angled in a way to capture the most sunlight. In order to achieve this goal, I would like to shift the back left corner of the proposed structure towards the north by 2-3 feet. This will allow solar panels to capture more sunlight and increase their effectiveness by an estimated 1-20%.

As a note – this requested amendment will not change the footprint or the proposed plan of the garage in any manner.

I look forward to hearing your decision on this matter. Thank you for your consideration.

s/ John A. Buttarro, Trustee, Salvatore F. Buttarro & Marie J. Buttarro Irrevocable Trust,  
Petitioner

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Petition by NSTAR Electric Company d/b/a Eversource Energy for a grant of right in a way to install conduit on East Dexter Avenue as follows: 1. Northerly from pole 60/17 approximately 65 feet northwest of Baldwin Avenue, a distance of about 6 feet; and 2. Northerly from pole 60/18 approximately 35 feet north of Baldwin Avenue, a distance of about 7 feet.

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Petition by NSTAR Electric Company d/b/a Eversource Energy and Verizon New England Inc. for a grant of right in a way on East Dexter Avenue northerly side at pole 60/18, approximately 35 feet north of Baldwin Avenue, to relocate one (1) hip guy approximately 12 feet west.

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Petition by NSTAR Electric Company d/b/a Eversource Energy and Verizon New England Inc. for a grant of right in a way on Wade Place as follows: 1. Southeasterly side relocate one (1) Eversource pole 221/1 to northwesterly side at North Warren Street; 2. Southeasterly side relocate one (1) Eversource pole 221/3 approximately 56 feet northeast; 3. Northwesterly side install one (1) Eversource pole 221/5-1 and two (2) hip guys; 4. Northwesterly side relocate one (1) joint occupancy pole 221/5 approximately 25 feet southwest and rename pole 221/4; and 5. Northeasterly side relocate one (1) joint occupancy pole 221/6 approximately 14 feet east, rename pole 221/5, and install two hip guys.

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**COMMUNICATIONS AND REPORTS:**

A communication dated January 23, 2017 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 Jan. 2016 to December 2016: Number of violations issued 787, Number of violations paid 456, Number of violations outstanding 296, Amount collected and submitted to Collectors Office \$50,617.60, Parking fines referred to the Handicap Commission \$23,400.00.

There is a backlog of 1,663 unpaid tickets dating from January 2004 to Dec. 2016. 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

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A communication dated January 25, 2017 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 December 2016.

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A communication dated January 25, 2017 was received from Woburn Traffic Commission as follows:

Re: Bedford Road and Cambridge Road Intersection Safety Improvements

At its Regular Meeting on January 19, 2017, the Woburn Traffic Commission reviewed a petition seeking traffic safety improvements at the intersection of Bedford Road and Cambridge Road. Since the intersection is on a state-controlled roadway, it may be necessary for the project to be placed on the State Transportation Improvement Program list. It is the understanding of the Traffic Commissioners that there will be a meeting in April 2017 to consider the State Transportation Improvement Program 2017-2021. At their meeting, the Traffic Commission voted to request the City Council encourage MassDOT to support TIP funding for these traffic safety improvements.

Thank you for your assistance and attention to this matter.

s/William C. Campbell, City Clerk

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A copy of a communication dated January 4, 2017 from State Representative James J. Dwyer, State Representative Jay R. Kaufman and State Senator Kenneth J. Donnelly to Patricia A. Leavenworth, P.E., Chief Engineer, Massachusetts Department of Transportation in support of the construction of the New Boston Street Bridge was received.

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A copy of the Massachusetts Department of Transportation Design Public Hearing presentation given in the Council Chambers on February 1, 2017 for the proposed New Boston Street over MBTA Bridge Construction Project, Project No. 605996, Bridge NO, W-43-017 was received.

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A communication dated January 2017 was received from Sean R. Cronin, Senior Deputy Commissioner of Local Service, Massachusetts Department of Revenue Division of Local Services, P.O. Box 9569, Boston, Massachusetts 02114-9569 was received relative to authorization of departmental revolving funds and model by-law/ordinance.

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A communication dated February 1, 2017 was received from Paul Farrow, 10 Bruce Road, Woburn, Massachusetts 01801 requesting assistance in having a flagpole installed on Bruce Road in memory of Police Officer John "Jack" Maguire.

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

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

**ORDERED** Be it ordained by the City Council of the City of Woburn that Rule 1 of the Rules and Orders of the City Council be deleted and the following be inserted in its place:

Rule 1. Meeting dates and time

Regular meetings of the City Council shall be held on the first and third Tuesdays of each month at 7:00 p.m. Notice of the meeting shall be made by electronic mail sent to each Alderman at least five (5) days before the meeting.

s/Alderman Tedesco and Alderman Anderson

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**ORDERED** WHEREAS, there presently exists a structure or structures located in the City of Woburn, Massachusetts known and numbered as 52-54 High Street; and

WHEREAS, at the said building or buildings the exterior grounds have excessive parking on the locus and adjoining streets;

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

order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation.

s/Alderman Gately

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RESOLVED Whereas, the City of Woburn had its 25% design hearing for the New Boston Street Bridge and we are seeking the continued support for this project from surrounding communities;

Now, therefore, be it Resolved that the Woburn City Council adopt the attached letter and send this communication to the respective parties:

State Senator Ken Donnelly  
State Representative James Dwyer  
State Representative Jay Kaufman  
State Representative Brad Jones  
Scott D. Galvin, Mayor of Woburn  
Jeffrey M. Hull, Wilmington Town Manager  
Judith L. O'Connell, Wilmington Selectman, Chairman  
Gregory B. Bendel, Wilmington Selectman  
Kevin A. Caira, Wilmington Selectman  
Michael L. Champoux, Wilmington Selectman  
Michael V. McCoy, Wilmington Selectman  
Robert W. LeLacheur, Jr., Reading Town Manager  
John R. Halsey, Reading Selectman, Chairman  
Kevin M. Sexton, Reading Selectman, Vice Chairman  
Barry Berman, Reading Selectman  
John Arena, Reading Selectman  
Daniel Ensminger, Reading Selectman

Attached thereto was the following:

To Whom It May Concern:

Re: Proposed New Boston Street over MBTA Bridge Construction Project  
MassDOT Project No. 604996  
Bridge No. W-43-017

We write to you to discuss the recent 25% design hearing meeting that was held at City Hall in Woburn on February 1, 2017 for the New Boston Street Bridge project.

The proposed New Boston Street Bridge project is a vital infrastructure project for not only Woburn, but for the surrounding communities as well. It will serve as a necessary regional and local transportation link by providing a more direct route to I-93 and I-95, as well as a new access point to Anderson Regional Transportation Center. This increased

connectivity will take trucks and cars out of residential neighborhoods in Woburn, Reading and Wilmington and put them back into the predominantly industrial areas where they belong.

The bridge will remove the often-used traffic cut through on the Industrial Parkway and Woburn Street that many employees in that area use to access West Street and Route 129 that causes back-ups into residential neighborhoods in Wilmington and Reading. By constructing the bridge, it will give employees an uninterrupted path to those commercial areas and keep traffic off residential streets.

This project will also serve as an opportunity for communities to help bolster economic activity by interconnecting two industrial parks. This important link will be a catalyst for greater development opportunities for business, increased property values for landowners and job creation for our residents. The enhancement and expansion of this commercial area will also increase the commercial tax base for our communities and allow us to keep our city and towns affordable for our residents.

In closing, the benefits of this project would be great. By providing a more direct transportation route, this would help alleviate traffic problems in residential neighborhoods that abut the industrial areas in Woburn and Wilmington, and lessen traffic congestion on Route 38 as well as West Street. This project would create great economic development potential with more direct transportation routes to I-93, I-95, and improve access to Anderson Regional Transportation Center. We ask that you continue to support us in these efforts to make this bridge a reality.

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

Sincerely, Woburn City Council

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ORDERED Be it Ordained by the City Council of the City of Woburn that the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. By deleting from Title 3, Article III, Section 3-19 the following:  
“Pawnbrokers \$50.00 annually.”
2. By deleting from Title 5, Article XV, Section 5-84 the words “unless duly authorized by the City Council”.
3. By deleting from the section title for Title 5, Article XV, Section 5-84 the words “—Licenses required”.

s/President Haggerty and Alderman Anderson

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ORDERED Be it Ordained by the City Council of the City of Woburn that the 1985 Woburn Zoning Ordinances, as amended, be further amended as follows:

1. By amending Section 2 Definitions by adding between “Passenger Transportation Terminal” and “Persons” the following the two new definitions:

“Pawnbroker - Pawnbroker means a person engaged in the business of lending money upon the security of goods deposited with it or left in pawn, with or without a fixed period of redemption, whether or not a fixed place of business is maintained for such purposes. Pawnbroker shall not mean or include any bank, savings and loan, credit union or financial institution subject to financial regulations by the federal or state government, nor does it include lending of money on deposit or pledge of title to property.”

“Pawn Shop - The location at which or premises in which a pawnbroker conducts business.”

2. By amending Section 5.1 Table of Uses by adding a new line “25d Pawn Shop” and adding a “-“ under all zoning districts meaning and intending that the use is not allowed in any zoning district.

s/President Haggerty and Alderman Anderson

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Motion made and 2<sup>nd</sup> to ADJOURN.