

**CITY OF WOBURN  
DECEMBER 6, 2016 - 7:00 P.M.  
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
Campbell	Higgins
Concannon	Mercer-Bruen
Gaffney	Tedesco
Haggerty	

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VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE.

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**MAYOR'S COMMUNICATIONS:**

ORDERED That the amount of \$1,846,800.00 be and is hereby transferred as so stated from Debt Reserve Acct #648059-596100 \$1,846,800.00 to Debt Principal Acct #01099049-497600 \$1,320,000.00, Debt Interest Acct #01099049-497600 \$526,800.00, Total \$1,846,800.00 – Purpose: Debt Service for High School & White Elementary.

I hereby recommend the above: s/Scott D. Galvin, Mayor  
I have reviewed the above: s/Charles E. Doherty, City Auditor

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

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ORDERED Be it Ordained by the City Council of the City of Woburn that the Mayor be and is hereby authorized to execute a utility and access easement to Eversource for the siting of one or more poles upon a portion of the land identified as the "Woburn Landfill" and shown on the plan captioned "Plan of Land in Woburn, Massachusetts, Prepared for the City of Woburn", dated January 3, 2013, prepared by LeBlanc Survey Associates, Inc., on such terms and conditions as the Mayor may determine, and further, to authorize the Mayor to take all related actions necessary and to sign all required documents to effect such easement.

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

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**PUBLIC HEARINGS:**

On the petition by Verizon New England Inc. for a grant of right in a way to install approximately 70 feet of underground conduit in Presidential Way from Verizon underground conduit northerly to private property at 4 Presidential Way. PUBLIC HEARING OPENED.

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On the petition by Comcast of Massachusetts/New Hampshire/Ohio, Inc. for a grant of right in a way on Pleasant Street to install one four inch PVC communication conduit 225 feet+/- easterly from utility pole #NT/NT on Abbott Street to the Federal Street side of the building located at 19 Pleasant Street. PUBLIC HEARING OPENED.

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On the petition by City of Woburn, 10 Common Street, Woburn, Massachusetts 01801 for a special permit pursuant to the 1985 Woburn Zoning Ordinances, as amended Section 15.6.C.i to allow construction of a 15,000 square foot addition to the existing public library and a 49,000 square foot municipal parking lot with the Groundwater Protection District, at 45 Pleasant Street. PUBLIC HEARING OPENED.

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On the petition by Alton Acquisition II, LLC and LR-Woburn 1, LLC, 327 W. Maple Avenue, Monrovia, California 91016 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.42a, 7.3, 9 and 12.2.4 to modify a special permit dated November 10, 2016 allowing for self-storage warehouse facility within the Flood Plain District as follows: 1. Condition 3 be modified to allow hours of operation Monday through Thursday 7:00 a.m. to 7:00 p.m., Friday 7:00 a.m. to 8:00 p.m., Saturday 7:00 a.m. to 7:00 p.m., Sunday 8:00 a.m. to 5:00 p.m.; 2. Condition 12 be modified by deleting the language on line three beginning with “and” through “area” on line 5; and 4. Condition 3 be modified to read “The Special Permit shall issue to Alton Acquisition II, LLC and LR-Woburn I LLC and shall not be transferable except for the same or similar use.”, at 39 Olympia Avenue. PUBLIC HEARING OPENED. A communication dated December 1, 2016 was received from Dan Orr, City Planner/Grant Writer as follows:

Re: Special permit application for 39 Olympia/Alton Acquisition II, LLC and LR-Woburn 1, LLC

Dear Honorable Council:

The Planning Department has reviewed the above-referenced petition which seeks to modify an existing special permit to be granted under Section 11.3.12 of the Woburn Zoning Ordinance (WZO). Although the hearing notice numerically references four (4) requested modifications, there are in fact only three (3) amendments being sought for the previously-granted Special Permit:

1. The application requests an extension of the hours the facility can be open for office staff. The hours of operation are currently set at 9:30 a.m. to 6:00 p.m., Monday through Friday, 8:30 a.m. to 5:00 p.m. on Saturday, and 11:00 a.m. to 3:00 p.m. on Sunday. The application requests a three-hour and thirty-minute extension of the hours of operation on Monday through Thursday (7:00 a.m. to 7:00 p.m. proposed), a four-hour and thirty-minute extension on Friday (7:00 a.m. to 8:00 p.m. proposed), a three-hour and thirty-minute extension on Saturday (7:00 a.m. to 7:00 p.m. proposed), and a five-hour extension on Sunday (8:00 a.m. to 5:00 p.m. proposed). To clarify, although there are no requested modifications to the days of operation, the cumulative increase in the proposed hours of operation amounts to 27 additional hours per week.
  
2. The request also seeks to modify Condition 12 of the Special Permit Decision by deleting the language on line three beginning with “and” through “area” on line five. A modified condition would read (including language proposed to be removed): “The Petitioner shall file correspondence with the City Clerk acknowledging that the Premises are located within the flood plain area as shown on FIRM Flood Insurance Rate Map Parcel 294 of 656 Map Number 25017CO294E Effective June 4, 2010 ~~and shall indemnify and hold the City of Woburn harmless from any liability as a result of damage due to flooding in the flood plain area.~~” When translated, this modification would relinquish the City’s protection from indemnification and liability in the event of flood damage occurring on the property. Planning staff strongly recommends the City Solicitor be consulted about the wisdom of granting this portion of the request. It could have significant legal implications to the City. (As a side note, planning staff also recommends the Council require future applicants to provide the full text of any modified language being requested. Asking to “[delete] the language on line three beginning with ‘and’ through ‘area’ on line five” strikes us as unnecessarily vague and unhelpful.)
  
3. The final requested modification pertains to Condition 13 (not Condition 3, as indicated in the public hearing notice) of the special permit decision. The applicant proposes the following addition (in bold): “The special permit shall issue to Alton Acquisition II LLC and LR-Woburn 1, LLC and shall not be transferrable **except for the same or similar use.**” This request might fundamentally change the earlier special permit decision by allowing continued use of the property beyond Alton Acquisition II LLC and LR-Woburn 1, LLC. Was that its intent? At a minimum, staff recommends the following be added to the requested language: “...if determined as authorized by an additional special permit granted by the Woburn City Council.”

Beyond these questions (and assuming the request is granted), Planning staff recommends that the conditions of approval imposed in connection with the original Special Permit, to the extent they are still applicable, remain in full force and effect.

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

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On the petition by MetroNorth Business Center, c/o National Development of New England LLC, 2310 Washington Street, Newton Lower Falls, Massachusetts for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended Sections 5.1 Note 1 and 8.4.1.3 to allow for increase in the maximum driveway width and radius at 74 Commerce Way. PUBLIC HEARING OPENED.

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On the petition by Woburn Toyota, 394R Washington Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.71 to allow for a commercial parking lot at 15 Commonwealth Avenue. PUBLIC HEARING OPENED.

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On the petition by Park Avenue Solar Solutions, 102 Greenwich Avenue, Greenwich, Connecticut 06830 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended Section 26 to install an approximately 586 kW carport solar array over existing parking lot at 300 Wildwood Avenue. PUBLIC HEARING OPENED. A communication dated December 1, 2016 was received from Dan Orr, City Planner/Grant Writer as follows:

Re: Planning Department comments on special permit application for 300 Wildwood Avenue/Park Avenue Solutions

Dear Honorable Council:

The Planning Department has reviewed the above-referenced petition submitted Park Avenue Solar Solutions, which requests approval for an approximately 586 kW carport solar array proposed over an existing parking lot pursuant to Section 26 of the Woburn Zoning Ordinances. The property is in the Industrial Park (I-P) zoning district and conforms to all applicable setback requirements.

The applicant also proposes to repave the existing parking lot, but no additional impervious surface is planned. Planning staff note that, ancillary to the solar array installation, the applicant is likely to propose stormwater drainage improvements on the site as required by Section 26.7.2 (c). Based on contact with the Conservation Commission Administrator, the Commission is engaging the services of a peer review consultant to review the proposed project for compliance with the Massachusetts Stormwater Management Standards, the Wetlands Protection Act and the Woburn Wetlands Ordinance. As a redevelopment project, Stormwater Management Standards must be met to the extent practicable. The project is currently before the Conservation Commission though a public hearing process.

If the City Council grants the Special Permit, the Planning Department recommends the City Council consider imposing the following as conditions:

- The Plan of Record for this petition shall be “Site Development Plans for Wildwood Solar, in Woburn, Massachusetts for Park Avenue Solar Solutions, LLC; Prepared by Civil Tech, Inc., 124 Padelford Street, Berkley, MA 02779; Sheets: Title, EC-1, S-1 through S-4, and L-1; Dated October 12, 2016; Revised \_\_\_\_\_”;
- The Special Permit be issued to Park Avenue Solar Solutions only and shall not be transferrable.

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

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

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On the petition by EHDK Realty, LLC, P.O. Box 920097, Needham, Massachusetts 02492 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.5 to allow construction relating to residential use above commercial structure and Section 12 Site Plan Review for garden apartments on second floor of commercial structure and as a result of comprising more than 15,000 square feet of gross floor area at 455-471 Main Street. PUBLIC HEARING OPENED.

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**CITIZEN’S PARTICIPATION:** None.

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**COMMITTEE REPORTS:**

**FINANCE:**

On the Order to transfer the sum of \$125,000.00 from Sales of Cemetery Lots Acct to 375<sup>th</sup> 1<sup>st</sup> & 2<sup>nd</sup> Burial Grounds Acct, committee report was received “ought to pass”.

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On the Order to authorize the application of a bond premium on a loan order, committee report was received “ought to pass”.

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On the Order to transfer the sum of \$2,453,699.46 from Mayor Salary Adjustments Acct to City Accounts and School Salary Accounts, committee report was received “ought to pass”.

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**PUBLIC SAFETY AND LICENSES:**

On the petitions for renewal of First Class Motor Vehicle Sales Licenses by Lannan Chevrolet, Inc.; Lawless Inc.; and Northeast Tree, Inc., committee report was received “ought to pass”.

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On the petitions for renewal of Second Class Motor Vehicle Sales Licenses by Capelo’s Auto Service, Inc. dba J.C. Auto Sales; Enterprise Rent-A-Car Company of Boston, LLC; Jeffrey Pollock dba Exclusive Automobile; George’s Auto Body of Woburn, Inc.; Oliver McDermottroe dba McDermottroe Auto Sales; Adamo Rufo dba Route 16 Auto Broker; Southside Associates, Inc. dba Burke’s Garage; Tracy M. Batten dba Tracy’s Auto Sales; and Wassim (Sam) Nicolas dba Woburn Square Mobil, committee report was received “ought to pass”.

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On the petition for renewal of Third Class Motor Vehicle Sales License by Woburn Truck and Auto, Inc., committee report was received “ought to pass”.

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On the petition for renewal of Second Class Motor Vehicle Sales License by Velozo Enterprises Inc. dba Rogers Radiator, committee report was received “back for action”.

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**NEW PETITIONS:**

Petition for renewal of Second Class Motor Vehicle Sales Licenses by Anchor Auto Sales, Inc., 3 Breed Avenue; Nicolas Saba dba Montvale Service, 289 Salem Street; and Francis Garbino dba Tom’s Auto Body.

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Petition by Roy Cudmore for approval of an exemption under M.G.L. Ch. 268A, §20(b) to allow the provision of snowplow services to the city.

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Petition by NBTC REALTY, LLC, 275 Mishawum Road, Woburn, Massachusetts 01801, an individual owning land to be affected by change or adoption, to amend the 1985 Woburn Zoning Ordinance, as amended as follows:

**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 adding Section 2 Definitions the following new definitions:
  - a. **Billboard:** A sign or freestanding sign that advertises a business, service, product, commodity, entertainment or similar object or

activity that is conducted, sold or offered on a lot other than the lot on which the sign or freestanding sign is erected.

- b. Electronic Billboard: A billboard that changes its message or copy at intervals by programmable electronic, digital, or mechanical processes or by remote control.

2. By amending Section 13 Sign Regulations as follows:

- a. By adding a sixth sentence to Section 13.1.1 as follows:  
“Billboards may only be erected, constructed or altered in the Mishawum Station Transit Oriented Development Overlay District as set for in Section 21.
- b. By deleting Section 13.3.1 in its entirety.
- c. By adding in Section 13.4.7 after the words “pylon sign,” the word “billboard”.
- d. By adding in Section 13.4.8 after the word “located” the words “except for billboards approved in accordance with Section 21.”
- e. By adding in Section 13.4.9 after the words “On signs” the words “other than billboards”.

3. By amending Section 21 Mishawum Station Transit Oriented Development Overlay District as follows:

- a. By adding a new Section 21.1.e as follows: “e. To establish size, location, and operating standards of billboards in the Mishawum Station Transit Oriented Development Overlay District so as to assure the public safety and community welfare, to protect the environment, and to preserve the historic nature and open space of the City.”
- b. By adding a new third sentence in Section 21.2 as follows: “The overlay district shall also allow the erection and use of billboards as provided in Subsection 7 of this ordinance.”
- c. By amending the title of Section 21.4 as follows: “Allowed Residential Uses”.
- d. By adding a new Section 21.7 Billboards as follows:

## 7. Billboards

In addition to the uses allowed in the underlying O-P District, the erection and use of Billboards shall be permitted in the Mishawum Station Transit Oriented Development Overlay District as follows:

- a. Billboards shall require a Billboard Special Permit as set forth in this Subsection 7. The Billboard Special Permit

granting authority shall be the City Council. Prior to the grant of any Billboard Special Permit, a Building Permit shall be acquired as provided in Section 13 of these ordinances.

- b. An application for a Billboard Special Permit shall be allowed only in the Mishawum Station Transit Oriented Development Overlay District.
- c. A Billboard shall be placed so as to be visible from the right of way of interstate, federal or state highways. No Billboard may be located greater than one hundred (100) feet from any interstate, federal or state highway.
- d. No Billboard shall be closer than five hundred (500) feet to any other Billboard facing or visible from the same right of way, measured as the direct distance between Billboards, provided back-to-back or v-shaped surfaces shall be considered as one Billboard for the purposes of this subsection.
- e. Prior to issuance of a Billboard Special Permit, the applicant shall demonstrate:
  - i. That the proposed location does not adversely interfere with uses of adjacent property; and
  - ii. That the Billboard is in harmony with and suitable for the surrounding area and will not cause significant damage to the visual environment. In making this determination, the City Council may consider, among other factors, the health, safety and general welfare of the public; the scenic beauty of the area; the physical, environmental, cultural, historical or architectural characteristics of the location and the area; the structure, height and size of the Billboard; the illumination and brightness of the Billboard; and the number of signs, including on premise and accessory use signs, which are in the area wherein the Billboard is to be located.
- f. Billboards shall comply at all times with regulations implemented by the Office of Outdoor Advertising within the Massachusetts Department of Transportation, including 700 C.M.R. 3.00, et. seq, as amended;



- g. The surface area of any Billboard shall not exceed seven hundred (700) square feet, provided back-to-back or v-shaped surfaces shall be considered as separate Billboards for purposes of this subsection.
- h. No Billboard shall be located within seventy five (75) feet of a Lot Line adjoining a street or within thirty five (35) feet of any other Lot Line.
- i. The height of a Billboard may not exceed seventy five (75) feet above Grade.
- j. A Billboard may be illuminated, provided such illumination is consistent with the provisions of this ordinance and applicable state regulation, and is concentrated on the surface of the Billboard and is located so as to avoid glare or reflection onto any portion of an adjacent street or highway, the path of oncoming vehicles or any adjacent property.
- k. Electronic Billboards shall not flash, rotate, make noise, sparkle, twinkle, move or give the illusion of moving.
- l. Electronic Billboards shall not contain streaming video, full-motion video, animation or frame effects.
- m. The transition time between each message displayed by an Electronic Billboard shall not exceed one (1) second.
- n. Electronic Billboards shall have a frame hold time of not less than ten (10) seconds.
- o. No single surface of an Electronic Billboard shall be visible from more than one (1) direction of travel on any interstate, federal or state highway.

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Petition by HomeServe USA Corp., 11 Grandview Circle, Suite 100, Canonsburg, Pennsylvania 15317 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.57b to allow for the overnight parking of petitioner's commercial vehicles at 5 Constitution Way.

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Petition by David Jamieson, 3 Burlington Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 7.3 to allow for the alteration and expansion of a non-conforming use (three family dwelling)

and structure (side yard setback) to allow for a second floor addition within the existing building footprint at 3 Burlington Street.

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Petition by Speedway LLC #2435, c/o Bohler Engineering, 500 Speedway Drive, Enon, Ohio 45323 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.11.46a, 5.1.22a, 5.1.60, 5.1 Note 16 and Section 7.3 to further amend the special permit issued December 26, 2008, as amended September 6, 2012 and April 19, 2016 to allow for installation of a new outdoor ice merchandiser on existing concrete sidewalk at front face of convenience store at 306 Montvale Avenue.

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**COMMUNICATIONS AND REPORTS:**

A communication dated November 17, 2016 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 October 2016: Number of violations issued 658, Numbers of violations paid 381, Number of violations outstanding 245, Amount collected and submitted to Collectors Office \$43,606.60, Parking fines referred to the Handicap Commission \$20,000.00.

There is a backlog of 1,637 unpaid tickets dating from January 2004 to September 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 November 8, 2016 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 October 2016.

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A communication dated November 18, 2016 with attachments was received from City Solicitor Ellen Callahan Doucette relative to Chapter 309 of the Acts of 2016 Middlesex Canal Commission.

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A communication dated November 16, 2016 with attachment as received from Carolyn Turner, Chair, Woburn Planning Board as follows:

Dear Members of the Council:

On behalf of the Planning Board it is my pleasure to submit the attached proposed ordinance for your consideration and adoption. The ordinance would formally establish a Zoning Ordinance Review Committee (ZORC) as a standing committee to work on matters related to the Woburn Zoning Ordinance.

As you know, ZORC met periodically over more than a decade to address various land use and zoning related issues across the City. Its past work includes submission of a broad package of zoning text and map amendments for the downtown in 2000 that facilitated much of the downtown's rebirth during the last decade. ZORC members also developed the Intergenerational Overlay District ordinance in 2010 and, most notably, created the Commerce Way Corridor Overlay District in 2009.

The work done by ZORC in the past has proven valuable to the City, and the need for on-going review of the zoning ordinance is paramount. Both the Master Plan and the recently-adopted Housing Production Plan contemplate a number of significant zoning and other regulatory changes that will be required to address future housing and economic development needs. Given that the Council's and Planning Board's agendas are already fairly heavy with day-to-day filings and applications, a group such as ZORC can take the lead on these overarching issues. The makeup of the Committee, which includes both Planning Board members and Councilors, has historically provided an invaluable opportunity for both bodies to collaborate on issues of common concern. The proposed ordinance would ensure this continued collaboration.

The members of the Planning Board unanimously and fully support and encourage the City Council to immediately re-establish a Zoning Ordinance Review Committee for the City of Woburn.

I would be happy to attend an upcoming Council meeting to discuss this request. In the meantime, please feel free to contact either me or Planning Board Director Tina Cassidy at (781) 897-5817 if you have any questions regarding this communication.

Respectfully, s/Carolyn Turner, Chair

Attached thereto was the following:

TITLE 2 (ADMINISTRATION AND PERSONNEL)  
SECTION XLII. ZONING ORDINANCE REVIEW COMMITTEE

1. Establishment

There is established a zoning ordinance review committee hereinafter in this part referred to as the Committee.

2. Organization

- A. The Committee shall be composed of nine (9) members, seven (7) of whom shall be members of the Planning Board and two (2) of whom shall be members of the City Council. The members from the Planning Board shall be ex-officio members and members from the City Council shall be appointed by the Council President for a term of two (2) years.
- B. Any member of the Committee so appointed may, after a public hearing if requested, be removed for cause by the Mayor. A vacancy otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.
- C. Within fourteen (14) days after the appointment, confirmation and swearing in of the initial Committee, the Committee shall meet and elect one (1) of its members as Chairman and one (1) of its members as Vice-Chairman.
- D. Following the initial organization, the Committee shall organize annually for the purpose of electing a chairman and a vice-chairman from among the membership.
- E. All members of the Committee shall serve on a volunteer basis.

3. Powers, Duties and Responsibilities

- A. To study and make recommendations on potential zoning map and text amendments that have been referred to it for consideration by the Mayor, Planning Board and/or City Council.
- B. To initiate and conduct studies of zoning-related matters and issue periodic reports and recommendations thereon to the Mayor, Planning Board and/or City Council.
- C. To review the organization and structure of the Zoning Code and make recommendations for improvements/amendments to the Mayor and City Council.

4. Records of meetings--Annual report.

The Committee shall keep accurate records of its meetings and activities and shall file an annual report which shall be submitted to the City Clerk on an annual basis.

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A copy of communication dated November 29, 2016 to Danielle Gosselin, Office of Environmental Analysis, Surface Transportation Board, 395 E Street, SW, Washington,

DC 20423-0001 was received from State Representative James J. Dwyer, State Senator Kenneth J. Donnelly and State Representative Jay R. Kaufman relative to the proposed New England TransRail, LLC facility at the Olin Chemical site in Wilmington, Massachusetts.

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**UNFINISHED BUSINESS OF PRECEDING MEETING:**

On the Order to amend Section 27 Technology and Business Mixed Use Overlay District (TBOD) by renumbering the section to Section 28.

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

ORDERED That the minutes for the executive sessions held by the Woburn City Council on April 5, 2011 and August 3, 2012 relative to the matter of The Woburn Armory LLC v. Paul J. Denaro, et. al., Middlesex Superior Court Civil No. 2012-MICV-1528 be released.

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

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ORDERED That the City Council Regular Meeting on December 20, 2016 shall begin at 6:30 p.m.

s/President Haggerty

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ORDERED Whereas, the salaries/stipends for members of the School Committee, Board of Appeals, Conservation Commission, Planning Board, Licensing Commission and the City Council have not been reviewed and/or adjusted for over 15 years (17 years for the School Committee); and

Whereas, it is appropriate to periodically review the salaries/stipends for members of the School Committee, Board of Appeals, Conservation Commission, Planning Board, License Commission and City Council;

Now, Therefore, Be it Ordained by the City Council of the City of Woburn that:

Title 2, Article XXVII, Section 2-180 of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. That the base salary of the School Committee Member be amended to \$4,500.00;
2. That the base salary of the School Committee Chair be amended to \$4,950.00;
3. That the base salary of the Board of Appeals Member be amended to \$4,500.00;
4. That the base salary of the Board of Appeals Chair be \$4,950.00;
5. That the base salary of the Board of Appeals Alternate be amended to \$1,350.00;
6. That the base salary of the Conservation Commission Member be amended to \$4,000.00;
7. That the base salary of the Planning Board Member be amended to \$4,500.00;
8. That the base salary of the License Commission Member be amended to \$4,000.00;
9. That the base salary of the City Council Member be amended to \$12,000.00;
10. That the base salary of the City Council President be amended to \$14,000.00;
11. That this section shall be effective July 1, 2017.

s/Alderman Gaffney, Alderman Gately, Alderman Higgins,  
Alderman Tedesco, President Haggerty

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ORDERED 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. 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. Condominiums shall be required to pay to the City of Woburn the cost of any insurance riders required by the City of Woburn. 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. 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.

s/Alderman Anderson, President Haggerty

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