

CITY OF WOBURN
APRIL 5, 2016 – 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, all in favor, 9-0.

Motion made and 2nd to suspend the rules for the purposes of allowing Alderman Mercer-Bruen to reconsider her vote in support of the Order for a Special Act relative to the temporary use of the Clapp School for discussion purposes, all in favor, 9-0. A communication dated March 29, 2016 was received from Alderman Darlene Mercer-Bruen advising of her notice of intent to move for reconsideration of her vote in support of a motion not to accept the Order for a Special Act relative to the temporary use of the Clapp School for discussion purposes. Alderman Mercer-Bruen stated that she did not support the special act proposed at the last meeting and will not do so now, that she is willing to hear additional discussion concerning the matter and possible amendments of the special act, and that the City Council wants to help the Woburn Public Library ("the Library") and the James L. McKeown Boys and Girls Club of Woburn, Inc. ("the Boys and Girls Club") as well as consider the concerns of the neighbors and those in the community who do not want expend money on a building that will be razed. Motion made and 2nd to not accept the proposed Order, 4 in favor, 5 opposed (Anderson, Concannon, Higgins, Mercer-Bruen, Haggerty opposed). Alderman Concannon stated that the proposed amendment is a significant change, that a lot of information was received at the March 28, 2016 Special Meeting, that there have been further discussions in the community since that time, and that it would be helpful to send the matter to committee to continue the work or in the alternative to allow some members for the public to comment at this meeting. Alderman Campbell stated that she wants to allow the public to speak on this issue at this meeting, and that she has heard from constituents on both sides of the issue who want to be speak on the matter. Motion made by Alderman Campbell and 2nd by Alderman Gately to amend Section 2 by adding after the words "as the Mayor shall deem appropriate" the following "in a written lease as authorized by a majority vote of the City Council; such lease shall include terms prohibiting the use of Hudson Street as access to the Clapp elementary school except for the handicapped accessible entrance, setting hours of operation not to exceed 2:00 p.m. to 7:00 p.m. Monday through Friday, and providing capacity not to exceed 110 persons at any one time." Alderman Mercer-Bruen stated that it is not within the purview of the City Council

to be involved in a lease, that the language regarding the lease cannot be put in the special act, and for that reason she will not support the amendment. President Haggerty stated that it is his understanding that leases are not within the purview of the City Council. Alderman Gately stated that the reference to the lease could be removed but leave in the restriction on the use of Hudson Street and the hours of operation. President Haggerty stated that there is language in Section 2 which will cover handicapped accessibility issues, and that the hours of operation are set forth in a letter from the Boys and Girls Club. A communication dated April 5, 2016 was received from Michael Donaghey, President and Julie Gage, Executive Director, James L. McKeown Boys and Girls Club of Woburn, Inc. as follows:

President Haggerty and Members of the City Council:

Thank you for your consideration for allowing the James L. McKeown Boys & Girls Club of Woburn to utilize the Clapp School as temporary “swing space” while our existing facility undergoes a major renovation and expansion.

If our organization was allowed to temporarily occupy the space, we would be agreeable to the following conditions:

- The Boys & Girls Club will only occupy the ground floor of the building. We would utilize one classroom as a shared office space and the others as places for homework assistance, art projects, science projects and recreation. We would utilize the cafeteria as a multi-purpose activity space.
- Families and visitors to the space will utilize the parking lot and drop-off space on Arlington Road. No drop-offs would occur at the upper parking lot or along Hudson Street.
- The hours of operation for the organization’s afterschool drop-in program will be Monday – Friday, 2:00 p.m. through 7:00 p.m. While staff members may arrive as early as 9:00 a.m. for program planning, children will not be dropped off earlier than 2:00 p.m.
- The James L. McKeown Boys & Girls Club of Woburn agrees to vacate the space on or before July 15, 2017.
- The James L. McKeown Boys & Girls Club of Woburn will support the City of Woburn’s efforts to demolish the Clapp School building on or before October 15, 2017.

Thank you again for your consideration. It is our intention to do everything we can to be good neighbors to those who live in the area. Should you have any other questions regarding our intentions, please feel free to contact us.

Respectfully, s/Michael Donaghey, President s/Julie Gage, Executive Director

Alderman Gately withdrew his second of the motion to amend Section 2 and no vote was taken on the motion. Motion made and 2nd to suspend the rules to hear from the public, all in favor, 9-0. Alderman Mercer-Bruen stated that there is a potential of the former

Plympton School building being used as temporary library space, that the Library is still under consideration, and that there are residents and taxpayers in the city who are concerned about spending money on the former Clapp School building when it will be torn down. Alderman Gately stated that the time for public discussion could be limited to the a representative from the Boys and Girls Club, a representative for the Library, a representative for the neighbors in favor of the issue and a representative for the neighbors opposed to the issue and that they could speak in general terms for the position of their group. President Haggerty stated that a motion could be made to limit the time for public discussion. Alderman Campbell made a motion to limit time for public comments to twenty minutes. There was no second on the motion. PUBLIC COMMENTS: Attorney David B. Mack, O'Connor Carnathan and Mack LLC, 1 Van De Graaff Drive, Suite 104, Burlington, Massachusetts 01803 stated that he represents neighbors of the former Clapp School area, that he filed a letter with the City Council earlier today explaining the position of his clients, that there is an amended Order before the City Council, that he urges the City Council not to adopt the proposed special act, that as of April 1, 2016 the entire former Clapp School property including the building and adjacent fields is protected by Article 97 of the Massachusetts Constitution, that this transfer is consistent with the deal made in 2009 with the prior Mayor, City Council, Attorney General and the area neighbors, that there is no dispute that the entire parcel is Article 97 land, that that property must be used in a manner consistent with Article 97, that his clients have nothing against the Boys and Girls Club, that Article 97 simply does not allow any use in the proposed manner on a temporary or permanent basis, that the building and parking comprising half of the lot must come down or there is no point in being Article 97 property, that that there is not a lot of case law regarding Article 97, that while Article 97 does not prohibit structures of any kind Article 97 does not permit structures of such a sizable nature, that a school building of that size dominating the parcel is not consistent with Article 97 land, that it was clear once the use as a school was no longer necessary that the building would be demolished, that this intent to raze the school was clear by the appropriation of money to demolish the building years ago, that the present issue is one in a series of efforts to delay demolition of the building, that his clients are concerned that after this proposed use there will be another effort to prohibit razing the building, that the city based on studies stated that the building was not fit for use as a school, that his clients are concerned about the potential use of the building as housing or for condominiums, and that his clients ask the city to live up to its commitment. Mayor Galvin stated that he is tired of people like this attorney coming in not understanding what is going on at the eleventh hour, that this is a legislative process, that the proposal is to substitute the Article 97 designation temporarily at the Ryan Park land, that he is perfectly comfortable with the legal process before the City Council, that putting money into the building is far less than the money that would be paid to a private landlord, that there are significant savings, that the former Plympton School building has significant improvements that would have to be made, that there are much more significant upgrades required at the former Plympton School building than at the former Clapp School building, that the former Plympton School building may need an elevator, there is asbestos in the building, that the building is not airtight, that the building may need electrical upgrades, and that the area is a tighter neighborhood than the former Clapp School area. Alderman Mercer-Bruen stated that the city is trying to strike a balance for

all parties, that documents are being stored at the former Plympton School building now, and that it may not be the best for the Library to locate at the Plympton School but that the Library would have to be at the former Clapp School building for a lot longer. Mayor Galvin stated that there is approximately an eight month difference between the Library and the Boys and Girls Club uses, that the Boys and Girls Club will use the building for twelve months and the Library will use the building for eighteen months with some overlap in occupancy, that the former Plympton School is less than 10,000 square feet, that the long term plan is not to have an archives at the former Plympton School building, that there have been no serious discussions to have the former Plympton School building as city archives, and that this is not the first time that the city or other cities and towns have done a land swap for Article 97 land. City Solicitor Ellen Callahan Doucette stated that not one disagrees that the former Clapp School is Article 97 property, that she answered City Council questions which are irrelevant, that if Article 97 status cannot allow lease of land that is why the special act is being offered to eliminate those issues, that Senate Counsel did not have a legal issue with the proposed special act, that as of March 31, 2016 the Executive Office of Energy and Environmental Affairs (“EOEEA”) representative stated that the proposed “swap sounded perfect,” that there are no legal issues which is the purpose for filing the proposed special act, and that she is not concerned about the Article 97 land swap. Margaret Valentine, 22 Richardson Street stated that she is in favor of the Boys and Girls Club using the former Clapp School building, that there needs to be a safe place for children to go, that using the school as an alternative will require a fee for the children which is higher than the Boys and Girls Club fee, that no older child wants to stay at school with children in kindergartens, first, second and third grade, that she would like a bus to be added to pick up children from the different schools, that the After the Bell program at the Joyce Middle School has limited seats available, and that the former Clapp School building is a viable alternative. Rosa DiTucci, 82 Arlington Road stated that it was not clear last week that the City Council would not uphold the prior special act and bend to public pressure, that she will not apologize for the letter from the neighbors’ attorney being delivered today, that the Mayor has been trying to get the former Clapp School building out of the Article 97 designation for six years, that he wrote a letter to the General Court seeking to kill the special act behind the back of the City Council in his first month as Mayor, that the City Council has reaffirmed their position on the issue, that this amended proposal is about Aldermen concerned about losing votes from the electorate, that once city money is spent on the former Clapp School building then the building will not be razed, that for six years the Mayor has been trying to keep the building open, that there has been no peace for the neighbors from the parcel, and that the special act does not address many issue, that she asked the Mayor if he planned to rent the building to the Boys and Girls Club and he responded “no,” that in October 2015 the Mayor asked for over \$35,000,000.00 for the new Hurld-Wyman School and stated at that time that the former Clapp School building would be razed, that the Mayor said the building was not adequate for school use, that she has a report that indicates asbestos abatement at the building cost \$350,000.00, that there was no heat on the building on the recent election day as the School Department could not get the heating system to operate, that the letter from the Boys and Girls Club is not legally binding, that a special act supercedes provisions in the City Charter, that nothing in the proposed special act states that the Boys and Girls Club will be responsible for the

costs of occupying the building, that the Department of Public Works was doing work at this site this morning, that the form of special act that was sent to State Senator Kenneth Donnelly for review was not that same form of special act before the City Council, that she asked State Representative Jay Kaufman if he intended to pass a special act that exempted state laws and he responded that he did not see a form of special act that did this, and that the Attorney General did not call City Solicitor Callahan Doucette to approve of the proposed special act but to remind her of that the drop-off area was the agreements regarding the former Clapp School land and buildings. Mayor Galvin stated that these comments cannot be allowed to continue. President Haggerty stated that the Mayor is not running the meeting. Motion made and 2nd for a five minute recess, all in favor, 9-0. President Haggerty called the meeting back to order. Richard Mahoney, Member of Woburn Public Library Board of Trustees stated that he recognizes this is a difficult issue, that two great organizations are undergoing massive renovations, that this is something to celebrate, that the option is to allow the temporary use of the former Clapp School building and then raze the building or to raze the building now and then build a park, and that leadership is difficult. Carol Youngclaus, 2 Park Drive stated that it makes no sense that city records are stored at the former Plympton School building but it is not sage for a library, that she has worked on election day at the former Clapp School building and knows that the building is not in good condition, and that she believes the former Clapp School building is the only city building being offered for the temporary use. Doug Murphy, 11 Marion Avenue stated that the City Council has to work together and either approve the Mayor's idea or to come up with a new idea, and that he will have a new school in his backyard at the former Spence Farm site which he supported even though his children are no longer in the schools. Jose Oliveira, 7 John Street stated that he is sympathetic to the residents in the area of the former Clapp School building but the city is allowing a handful of residents to dictate to the rest of the residents, and that the City Council should ask their constituents what they want. Margaret Aspesi, 31 Hudson Street stated that she had lived in her home since before the Clapp School was built, that the city needed land for the Goodyear School students during the construction of their new building, that the land was going to be the site of the new Goodyear School was polluted, that a decision had to be made quickly to save the grant money for the new Goodyear School, that an agreement was reached to allow the land at the former Clapp School building to be used temporarily for the Goodyear School students and then the building would be razed, that the school property now housed 400 students with the modular units, that the neighbors of the former Clapp School building were happy to help, that during this period cars of parents would block the residents driveways twice each day, that she wants to know how much it will cost to fix the school, and that it is time for another neighborhood to take the burden that other neighborhoods have. Kevin Meaney, 55 Arlington Road stated that he is in favor of the temporary use of the former Clapp School building by the Library and the Boys and Girls Club, that things change for the greater good, that this is an opportunity to politics aside for common sense, that the former Clapp School building is a viable building that was closed for political reasons, that there are no lies or broken promises here, that this is a temporary use, that the temporary use will be cost efficient, that the building will not be razed tomorrow for free, and it will cost a lot of money to raze the building. John Curran, 2 Wyman Street stated that he asks the City Council to focus on the issue at hand which is the special act, that the City Council is the

legislative branch of the city and not the executive branch, that the City Council has to have faith that the executive branch will do what is necessary, that the City Council does not have resources to evaluate the alternatives, that it makes sense for both uses to go in not just the Boys and Girls Club, that the proposal is an inconvenience to the neighbors, that the City Council must focus on what is in the best interest of the city, that he cannot understand why the City Council will not support the proposal except for a political vendetta, that this proposal is in the best interest of the city although some in the community will be unhappy, and that the money to develop the new park may not be available for two years. Drew Crawford, 122 Main Street stated that he is in support of both uses, that the use of the building makes sense on many levels, that he walked the neighborhood and spoke to about fifty families, that many if not all he spoke to were neutral but that most were in favor, that he has not been contacted by anyone about the use of the former Clapp School building, that he obtained signatures from around the ward, and that three buses will drop off students at the site. Dick Skeffington, 10 Indian Hill Road stated that he supports the use of the former Clapp School building by the Boys and Girls Club, that there are two uses than need help, and that this should solve the issue over a short period of time. Denise Caprio, 29 Hudson Street stated that she asks the City Council to consider the concerns of the residents of the neighborhood. Philip Ciampa, 20 Plympton Street stated that he wants to know if other school buildings have been considered as alternative locations for these uses. Megham Chapman, 13 Bartlett Drive stated that the issue before the City Council is to consider the special act and not to look for alternatives, that putting money in a building that may be torn down may still be a better financial decision, that the Boys and Girls Club offers a solution to the drug problem by giving children an alternative, that the Boys and Girls Club helps at risk children, and that by not allowing the Library to also locate at the building is losing an opportunity for the children using the Boys and Girls Club to develop and affinity for the Library. Brian Grace, 17 Roman Road stated that he was not in favor of the former Clapp School site being turned into a park, that this is a viable building, that he is a Boy Scout leader, that the city is falling apart, that the children cannot go to parks or to the center without being asked to leave, that there is nothing to do in this town for children between the ages of 12 and 16½ once they obtain their driver's license, that every neighborhood in the city has suffered because of construction projects, and that the construction projects are for the betterment of the city. Motion made and 2nd to close the public hearing, all in favor, 9-0. Alderman Gately stated that the city needs a commitment to the neighborhood and residents, that he will not be the person who made promises to the neighborhood as he did and not keep them, that the Mayor has blocked previous opportunities to raze the building, that if the Library locates to the building their will cost the city money, that if the Boys and Girls Club goes into the building it will be on the Boys and Girls Club to make the repairs, that the proposed special act provides a definite timeline, that the City Council did not approve the Mayor's version of the special act not because they do not want to help children but because of the form of the special act, that the Library can relocate to the former Plympton School building, that he will vote to protect the children but also will keep his promise to the neighborhood to take down the former Clapp School building that there is nothing wrong with the City Council making this decision, that the City Council respects the laws of the city, their constituents, the businesses, the residents and friends in the community, that he will vote to allow the Boys and Girls Club to use

the building based on the conditions offered at this meeting, that the issue should never have been orchestrated in this manner, and that the issue should have been settled in the Committee Room a long time ago. Alderman Anderson stated that the use of the former Plympton School or the former Spence Farm sites are not before the City Council, that the issue is whether the use of the former Clapp School building serves a municipal use and serves the city, that the Library is a department of the city, that out of an over \$30,000,000.00 construction budget \$250,000.00 is allocated by the Library for rent, that the Library has to remain open during construction in order to receive the grant money, that there will be a savings of \$150,000.00 by allowing the Library to use the former Clapp School building, that the Library Board of Trustees have represented that they have a deficit of \$3,000,000.00 that must be raised for the project costs, that the taxpayers of the city will have to make up the deficit, that the Library is a legitimate use of the former Clapp School building, that Boys and Girls Club as a secondary use could also fit in the former Clapp School building, that the city needs to do what is best for the organizations, that the questions asked by the City Council have been answered, that fair rent will have to be paid by the Boys and Girls Club which may be the cost to make repairs, that repairs to be made by the Library will come out of the Library budget, and that it is the duty of the City Council to vote on both uses. Motion made and 2nd to amend the Order to add the reference to the Woburn Public Library as a temporary user, 2 in favor, 7 opposed (Campbell, Concannon, Gaffney, Gately, Mercer-Bruen, Tedesco, Haggerty opposed). Alderman Campbell stated that she is strongly against the Library using the former Clapp School building, that if the Library is allowed to use the former Clapp School building it will be 2019 before the Library project is completed, that the City Council just received the Mayor's version of the special act last week, that the Aldermen could not respond to inquiries from their constituents until the Mayor filed his version of the special act with the City Council, that the process made it sound as if the City Council did not care about the children, that all the City Council has been trying to do is the right thing for their constituents and the taxpayers of the city, that the City Council cannot be given a special act such as this at the last minute and be expected to vote, that the City Council has been trying to get answers to questions that are raised by the proposal, that the City Council wants to find out what is best for the city, that there are laws that we must abide by, that it will be a worse situation to allow the Library to locate in the former Clapp School building, that she is not in favor of amending the proposed special act to allow the Library to use the former Clapp School building, that there are other places in the city where the Boys and Girls Club can locate, that there will be a proposal later in the meeting to look at the former Spence Farm building as a possible location with portables attached if needed, and that it is not certain that the location would work but it would be beneficial to look at the location and others as alternatives so that the city can keep its commitments and until it is determined that there are no other alternatives that would work. Alderman Gately stated that Library cannot use the former Clapp School building because that project will take 2 to 2½ or longer to complete, that when the City Council was asked to approve the funding for the Library project there were unanswered questions, that the City Council is trying to find a compromise, and that the expense to renovate the former Clapp School building may be \$300,000.00 or more. Alderman Mercer-Bruen stated that the City Council is trying to find common ground with a compromise, that the Library Board of Trustees did not describe their situation as a crisis,

that the Boys and Girls Club did describe their situation as a crisis, that she will support not to allow the Library to use the former Clapp School building, that there are no plans to raze the former Plympton School building, that the former Plympton School building can be reused if repairs are made, that the city should look to compromise, that she did hear from residents of Ward Five who asked why the former Clapp School building was not going to be razed, that the city is getting more urbanized, that there have to be places for children to play, and that she is comfortable supporting the temporary use of the former Clapp School building by the Boys and Girls Club. Alderman Gaffney stated that he has been analyzing the issue over the past few weeks, that this proposed special act has a definitive timeline, and that the former Clapp School building will be removed by October 2017. Alderman Concannon stated that he believed that the matter should be sent to committee, that he has had a week to speak with constituents and to analyze the issue, that he obtained more answers than he did during the presentation last week, that he does not agree that this has been a negative process, that there is passion on both sides of the issue, that he has heard that the issues are simple but this is not simple and is in fact complex, that both sides have a differing view on what doing the right thing is, that he understands his role is to listen to all opinions, weigh the facts and come up with a decision in the best interest of the city, that the Alderman are supposed to do the right thing regardless of the impact may have on being re-elected, that the Library and the Boys and Girls Club are important and in need, that the Boys and Girls Club has a crisis position, that the Library has a need but not a crisis, that there were agreements made, that the former Clapp School building was to be razed, that if the city changes its mind then the city should be able to explain the issue and the change should be in the best interest of the city, that the 2010 special act has not date for the former Clapp School building to be razed, that the City Council recently adopted and order linked the transfer of Spence Farm land to the former Clapp School building being razed, that the City Solicitor said that the City Council has not ability to enforce the order and the Mayor said the order was not worth the paper it was printed on, that if the School Building Authority believes that the Spence Farm land transfer is not settled then the city could lose funding for the new Hurld-Wyman School, that he is not willing to risk the construction of the new school, that in the spirit of compromise there is a proposal to put tight restrictions on the use of the former Clapp School building, that the use must be the least impactful use, that the Boys and Girls Club use will have less impact than the Library use, that the Library use will not start until months from now, will last longer, will have longer hours of operation, will have a greater number of vehicles and will have a greater impact than the Boys and Girls Club, that the Boys and Girls Club will be less impactful with the use for a shorter period of time and fewer hours of operation to get the neighborhood where it wants to be, that if the 2010 special act was clear the former Clapp School building would already be razed but it is not, that this amended proposal is the best compromise to get the former Clapp School building razed and provide a temporary use for a worthy organization, that he is hopeful that the Library can come together to find a suitable space during the Library renovation project, that he is hopeful that appropriate restrictions will be placed on the use for the least impact to the neighborhood, that there needs to be assurances that the former Clapp School building is safe and usable for the proposed use, is structurally sound, free of harmful material and safe for occupancy by children, that assurances have been made that the building is safe and appropriate and he is relying on

those assurances, and that this compromise is in the best interest of the city. President Haggerty stated that he tried to work towards a compromise, that a lot of work has gone into getting the city to a point to get the necessary support for approval by the City Council, that the proposed amended special act is not perfect but is better than what was presented last week, that the former Clapp School building provides a safe alternative for the children, that he is strong supporter of the Library project, that his grandfathered was one of the founders of the former Clapp School building and he supports their mission, and that this compromise is an example of the government working on behalf of the city to get the best result. Motion made and 2nd that the Order be amended to read as follows:

ORDERED Be it ordained by the City Council of the City of Woburn that a petition be filed with the General Court that legislation be adopted as follows provided that The General Court may make clerical or editorial changes of form to reasonably effectuate the purposes set forth herein

AN ACT RELATIVE TO THE TEMPORARY USE OF THE CLAPP SCHOOL IN THE CITY OF WOBURN

SECTION 1. Notwithstanding the provisions of Chapter 71 of the Acts of 2010 or any other general or special law to the contrary, the building and adjacent lower parking area located west of the building commonly known as the Clapp elementary school located at the intersection of Hudson street and Arlington road in the city of Woburn, shall be made available for use by the James L. McKeown Boys and Girls Club of Woburn, Inc. on a temporary basis, and only until such time as the demolition, construction, reconstruction, remodeling and repair of the existing James L. McKeown Boys and Girls Club of Woburn, Inc. located at Charles Gardner Lane, Woburn, have been completed and the new facilities are ready for occupancy or July 15, 2017, whichever comes first, at which time, the Clapp elementary school shall be vacated and any building or buildings thereon shall be demolished and the land restored to its natural state and utilized solely for recreational and park uses by October 15, 2017. In no event shall the Clapp school building be utilized for public library or any other use or purpose.

SECTION 2. That the temporary use of the Clapp elementary school by the James L. McKeown Boys and Girls Club of Woburn, Inc. shall be exempt from and not subject to, any and all applicable state and local land use regulations, statutes and ordinances including, but not limited to, zoning, subdivision control and wetlands, except for all applicable building and fire protection regulations; and from all state and local regulations, statutes and ordinances pertaining to the disposition of real property by lease or license including, but not limited to, section 3 of chapter 40 and section 16 of chapter 30B. The temporary use and occupancy described herein shall be upon terms and conditions as the Mayor shall deem appropriate.

SECTION 3. Notwithstanding that the use of the Clapp elementary school under section 1 is temporary only, to ensure a no-net loss of lands for natural resource purposes for land diverted from an open space, park or recreational use under Sections 1 and 2, the land located on Russell Street, Woburn and owned by the city for general municipal purposes pursuant to a deed dated May 30, 1979 from the commonwealth of Massachusetts department of public works and recorded in the Middlesex south registry of deeds in book 13780, page 31, shall be under the control of the recreation commission to be used solely for active or passive recreational uses including but not limited to, community gardens, trails, noncommercial youth and adult sports and park, playground or athletic field purposes; provided, however, that recreational use of such land shall not include horse or dog racing or the use of the land for a stadium, gymnasium or similar structure.

SECTION 4. It is the express intention of this act that except for the temporary use of the Clapp Elementary School by the James L. McKeown Boys and Girls Club of Woburn, Inc., as set forth herein, the land commonly known as the Clapp school and surrounding fields acquired by the city on or about 1909 and located at the intersection of Hudson street and Arlington road in the city of Woburn, shown on assessors map 59 as block 26, lot 20, containing 2.92 acres more or less, and shown on a plan entitled "Use and Limitation Plan" dated September 2, 2009, prepared by Leblanc Survey Associates, Inc. shall be under the care, custody and control of the Woburn recreation commission to be used solely for active or passive recreational uses including, but not limited to, community gardens, trails, noncommercial youth and adult sports and park, playground or athletic field purposes; provided, however, that recreational use of such land shall not include horse or dog racing or the use of the land for a stadium, gymnasium or similar structure and that Chapter 71 of the Acts of 2010 is hereby ratified and confirmed.

SECTION 5. This act shall take effect upon its passage.

s/President Haggerty, Alderman Tedesco
and Alderman Mercer-Bruen

7 in favor, 2 opposed (Anderson, Higgins opposed). Motion made and 2nd that the ORDER be ADOPTED, AS AMENDED: ROLL CALL: Anderson – Yes, Campbell – No, Concannon – Yes, Gaffney – Yes, Gately – Yes, Higgins – Yes, Mercer-Bruen – Yes, Tedesco – Yes, Haggerty – Yes, Motion Passes.

Presented to the Mayor: April 6, 2016

s/Scott D. Galvin April 6, 2016

Motion made and 2nd for a five minute recess, all in favor, 9-0.

President Haggerty called the meeting back to order.

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

MAYOR'S COMMUNICATIONS:

A communication dated March 30, 2015 with attachments was received from City Solicitor Ellen Callahan Doucette as follows:

Re: License to Enter and Use Property and Conservation Restriction(s)

At the Mayor's request, I am submitting to the City Council an Order the approval of which, will authorize the Mayor to execute a License to Enter and Use Property with de maximus, inc. which will allow for remedial actions to be taken on property owned by the City of Woburn in accordance with a Consent Decree entered into with respect to Wells G & H. Once the remedial actions have been completed, the City will grant a Conservation Restriction ("CR") for the property located at 280 Salem Street Rear to be held by the Commonwealth's Department of Conservation and Recreation ("DCR").

To assist the City Council in its review, I have attached hereto the proposed License together with Exhibits A, B and C. The CR will be negotiated at a later time and in accordance with the DCR's guidelines. I have also attached two maps which depict the boundaries of the properties involved.

Please advise if there are any questions or if further information is required.

Sincerely, s/ Ellen Callahan Doucette

Attached thereto was the following Order:

ORDERED Be it ordained by the City Council of the City of Woburn that the Mayor be authorized to enter into a License to Enter and Use Real Property between the City of Woburn and de maximus, inc., for the purpose of conducting remedial action and the ensuing operation, maintenance and monitoring of 20 acres of land located off Rifle Range Road and identified as 280 Salem Street Rear, Woburn; and 23.1 acres of land known as the Cranberry Bog Conservation Area located off Washington Circle, Woburn, pursuant to the Consent Decree entered by the United States District Court on November 24, 2008 in the matter of U.S. v. Bayer CropScience, Inc. and Pharmacia Corporation (Civil Action No. 1:08-cv-10325), and further, to authorize the Mayor to grant a Conservation Restriction(s) pursuant to M.G.L. c.184, §32 for the aforementioned propert(ies), to the Department of Conservation and Recreation or some other suitable holder such as a charitable

corporation or land trust.

s/President Haggerty

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

ORDERED That the sum of \$125,000.00 be and is hereby appropriated as so stated from BLS Ambulance Receipts Acct #31359-595000 \$125,000.00 to Fire Ambulance Salary Acct #0122051-511500 \$100,000.00, Medical Attention/Fire Acct #0122054-558103 \$10,000.00, Equipment/Fire Acct #0122058-585000 \$15,000.00, Total \$125,000.00

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

I hereby approve the above: s/Timothy Ring, Chief Fire Department

I have reviewed the above: s/Charles E. Doherty, City Auditor

s/President Haggerty

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

PUBLIC HEARINGS:

On the petition by NSTAR Electric Company dba Eversource Energy for a grant of right in a way to install approximately 1563 feet of conduit in Presidential Way easterly from MH30183 (new MH) approximately 498 feet east of Woburn Street and to install three new manholes MH30183, MH30184 and MH30185. PUBLIC HEARING OPENED. A communication was received from Jacqueline Duffy, Right of Way Agent, NSTAR Electric Company requesting that the matter be continued as they were continuing to work on the survey plans for review by the Superintendent of Public Works. PUBLIC COMMENTS: None. Alderman Mercer-Bruen stated that the City Council approved a grant of right in a way in September 2015 for work in Munroe Avenue, that the utility pole subject of the grant has not been moved, and that she wants a report as to when the pole will be moved. Alderman Gately stated that Verizon still has wires remaining on the pole which must be transferred to allow the pole to be removed. Alderman Anderson stated that if there is no satisfactory response to the Munroe Avenue pole issue then this petition can be continued again. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MAY 17, 2016, THAT THE MATTER BE REFERRED TO THE COMMITTEE ON INFRASTRUCTURE AND PUBLIC LANDS and that a communication be sent to NSTAR Electric Company for information as to why the utility pole on Munroe Avenue subject of a grant of right in a way on September 11, 2015 has not been moved, all in favor 9-0.

On the petition by Kiwanis Club of Woburn, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.75 to allow for the annual Flag Day celebration and carnival on June 17, 2016 and June 18, 2016 at Library Park, 0 Harrison Avenue. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “ought to pass”. PUBLIC COMMENTS: None. Alderman Gately stated that a report should be obtained from the Police Department after the event. Motion made and 2nd that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, AS AMENDED with the condition as follows: 1. That the petitioner arrange for extra police details during the event, all in favor, 9-0.

On the petition by Uno Restaurants of Woburn Inc. dba Uno Chicago Grill, 100 Charles Park Road, West Roxbury, Massachusetts 02132 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1 Note 22 to allow for forty-five (45) ziosk machines at 300 Mishawum Road. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “ought to pass, as amended, with the condition as follows: 1. That the special permit shall be granted to Uno Restaurants of Woburn Inc. dba Uno Chicago Grill only and shall not be transferable.” Appearing for the petitioner was Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that he asks that the committee report be adopted. PUBLIC COMMENTS: None. Motion made and 2nd that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

On the petition by New Creek II LLC, 3333 New Hyde Park Road, New Hyde, New York 11042 for special permits pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.7.6, 7.3, 8.2.5, 8.6.3 and 13.5 to allow for the alteration of the existing nonconforming structure and use (shopping center) to provide for: 1. Medical office building containing approximately 4,500 square feet more or less; 2. Reduction in required parking from 535 parking spaces to 481 parking spaces; 3. Alterations to the petitioner’s nonconforming signage; and 4. Exception to landscaping and area requirements to provide for alternative screening devices at 425 Washington Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “ought to pass, as amended, with the conditions as follows: 1. The Plan of Record for this petition shall be “Site Plans Issued for Local Approvals of Proposed Medical Office Building at 425 Washington Street Woburn, Massachusetts; Prepared for Kimco Realty Corporation 3333 New Hyde Park Road, Suite 100 New Hyde Park NY 11042; Prepared By VHB 101 Walnut Street Watertown, MA 02471; Sheets C-1, C-2, C-3, C-4, C-5, C-6, L-1, Dated February 1, 2016; revised March 16, 2016; Project No# 12661.07”; 2. The dumpster be enclosed with a 6’ sight impervious fence; 3. A snow storage plan be filed with the Building Commissioner; 4. The Special Permit be issued to

On the petition by Cambridge Road Auto Service, Inc. dba Woburn Plaza Shell for renewal of Second Class Motor Vehicle Sales License, committee report was received "ought to pass". Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

Presented to the Mayor: April 7, 2016

s/Scott D. Galvin April 7, 2016

INFRASTRUCTURE AND PUBLIC LANDS:

On the Order to authorize the Mayor to enter into a License Agreement between the City of Woburn and Paul Paris for use of 23,750 s.f. of land, more or less, with frontage on Locust Street for agricultural purposes, committee report was received "ought to pass, as amended, to read as follows:

ORDERED Whereas, the City Council unanimously voted to authorize the Mayor to enter into a License Agreement between the City of Woburn and Paul Paris for the use of 23,750 s.f. of land, more or less, with frontage on Locust Street (the "Locust Street Property") for agricultural purposes;

Whereas, on May 28, 2015 the Title to approximately 2.11 acres of land from the Surrey Realty Trust was conveyed to the City of Woburn (the "Surrey Property");

Whereas, Mr. Paris has historically used, with permission, the Surrey Property adjacent to his home and the Locust Street Property for growing plants solely for agricultural purposes in connection with Paris Farm;

Whereas, the use of the Surrey Property property is a significant and integral part of the operation of Paris Farm;

Whereas, the use of the Surrey Property was not before the City Council when it voted to authorize the Mayor to enter into a License Agreement between the City of Woburn and Paul Paris for the use of the Locust Street Property for agricultural purposes;

Whereas, the agricultural use of the Surrey Property is low impact, provides benefits to the community and is, upon information and belief, the sole remaining farm in operation in the City of Woburn;

Whereas, the agricultural use of the Surrey Property is critical to the success of Mr. Paris' agricultural/farming operation and Paris Farm;

ORDERED Be it ordained by the City Council of the City of Woburn that in addition to the 23,750 s.f. of land previously authorized, the Mayor be authorized to enter into a License Agreement between the City of Woburn and Paul Paris for the use of an additional 32,500 s.f. portion of the Surrey

Property for agricultural purposes as shown on the attached plan which shall be attached to the License Agreement as Exhibit A; and

ORDERED Mr. Paris shall remove any and all debris, vehicles and supplies from the City's property between Kelly Drive and 0 Locust Street that is not part of the license agreement within 30 days and that the city solicitor and building commissioner shall be notified of this order and requested to enforce it if it is not complied with."

Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.
Presented to the Mayor: April 7, 2016 **s/Scott D. Galvin April 7, 2016**

On the Conservation Easement and Restriction received from Hammond Place Condominium Trust, pursuant to Sections 31, 32 and 33 of Chapter 184 of the Massachusetts General Laws granting, with quitclaim covenants, to the City of Woburn in perpetuity and exclusively for conservation purposes a Conservation Restriction on a parcel of land located in the City of Woburn, Massachusetts, approximately 138,230 square feet, being shown on a plan entitled "Conservation Easement for land located at 201 Bedford Road, Woburn, Massachusetts" dated September 30, 1994, prepared by North Shore Survey Corporation and Patrowicz Land Development Engineering said area being shown as shaded area depicted as "CR" (the Premises), committee report was received "back for action." A communication dated March 30, 2016 was received from City Solicitor Ellen Callahan Doucette as follows:

Re: Conservation Restriction – Hammond Place Condominium Trust

I received the Committee's request to review the Conservation Restriction ("CR") associated with the Hammond Place Condominium Trust for the property off of Bedford Road.

Please be advised that I reviewed and/or revised this CR prior to its submission to the Conservation Commission for approval. It is in acceptable form, and ready for the City Council's approval as well.

Sincerely, s/Ellen Callahan Doucette

Motion made and 2nd to accept the communication from the City Solicitor and make it part of the record, all in favor, 9-0. Motion made and 2nd that the CONSERVATION RESTRICTION be ACCEPTED, all in favor, 9-0.

Presented to the Mayor: April 7, 2016 **s/Scott D. Galvin April 7, 2016**

NEW PETITIONS:

Petition by Checker Cab of Woburn, Inc. for renewal of Livery License. Motion made and 2nd that the MATTERS be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

Petition by Checker Cab of Woburn, Inc. for renewal of Taxi Cab License. Motion made and 2nd that the MATTERS be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

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

Petition by M&L Transit Systems Inc. for renewal of Common Carrier License. Motion made and 2nd that the MATTERS be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

Petition by Woburn Bowladrome for renewal of Bowling Alley License. Motion made and 2nd that the MATTERS be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

Petition by Woburn Autotrade LLC for transfer of a Second Class Motor Vehicle Sales License from Jean B. Louis dba Woburn Motors. Motion made and 2nd that the MATTERS be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

Petition by Rental Services Inc. for relinquishment of Inflammable License to store 4,000 gallons gasoline underground at 919 Main Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by NSTAR Electric Company dba Eversource Energy for grant of right in a way to install one joint occupancy pole 87/3 and anchor guy on Fremont Street southerly sider approximately 40 feet west of Mack Road. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Cellco Partnership dba Verizon Wireless, 118 Flanders Road, Westborough, Massachusetts 01581 for a grant of right in a way to attach wireless communications equipment consisting of one JMR Wireless Small Cell Cantenna (Model No. CYL-X7CAP-2), one Alcatel-Lucent B4 RRH2x60-4R Remote Radio Head/Cabinet, one

power meter and associated equipment to existing Eversource/Verizon Telephone Utility Pole #5 located on Dewey Avenue (adjacent to 1 Dewey Avenue). Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Cellco Partnership dba Verizon Wireless, 118 Flanders Road, Westborough, Massachusetts 01581 for a grant of right in a way to attach wireless communications equipment consisting of one Andrew Dualband Omni Metro Cell Antenna (Model No. NH360QM-DG-2XR), one Commscope dixer (Model No. E15S09P69), one Alcatel-Lucent RRH2x60 AWS Remote Radio Head, one Alcatel-Lucent B25 RRH4x30-4R PCS Remote Radio Head, one power meter and associated equipment to existing Eversource/Verizon Telephone Utility Pole #235-17 located on Willow Street adjacent to 50 South Bedford Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Andrew Matrundola and Katherine Matrundola, 19 South Gateway, Winchester, Massachusetts 01890 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.56, Note 15 to construct a four bay garage with door height eight feet six inches at 69 Kilby Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Mahavir Realty Trust, 42 Stillman Road, Lynnfield, Massachusetts 01940 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.7.6, 7.3 and 13.5 to allow for the alteration of the existing nonconforming structure to provide for 1. Office building containing approximately 1,200 square feet more or less; 2. Alterations to the petitioner's nonconforming signage, and 3. Exception to landscaping and area requirements to provide for alternative screening devices, at 546 Main Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Christopher Keane, 3 Hope Lane, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.56 to allow enlargement of garage to 1,056 square feet with doors not exceeding eight feet in height at 3 Hope Lane. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Madison Woburn Holdings LLC, 20 Park Place Plaza, Suite 433, Boston, Massachusetts 02116 for special permits and site plan approval to amend the Landowner's Decision and Notice of Special Permit dated August 11, 2015 pursuant to 1985 Woburn Zoning Ordinances, as amended, to allow for construction of a fast food restaurant as follows: 1. Special Permit pursuant to Section 5.1.20a to allow for a Mixed Use Hotel/Restaurant Use; 2. Special Permit pursuant to Section 5.1.29 and Section

11.6.10 to allow for a fast food restaurant with a drive up customer service facility; 3. Special Permit pursuant to Section 8.7.6 to allow for a reduction in off street loading requirements; 4. Site Plan Approval pursuant to Section 12.2.1 and Section 12.3.2 to allow for a fast food restaurant; and 5. Site Plan Approval pursuant to Section 12.2.4 and Section 12.3.2 to allow for construction in excess of 15,000 square feet and more than 100 parking spaces, at 369 Washington Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

COMMUNICATIONS AND REPORTS:

A communication dated March 29, 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 February 2016: Number of violations issued 155, Numbers of violations paid 82, Number of violations outstanding 66, Amount collected and submitted to Collectors Office \$7,072.20, Parking fines referred to the Handicap Commission \$2,300.00.

There is a backlog of 1,675 unpaid tickets dating from January 2004 to Feb. 2016. 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, all in favor, 9-0.

A communication dated March 29, 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 months of February 2016 and March 2016. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A communication dated March 8, 2016 was received from Chris Kisiel, Chairman, Woburn School Committee as follows:

Dear Alderman Haggerty:

The School Committee has requested that a letter be sent to the City Council to determine if there is any interest in discussing the establishment of a shared Human Resources

position between the City and the School Department. Please let us know the thoughts of the Council.

Sincerely, s/Chris Kisiel, Chairman, School Committee

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON LIAISON with a copy sent to the Mayor, all in favor, 9-0.

A communication dated March 14, 2016 with attachments was received from John R. Romano, Director, MassDOT, Office of Outdoor Advertising, Ten Park Plaza, Room #6141, Boston, Massachusetts 02116 advising of a public meeting on April 14, 2016 concerning an application by Logan Digital for two electronic permits for the construction of and electronic billboard at 10 Forbes Road facing I-93 with the physical location in the town of Stoneham and the street address at 10 Forbes Road in Woburn. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A communication dated March 23, 2016 with attachment was received from Attorney Shirin Everett, Kopelman and Paige, P.C., 101 Arch Street, Boston, Massachusetts 02110 as follows:

Re: Sacramento Avenue – Return of Recorded Documents

Dear Ms. Harris:

Enclosed please find, for your records, the original Quitclaim Deed recorded with the Middlesex South Registry of Deeds in Book 51362, Page 388, pursuant to which the City acquired the property located at Sacramento Avenue.

Please let me know if you have any questions.

Very truly yours, s/Shirin Everett

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

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

RESOLVED That in view of the importance of their missions and contributions to the community, the City Council reaffirms its commitment to working with the Woburn Public Library and the James L. McKeown Boys and Girls Club of Woburn, Inc. to find suitable temporary space for their organizations during the renovation and construction of their respective facilities.

s/Alderman Campbell

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

Presented to the Mayor April 7, 2016 and ten days having elapsed without same being approved, said Resolve became effective without his signature on April 20, 2016.

RESOLVED Whereas, the Woburn Public Library will begin a major renovation and reconstruction project which will require the daily operations of the library to be moved from the existing facility on Pleasant Street; and

Whereas, the Woburn Public Library is an important City institution which provides much needed services to our community on a daily basis and the library's continued operation is required by the Massachusetts Board of Library Commissioners as part of the \$9.9 million dollar state funded construction grant; and

Whereas, the former Plympton School site would provide a safe, secure, and desirable location to temporarily house the Woburn Public Library during the renovation and construction project; and

Whereas, the proposed use of the former Plympton School may provide the City with the opportunity to invest municipal money in a building or portion of a building that will not be torn down and that could be used as a permanent archive facility for the City in future years; and

Whereas, the use of the former Plympton school will provide savings for the city's taxpayers by utilizing an existing municipal building rather than renting from a private company;

Now Therefore Be It Resolved by the Woburn City Council that we encourage the Mayor to take all necessary steps to temporarily move the Woburn Public Library to the former Plympton School during the renovation and construction project; and

Be It Further Resolved that the Woburn City Council shall take all necessary steps and work with the Mayor to expedite the effort of using the former Plympton School site for a temporary library use.

s/President Haggerty, Alderman Gaffney,
Alderman Mercer-Bruen and Alderman Tedesco

Alderman Haggerty stated that the former Plympton School building is just around the corner from the Woburn Public Library, that it is just under 14,000 square feet, that this may not be the perfect location for the Library during the renovation project but it should be looked at as an alternative, that the roof does not leak, there is a new heating system, the building is handicapped accessible, there is a handicapped accessible restroom and all of the books in the library collection could be stored in the building, that the building is currently being used as a city record archive center, that there are boxes of records of all city departments in the building, that the space could be used for current records storage in a better manner and more efficiently, that there is a viable option to use the building as a long-term archive center for the city, and that investing tax dollars in that building would make sense, Alderman Anderson stated that he is not in favor nor is he opposed to the resolution, and that it is incumbent upon the Woburn Public Library Trustees to find a location to operate during the construction project, and that the Woburn Public Library Trustees should look at the former Plympton School building as a possible location. Motion made and 2nd that the RESOLVE be ADOPTED, 8 in favor, 0 opposed, 1 abstained (Anderson abstained).

Presented to the Mayor April 7, 2016 and ten days having elapsed without same being approved, said Resolve became effective without his signature on April 20, 2016.

RESOLVED Whereas, the Woburn City Council is committed to assisting the James L. McKeown Boys and Girls Club of Woburn, Inc. in locating suitable temporary space for its operation during the renovation and construction of its facility and to the continuance of its services to the residents of the community during the construction phase;

Now Therefore Be It Resolved by the Woburn City Council that we encourage the Mayor to investigate the feasibility of using the former Spence Farm building as temporary quarters for the James L. McKeown Boys and Girls Club of Woburn, Inc. including the addition of modular units to the building to assist in accommodating the needs of the organization and that the Woburn City Council shall take all necessary steps and work with the Mayor to expedite the effort of using the former Spence Farm building if found suitable.

s/Alderman Gately and Alderman Campbell

Alderman Concannon stated that based on the action of the City Council in adopting an order relative to a special act to allow the James L. McKeown Boys and Girls Club of Woburn, Inc. to rent the former Clapp School building this resolution appears moot. Alderman Campbell stated that the matter could be tabled if there turns out to be an issue with the special act or in view of the possibility of suit by the neighbors. Motion made and 2nd that the MATTER be GIVEN LEAVE TO WITHDRAW, all in favor, 9-0.

ORDRED That the Committee on Liaison meet with the Chair of the Woburn School Committee and the Superintendent of Public Schools.

s/President Haggerty

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

ORDERED That the Committee on Infrastructure and Public Lands meet with Scott Seaver to discuss issues regarding the Elm Avenue water main leak and that such meeting be held on April 11, 2016 at the request of the residents on Elm Avenue.

s/Alderman Gately and Alderman Mercer-Bruen

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

ORDERED That pursuant to Section 2-184(D) of the 1989 Woburn Municipal Code, as amended, the Committee on Ordinances review the salaries of the non-union department heads.

s/President Haggerty and Alderman Anderson

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

ORDERED That by virtue of the authority granted in Section 14 and Section 32 of Chapter 172 of the Acts of 1897, as amended, Be It Ordained by the City Council of the City of Woburn that the 1989 Woburn Municipal Code, as amended, be and is hereby further amended by adding a new Section 2-5(D) as follows:

When the City Council or a committee thereof requests a written report from a department head concerning a matter within the jurisdiction and purview of the respective department, it shall be the duty of the department head to provide such written report by the date requested or if no date is specified within a reasonable time and to provide a complete

response to the request based on the expertise and knowledge of the department head. When the City Council or a committee thereof requests that a department head provide documents within the custody and possession of the department, it shall be the duty of the department head to provide such documents by the date requested or if no date is specified within a reasonable time. When the City Council or a committee thereof requests the presence of a department head before the City Council or a committee thereof, it shall be the duty of the department head to appear before the City Council or committee thereof at the time and place designated and to be prepared to address the issues raised in the notice of the meeting within the jurisdiction and purview of the respective department based on the expertise and knowledge of the department head.

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

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

From the Woburn Traffic Commission:

ORDERED Be it ordained by the Woburn Traffic Commission that Schedule 1 Parking Restrictions of the 2016 Woburn Traffic Code be amended, as follows by adding the following:

MAIN STREET – Handicapped accessible parking space be established westerly side beginning at a point forty (40) feet north of the northerly curb line of Park Street a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point thirty (30) feet south of the southerly curb line of Walnut Street southerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point fifty (50) feet north of the northerly curb line of Walnut Street northerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point at the northerly end of the extended curb at 389 Main Street a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established easterly side beginning at a point forty (40) feet north of the northerly curb line of Salem Street northerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established westerly side beginning at a point directly opposite the southerly curb line of Everett Street northerly a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space be established westerly side a distance of seventeen (17) feet south of the southerly curb line of Hovey Street southerly a distance of 20 feet; and

Further, that the following regulations be deleted from Schedule 1:

MAIN STREET – Handicapped accessible parking space easterly side at the extended curb at 355 Main Street in a southerly direction a distance of 20 feet;

MAIN STREET – Handicapped accessible parking space easterly side beginning at a point 46 feet north of Salem Street northerly for 20 feet;

MAIN STREET – One handicapped accessible parking space shall be established on the southerly side at 415 Main Street; and

Further, that the parking spaces indicated in the parking plan prepared by the City Engineer entitled “City of Woburn, Massachusetts – Chapter 90 Roadway Improvements 2015 – Contract 4-16-IFB-008 – Main Street Repaving Project” Sheets 1 through 6 dated July 2015 (hereinafter “the Plan”) and prepared by the Woburn City Engineering Department be adopted as the lawful parking spaces as designated on the Plan and that the Plan be annexed to the 2016 Woburn Traffic Code as Schedule 9.

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

Presented to the Mayor: April 7, 2016

s/Scott D. Galvin April 7, 2016

From the Woburn Traffic Commission:

ORDERED That the no heavy commercial vehicle restriction on Holton Street between the hours of 10:00 p.m. and 6:00 a.m. be repealed.

Alderman Mercer-Bruen stated that the Order should be denied. Alderman Higgins stated that the sign is not enforceable. Alderman Mercer-Bruen stated that the signs are enforceable between 10:00 p.m. and 6:00 a.m., and that this is one of the few locations with no heavy trucking restrictions that was lawfully adopted. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON ORDINANCES, all in favor, 9-0.

From the Woburn Traffic Commission:

ORDERED Be it Ordered that Section 5-1 of the 2016 Woburn Traffic Code be amended as follows:

1. By adding a new Section 5-1 General Prohibitions a new paragraph (p) as follows:
 - p. Outside of or across an official line or mark designating a parking space, or between such lines in a maneuvering area.
2. By adding to Section 9-1 Penalties the following:

Parking outside parking space line or in maneuvering area
\$15.00

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

Presented to the Mayor: April 7, 2016

s/Scott D. Galvin April 7, 2016

From the Woburn Traffic Commission:

ORDERED Be it Ordered that Schedule 1 Parking Restrictions of the 2016 Woburn Traffic Code be amended by making the following technical corrections:

1. By striking “No Parking” after “Montvale Avenue - No parking southerly side from Eastern Avenue westerly a distance of 400 feet” and insert in its place “Two Hours between 8:00 a.m. and 2:00 p.m.”
2. By striking “Montvale Avenue – one hour parking southerly side starting at a point 40 feet easterly of Main Street to Prospect Street any time between the hours of 8:00 a.m. and 9:00 p.m. any day except Sundays and public holidays – One Hour”

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

Motion made and 2nd to suspend the rules for the purpose of adding the following late filed matters to the Order of the Day, all in favor, 9-0.

RESOLVED Whereas, Patti Robichaud joined the Woburn Lodge of Elks #908 B.P.O.E. in October 2006 and has spent many years as a leader within the

Elks organization and has strongly supported countless community efforts in Woburn and surrounding towns; and

Whereas, The Benevolent and Protective Order of Elks is an American fraternal order founded by Joseph M. Norcross in 1868 originally as a social club in New York City, United States; and

Whereas, Patti Robichaud was elected by her colleagues on February 23, 2016 to lead their community organization as the Exalted Ruler and is the first woman in the 112 year history of the organization to hold this position; and

Whereas, Patti Robichaud enjoys life with her husband Daniel and sons Chris and Joe; and

Whereas, Patti Robichaud has been recognized by her peers for her tireless efforts on behalf of the Elks organization and has been recognized as 'Citizen of the Year' and 'Elk of the Year';

Now, Therefore, Be It Resolved by the City Council of the City of Woburn that the Woburn City Council recognizes the many achievements, accomplishments and contributions of Patti Robichaud, to the citizens of the City of Woburn and surrounding communities, thanks her for her service to the community and her organization, and extends the best wishes of the community for continued health, happiness and success in her new role as Exalted Ruler of the Woburn Lodge of Elks.

s/President Haggerty, Alderman Mercer-Bruen
and Alderman Tedesco

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

Presented to the Mayor: April 7, 2016 **s/Scott D. Galvin April 7, 2016**

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

Motion made and 2nd to ADJOURN, all in favor, 9-0. Meeting adjourned at 9:32 p.m.

A TRUE RECORD ATTEST:

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