

**CITY OF WOBURN
APRIL 17, 2012 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
DiTucci	Haggerty
Drapeau	Mercer-Bruen
Gaffney	Raymond
Denaro	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, all in favor, 9-0.

Motion made and 2nd to suspend the rules for the purposes of taking the following matter out of order, all in favor. 9-0.

RESOLVED Whereas, David B. Christie grew up in Woburn and enlisted in the United States Army on April 7, 1917; and

Whereas, David B. Christie served as a private in the U.S. Army 101st Infantry Regiment G during World War I in France and participated in defensive engagements at Champagne-Marne, offensive engagements at Aisne-Marne, and defensive sectors at Chemin-des-Dames (Ile-de-France), Toul-Boucq (Lorraine), and Pas Fini (Ile-de-France); and

Whereas, David B. Christie was killed in action on July 23, 1918;

Now, Therefore, Be It Resolved by the City Council of the City of Woburn that a street memorial be placed at the corner of Main Street and Johnson Street in memory of Pvt. David B. Christie and his supreme sacrifice made in battle.

s/President Denaro

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

Presented to the Mayor: April 19, 2012

s/Scott D. Galvin April 19, 2012

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

MAYOR'S COMMUNICATIONS:

ORDERED That the sum of \$2,000.00 be and is hereby transferred as so stated from Concerts & Entertainment Acct #0162052-526305 \$2,000,00 to Fence/Recreation Acct #0162052-524115 \$2,000.00 – Purpose: new fencing at Library Park Ball Field

I hereby recommend the above: s/Rory Lindstrom, Director of Recreation
I have reviewed the above: s/Gerald W. Surette, City Auditor
I hereby approve the above: s/Scott D. Galvin, Mayor

s/President Denaro

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

ORDERED That the sum of \$5,551.78 be and is hereby transferred from Election & Registration Workers Account #0116251-512005 to City Clerk Office Supplies Account #0116154-542000.

I hereby recommend the above: s/Scott D. Galvin, Mayor
I hereby approve the above: s/William C. Campbell, City Clerk
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/President Denaro

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

PUBLIC HEARINGS:

On the petition by Alderman Gaffney concerning the structure or structures located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 602 Main Street, Woburn, Massachusetts, for the purposes of determining whether said structure or structures are a public nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED. Alderman Gaffney stated that the landowner has made progress with the property, that the wall was fixed, the grass mowed, bushes trimmed, stairway and porch repaired, roof repaired, and three replacement windows installed on an upper floor, and that the old garage is falling down and needs to be removed. Appearing was the landowner Ralph Saviano and he stated that his issue is one

of finances, that he has not mortgage on the house, that no one's life is in danger, that he is trying to handle the matter within the scope of his finances, that the demolition permit for the garage is a number of pages long and all need to be completed to take down the garage, including fire department, electric and plumbing, that there is no plumbing in the garage and the electricity was disconnected to the garage before he bought the property, that the garage has already fallen down and no demolition permit should be needed, that he is a registered professional engineer, that the garage is not historically significant and only about 60 years old, that he does not understand why the Historical Commission would have to sign off on the matter, that he had repaired approximately 25% of the garage roof before it fell in, that he has not received fair treatment during this process, that he appreciates that some work had to be done on the property, that he intends to work on the property over the summer, and that he has lived in the city for fifty years. Alderman Gaffney stated that the landowner should meet with the Building Commissioner who may be able to provide some guidance for the process. Alderman Mercer-Bruen stated that the Building Department would provide assistance in completing the paperwork. Alderman Gately stated that an issue regarding the demolition is where the material will be disposed, that the material cannot be buried on the locus, that these are safety issues, that the process is good, that the Building Department will help the petitioner, and that Dig Safe has to be consulted. Alderman DiTucci stated that any building that is demolished has to be reviewed by the Historical Commission, and that if the building is not more than 75 years old then the approval for demolition will be granted. PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JULY 10, 2012, all in favor 9-0.

On the petition by Larry G. Blomquist dba Fellsway Foreign Motors, 88 Eastway Road, Reading, Massachusetts 01867 for a special permit pursuant to Sections. 5.1.44, 7.3 and 15 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the alteration of the existing nonconforming structure for an automobile and truck repair garage at 300 Cambridge Road. PUBLIC HEARING OPENED. A communication dated April 13, 2012 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts as follows:

Re: Petition of Larry Blomquist d/b/a Fellsway Foreign Motors, 300 Cambridge Road, Woburn, Massachusetts

Dear Mr. Campbell:

I respectfully request that the City Council public hearing on this matter presently scheduled for April 17, 2012 be further continued to the City Council meeting on May 1, 2012. If you need any further information, please contact me. Thank you.

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

Motion made and 2nd that the communication be accepted and made part of the record, all in favor, 9-0. PUBLIC COMMENTS: Stanley Tyks, 272 Cambridge Road stated that he resides in the apartments across the street from the locus, that he is concerned about traffic from the project as well as noise from the location, that he is concerned that air compressors for example will be heard from the locus, and that his residence is 55 feet away from the locus. Rafail Kushnirsky, 3 Country Club Road stated that his house is approximately 84 to 86 feet away from the locus, that his grandchildren will not be able to play in their yard if this is approved. Mr. Kushnirsky offered thirteen petitions from abutters objecting to the petition. Motion made and 2nd that the documents be received and made part of the record, all in favor, 9-0. Alderman DiTucci stated that she sent notices to the neighborhood in December 2011 about the petition, that this location will not be a tire shop, that the petitioner will perform mostly engine work, that the petitioner has cooperated in addressing concerns, that there have been four meetings with the petitioner and neighbors, that nothing is secret about the process, that this will be a low volume business, and that conditions will be imposed on the special permit which the petitioner will have to comply with. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MAY 1, 2012 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

On the petition by Ron Martignetti, One Arlington Street, Winchester, Massachusetts 01890 for a special permit pursuant to Section 5.1.57 of the 1985 Woburn Zoning Ordinances, as amended, to allow inside storage of personal motor vehicles, watercraft and boats as well as personal property with no outside storage at 10 John Street. PUBLIC HEARING OPENED. A communication dated April 11, 2012 was received from Michael J. Juliano, P.E., P.L.S., Principal, Eaglebrook Engineering & Survey, LLC, 491 Maple Street, Suite 304, Danvers, Massachusetts 01923 as follows:

Re: 10 John Street, Woburn, MA

Dear Mr. Campbell:

On behalf of the applicant, Mr. Ronald Martignetti, we are requesting a continuance of the public hearing for the Special Permit application for 10 John Street. The public hearing is scheduled for April 17, 2012. We have not met with the Planning Board and we would like to continue with the City Council until we have an opportunity to receive the Planning Board's comments. We request to be rescheduled to your next available meeting.

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

Sincerely, s/ Michael J. Juliano, P.E., P.L.S., Principal

Motion made and 2nd that the communication be accepted and made part of the record, all in favor, 9-0. PUBLIC COMMENTS: Bill Sutton, 11 John Street stated that he oppose

gas engines being stored inside a building in this neighborhood, and that he resides across the street from the locus. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MAY 15, 2012 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

On the petition by Oliver Enterprises, 278 Salem Street, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 7.3 and 5.1.57b of the 1985 Woburn Zoning Ordinances, as amended, to change existing special permit to include different elevation and garage door height for property located at 5 Hancock Street. PUBLIC HEARING OPENED. A communication dated April 13, 2012 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Oliver Enterprises – 5 Hancock Street – To modify existing Special Permit to allow for different elevation and garage door height pursuant to Sections 7.3 and 5.1.57b

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on April 10, 2012, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Oliver Enterprises, regarding the property at 5 Hancock Street subject to the following conditions:

1. That prior to issuance of a building permit, the soil logs, chamber calculations and leaching basin details stamped by a registered professional engineer shall be submitted to the Engineering Department;
2. That prior to issuance of a building permit a certification shall be provided by a registered architect in accordance with Section 3.2.1 of the zoning ordinance; and
3. The Plans of Record shall be Sheets L1, L2, L3, and L4 dated 7/25/2011 revision due to new survey 3/15/2012 entitled Oliver Enterprises Corp., Proposed Extension and Renovation to Existing Dwelling, 5 Hancock Street Woburn, MA 01801 designed by Eli Semaan and a Certified Plot Plan by Rod Carter Associates, 15 Pleasant St., Upton, MA 01568 stamped and signed 12/7/11;
4. That a commercial water meter be installed at the locus;
5. That the number of vehicles shall be limited to six (6) and that the vehicles shall be registered in Woburn;
6. That the property shall be taxed as commercial property; and
7. That the garage shall be limited to one story with no attic but a pitched roof is acceptable with no attic.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

A copy of a communication dated April 10, 2012 from Brett F. Gonsalves, Senior Engineer to Edmund Tarallo, Planning Director was received as follows:

Subject: 5 Hancock Street Special Permit – Plans Dated July 25, 2011 – Plot Plan Dated December 7, 2011 – Drainage Calculations Dated July 29, 2011 – Previous Memo Dated April 25, 2011

The applicant has submitted a modification to an existing special permit to include different elevation and garage door height.

Upon review of the special permit application, this office takes no exception to the special permit application as submitted.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

Appearing for the petitioner was Jeffrey Oliver of the petitioner and he stated that that he needs a 12 foot door to accommodate equipment he will purchase, that the door will require the pitch of the building to be higher, that original plans mistakenly indicated the setback to be 12 feet 9 inches when it should have been stated as 9 feet, that the Planning Board reviewed the plans, that he wants a door 12 feet wide and 9 feet high, that there will be no attic in the garage, that the plan is clear that there will be a pitched roof, and that the engineer made a mistake relative to the setback on the original plan filed. IN FAVOR: Paul Meaney, Woburn Business Association, Ten Tower Office Park, Woburn stated that he was in favor of the original petition and is in favor of this revision. OPPOSED: None. Motion made and 2nd that the public hearing be closed, all in favor, 9-0. Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS AMENDED with the conditions as follows: 1. That the recommendations of the Planning Board be adopted as conditions of the special permit, all in favor, 9-0.

CITIZEN’S PARTICIPATION: None.

COMMITTEE REPORTS:

PUBLIC SAFETY AND LICENSES:

On the petition for renewal of Livery License by LifeLine Ambulance Service, LLC dba CoachLine Transportation, 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 19, 2012 and ten days having elapsed without same being approved, said License became effective without his signature on May 1, 2012.

On the petition for renewal of Common Carrier License by Boston Tours, Inc., 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 19, 2012 and ten days having elapsed without same being approved, said License became effective without his signature on May 1, 2012.

On the petition for amendment of Inflammable License by Rental Service, Inc. by deleting the name Paul Gillespie, 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 19, 2012 and ten days having elapsed without same being approved, said License became effective without his signature on May 1, 2012.

ORDINANCES:

On the Order to amend Section 2-180 of the 1989 Woburn Municipal Code, as amended, relative to non-union department head salaries, 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 19, 2012 and ten days having elapsed without same being approved, said Order became effective without his signature on May 1, 2012.

PERSONNEL:

On the appointment of a Business Representative to the Woburn Traffic Commission, committee report was received “That the names of Fran Murray and Peter Socorelis be submitted to the full City Council for final action.” Motion made and 2nd that Peter Socorelis be appointed as Business Representative of the Woburn Traffic Commission, ROLL CALL: Anderson – Yes, DiTucci – Yes, Drapeau – No, Gaffney – No, Gately – Yes, Haggerty – No, Mercer-Bruen – No, Raymond – Yes, Denaro – Yes, Motion Passes.

NEW PETITIONS:

Petitions for renewal of Livery Licenses by American Classic Limousine Inc., 215 Salem Street, Suite 8. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

Petition by Paul Carniero, 49 Olive Street, Methuen, Massachusetts 01844 for a special permit pursuant to Section 5.1.44 of the 1985 Woburn Zoning Ordinances, as amended, to allow for auto body repair at 3 Green Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING ON MAY 15, 2012, all in favor, 9-0.

COMMUNICATIONS AND REPORTS:

A communication dated April 4, 2012 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 for the month of March. 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:

ORDERED That the City Council Regular Meetings in July 2012 and August 2012 shall be held on July 10, 2012 and August 14, 2012.

s/President Denaro

Motion made and 2nd that the ORDER be ADOPTED, AS AMENDED with the amendment as follows: That the meetings shall start at 6:30 p.m., all in favor, 9-0.

ORDERED That the Committee on Finance hold a meeting with the City Auditor at which time the City Auditor shall present a report relative to each revolving account authorized by the City Council, including the purpose of the revolving account, the governance structure of the account, the financial status of the account, the process of expending the funds of each revolving account, the cash position of each revolving account for the period July 1, 2011 through March 31, 2012, and any other financial issues that may arise during the meeting.

s/President Denaro and Alderman Drapeau

Alderman Mercer- Bruen stated that this was a prior practice in which the City Auditor would update the City Council on pending matters, that this is a good process, that she supports the proposal, and that the process also keeps the public informed. Alderman Drapeau stated that the committee will meet as soon as possible on this matter. Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0.

RESOLVED Whereas, on June 3, 2010, an Order was adopted authorizing the appropriation of funds to replace the roof at the Kennedy Middle School

and further providing that any funds that were not utilized for the Kennedy Middle School roof replacement project may be expended to pay the costs of police station roof repairs; and

Whereas, on November 18, 2010, the said Order was rescinded and an alternate Order adopted which did not include a reference to the police station roof repairs; and

Whereas, on March 1, 2011, the City Council adopted a resolution calling on His Honor the Mayor to submit an appropriation for the purposes of funding a new roof for the Woburn Police Headquarters building on Harrison Avenue; and

Whereas, an appropriation has not been submitted and the conditions of the police station roof have remained unresolved during this time;

Now, Therefore, Be It Resolved by the City Council of the City of Woburn that His Honor the Mayor submit an appropriation to the City Council for the purposes of making much needed repairs to the roof at the Police Station Headquarters building on Harrison Avenue for the preservation of the building and protection of the public safety officials and members of the public who use the building on a daily basis.

s/Alderman Gately

Alderman Mercer-Bruen stated that she assumes that the prior referenced votes were accurate, that she wants to know if the work was completed at the Kennedy, that she does not believe that the Mayor is not doing anything and waiting for the roof to collapse, that it may be more productive to call the Mayor about the issue, that it may make sense to have a committee meeting first, that she does not believe the police station roof is being neglected on purpose, that the City Council should collaborate with the Mayor on getting an update, that there is a lot of work that must be done in the community, and that if there is not a favorable response from the Mayor to this issue then the City Council can attempt to force action in another manner. Alderman Gately stated that after the roof work was completed at the schools and hockey rink the money was to go to the police station roof, that the Order was rescinded, that in January 2011 he asked the Mayor at a City Council meeting when the repairs on the police station roof would be commenced and the Mayor stated that he would address the issue, that the leaks in the roof are evident by looking at the ceiling, that the roof has to be repaired to avoid mold issues in the building that operates 24 hours per day, that he believes the cost of the roof repair was approximately \$300,000.00, that he has pursued this matter and needs to be completed, that he is trying to bring the matter to the Mayor's attention, and that the roof needs to be repaired. Alderman DiTucci stated that the problem with delayed maintenance issues are clear as evidenced by the school not being maintained over the years, that this resolution serves as a reminder of the issue, that it is not outside the purview of the City Council to stated concerns to the Mayor and ask that he give a matter priority, that the Mayor can ignore

the matter or step forward and address the issue, that this resolution is in the spirit of collaboration, and the City Council should make the Mayor aware of the concerns. Alderman Haggerty stated that there should be a plan to repair the roof to avoid more costs later down the road. Alderman Drapeau stated that sometimes a roof needs to be replaced as it gets beyond the repair stage, that he wants to know what is taking so long to get the work done, that this is a management issue, that there needs to be clarification as to the City Council role in getting work done and determining the appropriate funding, that there are five fire stations that are in poor condition, that there would be many committee meetings for all the areas that may have deficiencies, that it is the Mayor's role to set priorities as to capital improvements, and that the Mayor should be thinking about moving forward on some of these capital projects because of the available free cash. Alderman Anderson stated that the matter should be sent to the Committee on Infrastructure and Public Lands so that the City Council can look further into the matter and obtain more information at the committee level. Alderman Raymond stated that the City Council should adopt the resolution and let the Mayor know what he intends to do which will be evidenced by whether he signs the resolution or not, and that if the Mayor does not act then the City Council can adopt a second resolution and bring people into a committee meeting to get answers. President Denaro stated that he has talked to the Mayor about capital project planning. Motion made and 2nd that the RESOLVE be ADOPTED, 7 in favor, 2 opposed (Drapeau, Mercer-Bruen opposed).

Presented to the Mayor: April 19, 2012

Returned Unsigned April 20, 2012

RESOLVED That His Honor the Mayor along with the City Council establish a \$1,000,000 reserve fund outside the FY13 budget expressly for the purpose of funding unanticipated Special Education expenses that are a result of complying with unfunded Legislative mandates or Department of Education regulations; and

Further, that the city dedicate a combination of local hotel and meals tax receipts as its funding source.

s/President Denaro

Alderman Drapeau stated that he was in favor of the resolution, that the school department generates Medicaid reimbursements which go to the General Fund and not to the school department, that these reimbursements could also be used as a funding source, and that these reimbursements could fund almost half this amount. President Denaro stated that the reimbursements from Medicaid have been substantially reduced. Alderman DiTucci stated that the City Council has been told in the past that the meals tax receipts cannot be segregated and that the amounts received have to go into the General Fund. Alderman Raymond stated that if the City Council gives this \$1,000,000.00 then the school department will have full control over the funds. President Denaro stepped down from the chair and Alderman Drapeau assumed the chair. President Denaro stated that the intention is to fund the expenses, that there is a great deal of excess in the meals tax and the hotel tax, that the receipts from the meals tax and hotel tax are much more than

anticipated and that these funds can be used for this purpose, that this is for FY13 only, that this is not a continuing resolution, that the General Court and Department of Education came up with requirements but not the funds for the community, that the budget will be presented soon, that this is the time to determine how these issues will be addressed, and that the resolution is related to unfunded legislative mandates and Department of Education regulation special education expenses only. Alderman Raymond stated that for the past seven years there has been no accountability for any amount given to the school department, and that there should be a requirement that the school department report to the City Council as to where the funds are paid. President Denaro stated that there are seven elected members of the School Committee who are accountable to the electorate, that the School Committee has all the right in the world to make operational decisions for the school department, that the School Committee is in charge of their budget, that if nothing is done with regards to this issue there will be cuts to the school department which might be mitigated if the City Council addresses the issue of unfunded mandates of the Legislature and the Department of Education, that Woburn is in the position to resolve the issue for FY2013, and that this resolution does not apply to FY14 or later years. Alderman Mercer-Bruen stated that she agrees that this issue has gone on for a long time, that the matter could be amended to add the words “and in collaboration with the State delegation to establish a mechanism for the purpose”, and that the city should try one more time to do so. Alderman Haggerty stated that he is not certain that he supports the use of the hotel tax and meals tax component of the resolution, that with respect to the special education expenses communities just have no idea how to address the issue, that the special education expenses were not near \$1,400,000.00 last year and the amount is \$1,400,000.00 this years, and that it may be better to put money aside each year to be used or not used as needed. Alderman Anderson stated that perhaps the resolution can be amended to state “consider establishing” rather than establishing the reserve fund, that there are a lot of moving parts that have to be considered, and that he is not prepared to spend \$1,000,000.00 without more facts. Alderman Mercer-Bruen stated that if the City Council supports the resolution they have to support all of what is adopted. President Denaro stated that he tried to discuss this proposal with the Mayor but without a response from him he went forward with the resolution to move the discussion on this issue. Alderman DiTucci stated that the special education expenses went up to \$1,500,000.00 this year, that there are few new unfunded mandates and this is mostly made up of old unfunded mandates, that when costs have exceeded expectations in the past the School Committee has come forward to ask for the funds and the City Council has supported the transfer of funds because the city has to pay the expenses, that she is reluctant to just give \$1,000,000.00 but this is a good start to the discussion, and that when she read the resolution she thought that the money would be on the city-side and that the School Committee would have to come forward to ask for funding from the account. President Denaro stated that he has no intended defined mechanism yet, that the \$1,500,000.00 salary item in the budget and the \$1,500,000.00 increase in special education expenses this year has raised this issue, and that the city has to consider suing the state so that the courts can resolve this issue but the city has funds to address the issue this year. Alderman Gately stated that he does not agree with unfunded mandates on the city, that this is a shameful practice, that in the Committee on Accounts review he sees money being spent in and out of the state for programs that the city cannot

provide, that this practice takes money away from children who do not have disabilities for those who do, that there are cuts to language classes, art classes and gym class, that these all have to be balanced, and that he is one of the biggest advocates against the way the School Committee spends money but he will not sit back and watch the children be hurt because of the ignorance of the State. Alderman Mercer-Bruen stated that spending the money does not resolve the issue and relieves that State of the burden, and that the State has to do something to fix the issue. Alderman Gately stated that the issue can be fixed quickly in the voting booth. Alderman Anderson stated that the Legislature has had their shot at this issue and have done nothing, and that the Legislature considers this a city cost and leaves the city to deal with it. President Denaro stated that the Inspector General determined the Legislature has to pay certain costs and the Legislature acted on that matter. Motion made and 2nd that the RESOLVE be ADOPTED, AS AMENDED with the amendments as follows: 1. That the word “establish” be stricken and the words “consider establishing” be inserted in its place, and 2. That after the words “as its funding source” be added the words “and Medicaid reimbursements the School Department generates every year as an additional funding source”, all in favor, 9-0.

Presented to the Mayor: April 19, 2012

Returned Unsigned April 20, 2012

Alderman Drapeau stepped down from the chair and President Denaro assumed the chair.

RESOLVED

That a communication be forwarded to MassDOT, with a copy to State Representative James Dwyer and State Representative Jay Kaufman, regarding the timing of the traffic control signals at the intersection of Washington Street and Olympia Avenue.

s/Alderman Mercer-Bruen

Alderman Mercer-Bruen stated that the City Council and the Traffic Commission have asked MassDOT to correct the timing of the lights, that there is old equipment in place, that the light cycle is taking four to five minutes to change, that drivers are now running the traffic control signals, that this is a dangerous situation, that MassDOT has to get out there to review and correct the situation, and that the traffic control signal is owned by the State and the State has to address the timing issue. Motion made and 2nd that the RESOLVE be ADOPTED, all in favor, 9-0.

Presented to the Mayor: April 19, 2012

s/Scott D. Galvin April 19, 2012

RESOLVED Whereas, the Woburn's Spence Farm Property has been accepted as a participant in the Edy's Fruit Bars Communities Take Root & Fruit Tree Planting Foundation grant program; and

Whereas this grant will provide at no cost to the city, a fruit tree orchard, irrigation system, a groundbreaking party and plenty of Edy's Fruit Bars to celebrate the new orchard; and

Whereas voting begins April 16 and ends on August 29 for the 2012 Communities Take Root program, a groundbreaking collaboration between Edy's Fruit Bars and The Fruit Tree Planting Foundation to provide communities around the country with fruitful orchards that grow benefits for generations to follow; and

Whereas Edy's Fruit Bars will launch a nationwide public relations and media campaign, encouraging people across the United States to visit www.CommunitiesTakeRoot.com to cast their vote for deserving organizations such as ours;

Now therefore let it be Resolved that the City Council of Woburn encourages all Woburn and area residents to visit www.communitiestakeroot.com and vote for Woburn's Spence Farm on a daily basis up until August 29th; and

Let it be further Resolved that the Woburn City Council extends its congratulations the Woburn Agricultural Commission and all those volunteers involved in this worthwhile grant effort.

s/Alderman Haggerty, Alderman Anderson and Alderman Gaffney

Alderman Haggerty stated that the Woburn Agricultural Commission is trying to obtain a grant to plant fruit trees, that people have to vote online, that this grant will allow the city to plant fruit trees at Spence Farm as well as install irrigation, and that this work would be at no cost to the city. Alderman Gaffney stated that the city will need many votes to obtain this grant, and that he encourages the community to participate. Motion made and 2nd that the RESOLVE be ADOPTED, all in favor, 9-0.

Presented to the Mayor: April 19, 2012

s/Scott D. Galvin April 19, 2012

Motion made and 2nd to ADJOURN, all in favor, 9-0. Meeting adjourned at 8:53 p.m.

A TRUE RECORD ATTEST:

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