

**CITY OF WOBURN
AUGUST 12, 2008 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Denaro	Gately
Drapeau	Gonsalves
Dwyer	Mercer-Bruen
Galvin	Raymond

Doherty

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

MAYOR'S COMMUNICATIONS:

ORDERED That the sum of \$2,903,977.81 be and is hereby appropriated as so stated from Debt Reserve Acct #648059-596100 \$2,903,977.81 to Long Term Debt Principal Acct #0171059-591000 \$1,642,000.00, Interest Acct #0171059-591500 \$1,261,977.81, Total \$2,903,977.81

I hereby approve the above. s/Thomas L. McLaughlin, Mayor
I have reviewed the above. s/Gerald W. Surette, City Auditor

s/President Doherty

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

ORDERED That the amount of \$81,881.00 be and is hereby appropriated : Purpose: City Hall Union Negotiations.

I hereby approve the above: s/Thomas L. McLaughlin, Mayor
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/President Doherty

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

ORDERED Be it ordained by the City Council of the City of Woburn, that Title 13 of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. That Article II, Section 13.3.9.A.1 be amended by striking the amount "\$161.00" and inserting in its place the amount "\$189.00".
2. That Article II, Section 13.2.35.A.1 be amended by striking the amount "\$96.00" and inserting in its place the amount "\$113.00".
3. That Article II, Section 13.2.35.B.1 be amended by striking the amount "\$3.83" and inserting in its place the amount "\$4.84".
4. That Article II, Section 13.2.35.B.8 be amended by striking the amount "\$96.00" and inserting in its place the amount "\$113.00".

I hereby recommend the above: s/Mayor Thomas L. McLaughlin

s/President Doherty (per request)

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

PUBLIC HEARINGS:

Motion made and 2nd that the public hearings on the following two matters be taken collectively, all in favor, 9-0.

On the petition by Alderman Michael Raymond to amend the 1985 Woburn Zoning Ordinances, as amended, by establishing a new Section 22 entitled Senior Housing Overlay (SHO) District as set forth in the petition. PUBLIC HEARING OPENED. A communication dated August 11, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Alderman Michael Raymond – Zone Change – New Section Senior Housing Overlay District

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting of August 5, 2008, the Planning Board voted to forward the following favorable recommendation to the City Council on the above cited zoning ordinance change as modified by the following revisions:

1. That Section 22 C 3 shall be amended to read "All SHO proposals except those uses in Section 22 E 1c and Section 22 E 1 d shall be subject to Section 11.11 Affordable Housing Requirements, as applicable."

2. That Section 22 F 2 shall be amended from “Minimum Lot Coverage: 60%” to “Maximum Lot Coverage: 60%”

If you or members of the City Council have any questions or concerns regarding the foregoing matter, please contact me.

Respectfully Submitted, s/Edmund P. Tarallo, Planning Director

Alderman Raymond stated that six acres of land in the R-1 zoning district is being sold by St. Anthony Parish, that the Zoning Ordinance Review Committee (ZORC) reviewed whether this was the best use of the land, that a continuing care facility would meet an unmet demand for services in the community, that significant tax revenue will be generated, that the project will create between 75 and 100 jobs, that there will be no impact on the schools, that a twelve foot easement will be given to the city in the event that it is determined that a third travel lane will be needed on Main Street, that a thirty foot easement will be obtained at the rear of the lot which will aid in the restoration of the Middlesex Canal, that he urges adoption of the amendments, that the Planning Director concluded that because the proposed continuing care facility is a combination of Alzheimer's, assisted living and independent elderly living it does not apply against the city's low income housing goals, that in a communication received from the Chief Counsel for the Department of Housing and Community Development it was opined that assisted living units would not count towards meeting the Chapter 40B 10% threshold requirement, that a series of neighborhood meetings were held concerning this issue, that there are a lot of projects in north Woburn which will require its own traffic study, that the proposed developer will introduce the project to the community as part of the review process, that the City Council should act to take whatever steps are necessary to amend the petitioner tonight and pass the ordinance, that he wants the ordinances passed with the suggested changes, and that he has no additional information as to why it should be passed tonight but is concerned that it may remain in committee without action rather than the project issues being resolved in the committee on special permits. Alderman Galvin stated that he is a little skeptical on the proposal, that the Alzheimer's unit will likely have strong demand however Section E refers to “separate uses or a combination”, that the ordinance does not state that there has to be an assisted living or Alzheimer's unit but it could be 150 senior housing condominium units in comparison to a few houses or nothing at the lot, that if this ordinance is passed and the petitioner seeks a special permit for 150 condominium units the City Council would have a hard time denying the petition, that there is a demand for assisted living and Alzheimer's units but this does not guarantee that they would be constructed, that the project may not generate tax revenue as a similar complex on Warren Avenue is operated as a non-profit corporation which pays not tax revenue, that he is leaning against the proposal for those reasons, that independent living is more akin to condominium use, that this ordinance is a novel idea, that with most ordinance changes with a specific zoning change the City Council knows what specific project will be developed at the site, that here the City Council has no idea who the end user will be, that there needs to be work on the ordinance so that it does not become an entirely independent living development, that this is a good starting project, that there will be no harm sending this to committee and review before the next Regular

Meeting of the City Council, that the developer should come before the City Council, that he is in support of the Alzheimer's and independent living units but the project is being approached the wrong way, that the matter should be sent to committee, and that with one parcel being rezoned for one developer in mind the developer should be brought to the City Council. Alderman Gonsalves stated that continuing care units do not contribute to the housing stock requirement, that if a development is independent living it does impact the housing stock requirement and therefore there should be affordable units included, that there may need to be a deed restriction to avoid a later change to independent living which may impact the city's affordable housing requirement with not affordable unit component, that there is a need to ensure that the project remains as permitted, that ZORC did review possible uses of the area including low impact uses and retail, that the proposed use is not a bad use and has limited traffic impact, that the City Council should decide what is wanted at the site and craft the ordinance to do this, that the combination of uses combinations should be set up, that if an agreement cannot be reached amendments should be adopted including adoption of the Planning Board recommendations, that a combination of uses be required and that there should be limits on the independent living units, that the independent living use can be very broad, that it should be a continuing care facility component, that the ordinance can require a percentage of the uses, and that she wants to avoid a luxury elderly condominium development. Alderman Drapeau stated that this proposal is a starting point but that he wants to ensure that a project under this ordinance will be as envisioned with assisted living components. Alderman Mercer-Bruen stated that it is clear that a condominium development at the site would not be approved, that the language of the ordinance should be tight enough to protect the neighborhood, that business plans come and go which is all the more reason to take the time to review the proposal, and that she wants to know if there is something behind the matter that requires action at this meeting. Alderman Dwyer stated that assisted living is needed desperately in the city, and that he will support the project and work on the project in the committee on special permits. Alderman Gately stated that assisted living and senior housing is needed in the city, that this development is the best thing that can happen to that property, that the property has been vacant for some time, that the special permit process can be used to protect the neighborhood, that the idea is to pass the overlay district, that the City Council is now beginning to call for conceptual plans for various components of development, that the only matter being considered is the overlay district, and that the ordinance should be passed as is and work on the issues of the project in the special permit process. President Doherty stated that there is no guarantee that the money for the land will go to the parish, that it has been said that there will be a rec center but there has been no calculations brought forward to demonstrate how this project will be completed with the funding, that independent living by the U.S. Census Bureau presumes cooking facilities in the development, that the independent living definition may be too vague or may perhaps be accessory to independent living, that a map should be filed that reflects the plan, that a map is not on file, that the City Council should seek a legal opinion on Chapter 40B requirements, that the project has a lot of good to it but the City Council should not rush this matter with these outstanding issues, that the ordinance is vague in parts, that this would be precedent setting to move forward with an overlay project without knowing the particular project, that it is not certain whether the State will allow the widening of the State highway, and

that he is not certain whether the City Council will allow the development along the canal. Alderman Denaro stated that this is not a city project, that this is a church project on church property, that the parish has a right to decide what is done with their church property, that the City Council has to be concerned not about the parish decision but that the overlay district cannot be changed away from what the spirit of the development is, that there must be an effort to ensure that the ordinance meets those intentions, that he does intend to support the proposal, that time is needed to study the amendments, that the project is still viable and good however the City Council can take three weeks to review the proposal, and that inquiries to the Conservation Commission, the City Solicitor and State authorities will take longer than three weeks for a response. IN FAVOR: John Martini, 169 Place Lane stated that there is a need for senior assisted living, that this will not be a condominium development, that this will enhance the tax base, that the project will fit well in the area, that this will revitalize the area, that this will allow St. Anthony Parish to develop a function hall and CCD areas, and that this is right thing to do for the area. Mr. Martini offered a petitioner in support of the proposal to the City Council for review. Motion made and 2nd that the document be received and made part of the record, all in favor, 9-0. John Scalley, 18 Dartmouth Street stated that this is a dream come true for the parish and he urges supports. President Doherty asked for a raise of hands in the audience for those in support of the proposal and approximately fifty people raised their hands. Susan Nocella, 27 ??? Street stated that all religious education classes at St. Anthony Parish have been held in homes, and that the Alzheimer's, assisted living and elderly housing is the best use for Main Street. Jim Curran, 166 Place Lane stated that assisted living use is needed in north Woburn, and that the parish center is also needed for meetings. Joseph Savoia stated that he is a north Woburn resident and that this is a good opportunity for the parish and the city. Patricia Cardinelli stated that Alzheimer units are needed in Woburn, that this will be senior housing with shopping within walking distance and by community buses, and that this will be a good setting for the use. Mayor Thomas McLaughlin stated that he supports the proposal and its benefits with assisted living, elderly housing, the easement on Main Street and the easement on the Middlesex Canal, that there are some concerns that can be worked through, and that he urges that this order be adopted. Mary O'Grady, 3 Foster Avenue stated that she supports the proposal and that St. Anthony's Parish is the only church in the city without a meeting hall. Rev. Richard Shmaruk stated that he has been the pastor of St. Anthony's Parish for the past two years, that this project from the parish perspective will help the future of the youth with religious education programs but also helps the elderly of the community, that the parish has been at this location since the late 1920s, that this development will be neighbors with the parish, that the parishioners recall money being collected to build a parish center and a parish school at the site which was never constructed, that there was a rumor that the money was taken by the Archdiocese of Boston, that a letter at the time indicated that there was a freeze on the building, that the money was to be put into an Archdiocese revolving fund with access only by the parish, that there is still some of that money left in that account for this parish, that the funds from the sale will be used to build the parish center, that the pastor makes the final decision if the funds are used to build a parish center, that the alternative is to leave the site undeveloped, and that the feasibility study was stopped because it was not certain whether funds would be available to construct the parish center. Stephen Braese, 4 Diana

Drive stated that he represents the Archdiocese in the sale as broker, that the funding of the parish center is not on the floor tonight, that the parish was given assurances that the funds will remain in the parish, that it is not certain how much money will be raised until the ordinance is adopted, that depending upon the amount of funds raised there will be a decision as to what can be built, that \$35,000.00 was raised by parishioners to do a feasibility study which resulted in a proposal for an addition to the rear of the church, that he cannot disclose the proposed developer, that this is an assisted living development with a combination of assisted living and independent with no sale component, that independent living is at least one meal per day, housekeeping, concierge, activities and bus service, that assisted living has more medical intervention, that this is an expensive facility to run because of all the services provided, that this creates an enjoyable living environment for the elderly residents, that this could allow a resident to start in a unit as independent living and become an assisted living use over time but stay in the same unit, that there will be \$350,000.00 to \$400,000.00 in additional tax revenue to the city, that there will be approximately 75 parking spaces, that the average age will be 70 to 90 years old, that the residents will be mostly females, that assisted living residents will not have cars, that 25% of the independent living residents will have cars, that there may be an impact on the fire department ambulance service, that the building will be three stories in height, that there will be 45% open space, that it will be a brick building, and that he is contractually prohibited from disclosing the identity of the developer who will come forward. Mr. Braese offered an artist's rendering of the parish center to the City Council for review. Motion made and 2nd that the documents be received and made part of the record, all in favor, 9-0. A communication dated August 12, 2008 was received from Paul J. Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn in favor of the proposal. OPPOSED: Jack Doherty, 1 Joseph Terrace stated that he is not against the project but is against the size of the development and the impact on the traffic, and that he wants to know where the easement ends. Motion made and 2nd to close the public hearing, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2nd to refer the matter to the Committee on Ordinances, 2 in favor (Doherty, Galvin in favor), 7 opposed, Motion Fails. Motion made and 2nd for a five minute recess, all in favor, 9-0. President Doherty called the meeting back to order. Motion made by Aldermen Denaro to reconsider his vote to close the public hearing and 2nd, all in favor, 9-0. PUBLIC HEARING RE-OPENED. Motion made and 2nd to receive the communication dated August 12, 2008 from Deborah J. Goddard, Chief Counsel, Department of Housing & Community Development and make it part of the record, all in favor, 9-0. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON SEPTEMBER 2, 2008 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, all in favor 9-0.

On the petition by Alderman Michael Raymond to further amend the Zoning Map of the City of Woburn as follows: By adding the parcel of land containing approximately 6.00 acres of land identified as Lot 2 Main St. at as shown on a plan by Allen & Major Associates, Inc. entitled St. Anthony of Padua 859 Main Street Woburn, MA Revised 1/04/08 to the "Senior Housing Overlay (SHO)" zoning district. PUBLIC HEARING

OPENED. See record notes from preceding public hearing. A communication dated August 11, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

RE: Alderman Michael Raymond – Zoning Map Change – Senior Housing Overlay District

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting of August 5, 2008, the Planning Board voted to forward a favorable recommendation to the City Council on the above cited zoning ordinance map change.

If you or members of the City Council have any questions or concerns regarding the foregoing matter, please contact me.

Respectfully Submitted, s/Edmund P. Tarallo, Planning Director

Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON SEPTEMBER 2, 2008 AND THAT THE MATTER BE REFERRED TO THE 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 and for taking a matter out of order, all in favor, 9-0.

ORDERED WHEREAS, there presently exists a structure or structures located in the City of Woburn, Massachusetts on Hill Street and shown on Woburn Assessors Map 54, Block 05, Parcel 02, formerly occupied by the Commonwealth of Massachusetts Registry of Motor Vehicles; and

WHEREAS, the condition of said building or buildings has been allowed to deteriorate and the property is generally not being maintained;

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

s/Alderman Mercer-Bruen

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

Presented to the Mayor: Aug. 14, 2008 s/Thomas L. McLaughlin Aug. 19, 2008

ORDERED Be it ordained by the City Council of the City of Woburn that Title 5, Article XII, Section 5-71 of the 1989 Woburn Municipal Code, as amended, be further amended by deleting the present Section 5-71 in its entirety and replacing same with the following:

5-71 City Council to grant license: Requirements for drivers of Taxicabs

A. The City Council may from time to time grant such licenses, upon such terms as they may deem expedient to any person resident in this City or permanently engaged in business, and the stand in a public place or way, if any is granted, shall be designated therein. (Prior Ch. 26 sec. 4).

B. Taxicab drivers license requirements:

1. No person shall be licensed as a driver who:
 - a. is not at least 18 years old;
 - b. does not possess a Massachusetts RMV driver's license;
 - c. where there is evidence of the use of intoxicating liquors or narcotic drugs;
 - d. has a criminal record within the past seven years for any of the following:
 - i. Conviction of a felony;
 - ii. Violation of parole or probation;
 - iii. Sex offense;
 - iv. Illegal possession of firearms;
 - v. 3 or more moving violations of motor vehicle laws in one year.
2. Criminal Offender Record Information (CORI) review

Criminal Offender Record Information (CORI) record checks are required of all applicants. Criminal record checks will be conducted for conviction and pending criminal case information. A CORI cleared officer of the Woburn Police Department is the only person conducting the record check. The only information supplied to the City Council or its Committee on Police and License regarding the record check is PASS or FAIL.

3. Registry of Motor Vehicles review

All applicants are required to have a registry of motor vehicle background check to be conducted by the Woburn Police Department.

4. Drivers appeal of rights of denial of license

Any driver whose application is denied by the City Council may appeal said denial to the City Council and seek a one year probationary license. The City Council may in its discretion grant such a one year license if the driver will be closely supervised by the taxicab owner employing said driver and if the driver presents clear and convincing evidence to the City Council that the applicant's past crimes, accidents and/or violations do not constitute an inference that the applicant as a licensed taxicab driver might commit crimes; cause accidents, cause violations of these regulations, or cause violations of other laws.

5. Surrender of taxicab driver license.

Any licensee who shall cease to be the driver of a taxicab company licensed by the City Council shall at once surrender his license to the License Commission where it will be filed for safe keeping until the regularly established expiration date on the license or until the licensee returns to active driving for a taxicab company licensed by the City Council.

6. License to issue to driver.

Upon issuance of the license, drivers shall be required to have a photograph taxicab license which is supplied by the Police Department. Cost for the picture identification shall be borne by the applicant. The cost will be _____

7. Taxicab drive to display license.

Every driver having charge of a taxicab shall have his taxicab driver's license attached to his vehicle sun-visor or to his outer garment or otherwise readily visible on his person, to be displayed upon request by a passenger, police officer or agent of the commission.

s/Alderman Mercer-Bruen and
Alderman Gately

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

A communication dated August 1, 2008 was received from His Honor the Mayor Thomas L. McLaughlin as follows:

Re: David Gilgun – License Commission

Dear Mr. Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint David Gilgun of 623 Main Street as a member of the License Commission for a period of six years.

Mr. Gilgun will replace Paul Wentworth.

Mr. Gilgun's appointment will be effective on the date of confirmation by the City Council, and his term will expire six years from that date.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin

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

UNFINISHED BUSINESS OF PRECEDING MEETING:

A notice of intention to move for reconsideration was filed by President Charles Doherty pursuant to Rule 13 of the Rules and Orders of the City Council on July 11, 2008 at 3:05 p.m. having voted as a member of the prevailing party relative to a vote approve an Order to appropriate the sum of \$400,000.00 from the School Stabilization Fund Account to WMHS Comfort Station Account. Motion made and 2nd that reconsideration be allowed, all in favor, 9-0. President Doherty stated that a substantial review of the need for additional bathrooms at the facility is needed. Alderman Denaro stated that he has heard from constituents that this funding is a waste of State and local money, that he would prefer to appeal the plumbing board decision, and that he will not support the proposal. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 7 in favor, 2 opposed (Denaro, Gately opposed).

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

Motion made and 2nd that the public hearings on the following two matters be taken collectively, all in favor, 9-0. Motion made and 2nd that the reports from the Committee on Special Permits in the next two matters be accepted collectively, all in favor, 9-0.

On the petition by Chair 5 Restaurants – Woburn LLC d/b/a Qdoba Mexican Grill, 572 Washington Street, Suite 17A, Wellesley, Massachusetts 02482 for a special permit pursuant to Sections 5.1.29 and 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for a fast food restaurant and building signage at 300 Mishawum Road PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “back for action”. Appearing for the petitioner was Attorney Frank DiLuna, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the matter has been discussed in committee. Attorney DiLuna offered a document entitled “Proposed Conditions to Koffler/GID Woburn LLC Special Permit Modification August 12, 2008” for the City Council to review. Motion made and 2nd that the MATTER be RECEIVED AND MADE PART OF THE RECORD, all in favor, 9-0. Bob Griffin, Griffin Engineering Group, LLC stated that there will be new landscaping plantings and an irrigation system to sustain the plantings, that landscaping will include evergreens, flowers and shrubs to allow color each season, and that a raised median will be constructed at Market Basket to channel pedestrians to crosswalks and to smooth out the traffic flow. IN FAVOR: None. OPPOSED: Charles Rotundi stated that he appealed the decision in which the City Council increased the square footage of the Woburn Mall, that the entrance was moved down Mishawum Road, that the entrance is on his land, that he owns a portion of the layout of Mishawum Road, that he opposes the 6,000 square foot building, that he will appeal the special permit if granted, that the county in 1946 built a road and took an easement on each side of the road, that Mishawum Road is on his property at this point, that he still has the fee but the State says that it has an easement, that he does not pay taxes to the city for that land, that the original easement goes back to 1851, and that in 1946 a road was constructed. Mike Rotundi stated that he is concerned with the outparcel and the impact on the parking in the mall, and that he is concerned that this proposal was not included with the original proposal to enlarge the Woburn Mall. 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 twenty-one proposed conditions be accepted as conditions of the special permit, all in favor, 9-0.

On the petition by Koffler/GID Woburn LLC, 260 Boston Post Road, Suite 9, Wayland, MA 01778 for a modification of a special permit dated October 9, 2003, as amended by special permit dated August 21, 2006, as amended by a modification dated February 14, 2008, such modification pursuant to Sections 5.1.23, 5.1.29, 7.3, 8.2 and 8.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for: 1. a further amended site plan, 2. an additional 6,665 square feet of gross floor area more or less, 3. a reduction in the required parking, and 4. parking on a lot separate from 300 Mishawum Road. PUBLIC HEARING OPENED A report was received from the Committee on Special Permits as follows: “back for action”. See notes from preceding public hearing. 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 twenty-one proposed conditions be accepted as conditions of the special permit, all in favor, 9-0.

Motion made and 2nd that the public hearings on the following two matters be taken collectively, all in favor, 9-0.

On the petition by REMAND pursuant to an Order of the Land Court in the Matters of Lowe's Companies, Inc. and Lowe's Home Centers, Inc. v. Anthony Imperioso, et al. found at Misc. Case No. 291847 and Misc. Case No. 291848, on August 12, 2008 at 7:30 p.m. in the City Council Chambers, City Hall, Woburn, Massachusetts, concerning the petitions by Lowe's Companies, Inc., P.O. Box 1111, North Wilkesboro, North Carolina 28656-0001 for 1. a special permit pursuant to Section 5.1(22) of the 1985 Woburn Zoning Ordinances, as amended, to allow for the addition of a 6,059 square foot storage area to the rear of the building at 15 Commerce Way, and 2. a special permit pursuant to Section 8.2.5 and Section 11 of the 1985 Woburn Zoning Ordinances, as amended, to allow for reduction in the number of parking spaces from 622 to 589 at 15 Commerce Way, and for the purposes of discussing settlement of pending litigation relative to the appeal of the matters and taking action. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "back for action". Motion made and 2nd that the committee reports be received, all in favor, 9-0. Appearing for the petitioner was Appearing for the petitioner was Attorney Frank DiLuna, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he offered a document entitled document entitled "Lowe's Companies Inc. Proposed Conditions August 12, 2008" to the City Council for review. Motion made and 2nd that the document be received and made part of the record, all in favor, 9-0. Attorney DiLuna offered a plan entitled "Site Development Plans for Proposed Addition 15 Commerce Way, Woburn, MA" with a revised date of August 12, 2008 to the City Council. Motion made and 2nd to accept the revised site plan and make it part of the record, all in favor, 9-0. IN FAVOR: None. 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 eleven proposed conditions, as further amended, be adopted as conditions of the special permit, 2. That proposed condition 8 be amended to read as follows: "The flatbed delivery truck shall be parked as shown on Sheet C-2A of the Plan. No more than two (2) "Lowe's to Go" rental trucks shall be parked as shown on Sheet C-2A of the Plan during business and non business hours. The above-mentioned trucks will not be allowed to park on the Mishawum Road street line.", all in favor, 9-0.

On the petition by Lowe's Companies, Inc., 15 Commerce Way, Woburn, Massachusetts 01801 for special permits pursuant to Section 5.1.45, 5.1.57a and 5.1.57b to allow for the rental of moving trucks; accessory storage or parking of storage containers, storage

trailers or commercial trailers; and the accessory storage or parking of commercial motor vehicles at 15 Commerce Way. PUBLIC HEARING OPENED. A copy of a communication dated August 5, 2008 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer as follows:

Subject: 15 Mishawum Road Accessory Storage, Commercial Motor Vehicle Parking and Storage Trailers Special Permit; Special Permit Application Dated December 3, 2007; Proposed Layout Plan Dated October 24, 2000; Previous Memos Dated January 29, 2008, March 10, 2008; Letter to Planning Board on Special Permit Petition Request Dated June 6, 2008; Addition Plans Dated July 31, 2008

This office has reviewed the special permit application for the above referenced location and offers the following comments.

The application is seeking a special permit to allow for the rental of moving trucks, accessory storage, and or parking of storage containers, storage trailers, parking of commercial motor vehicle and accessory storage as well as the proposed building addition.

The building modification consists of a 6,059 sf addition and relocating the existing utilities that are in conflict with the addition. This office takes no exception to the addition or utility modifications as shown.

This office takes no exception to the special permit application or materials as submitted.

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

A communication dated August 11, 2008 was received from Edmund Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Lowe's Companies, Inc. – 15 Mishawum Rd.(Commerce Way) – Remand Hearing & Hearing to allow for rental of moving trucks; accessory storage or parking of storage containers, storage trailers, or commercial trailers; and the accessory storage or parking of commercial motor vehicles under Sections 5.1.45, 5.1.57a, and 5.1.57b

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on August 5, 2008, the Board voted to send a favorable recommendation to the City Council on the remand and new Special Permit cases subject to the following conditions:

1. The Plans of Record shall be the plan entitled "Site Development Plans for Proposed Addition, 15 Commerce Way, Woburn, MA" dated August 1, 2008,

prepared by Allen & Major Associates Inc., 100 Commerce Way, Woburn, MA 01888-0118, Sheets EX-1, C-1, C-2A, C-2B, C-3, D-1 and D-2 (the "Plan").

2. That there will be no unloading of delivery vehicles within the fire lanes.
3. That there shall be no storing, unloading or stocking of materials or products in the fire lane, parking lot or on the parking decks.
4. Except for the trailers shown on the Plan designated for the collection of used appliances and pallets for recycling, all storage trailers will be removed on the earlier of one (1) year from the date of issuance of the special permit or prior to issuance of an occupancy permit for the addition.
5. That the Addition and any current space in the existing building/structure off limits to customers, used for warehousing or stocking of materials shall not become a retail space.
6. Lowe's shall provide to the City of Woburn the sum of \$4,500.00 to be used by the City to install video camera detection equipment to replace the existing loop detectors at the entrance of the Lowe's site on Commerce Way.
7. That the Planning Board shall continue to retain jurisdiction over the landscaping.
8. That the "Lowe's to Go" rental trucks shall not be parked as shown on the plans while the store is open for business and that they shall be parked to the rear of the building during business hours.

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 report was received from the Committee on Special Permits as follows: "back for action". See records from the preceding public hearing. 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 eleven proposed conditions, as further amended, be adopted as conditions of the special permit, 2. That proposed condition 8 be amended to read as follows: "The flatbed delivery truck shall be parked as shown on Sheet C-2A of the Plan. No more than two (2) "Lowe's to Go" rental trucks shall be parked as shown on Sheet C-2A of the Plan during business and non business hours. The above-mentioned trucks will not be allowed to park on the Mishawum Road street line.", all in favor, 9-0.

On the petition by Jordan Holt and Sean Kennedy, 143 Pleasant Street, Unit 4B, Cambridge, Massachusetts 02139 for a special permit to amend a special permit issued July 8, 2004 pursuant Section 5.1.35 of the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. By amending Condition 3 to allow crates to protect and rest dogs, 2. By amending Condition 4 to allow 100% of the dogs at the daycare to be outside at the same time, 3. By amending Condition 11 to allow a maximum of fifty (50) dogs on site, and 4. By amending Condition 13 to allow the hours of operation not to exceed 6:30 a.m. to 7:00 p.m. at 2 Gill Street, Unit K. PUBLIC HEARING OPENED. A copy of a

communication dated August 1, 2008 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer as follows:

Subject: 2 Gill Street Unit K – Amend Special Permit; Special Permit Application Dated June 24, 2008

This office has reviewed the plans for the above referenced project and offers the following comments.

The applicant is proposing to amend a previously approved special permit granted in August 2004. The amendment is to conditions 3 (use of crates), 4 increased use of outdoor space, 11 (increase number of dogs on site) & 13 (extend hours of operation). Upon review of the application, this office takes no exception to the application as submitted.

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

A communication dated August 11, 2008 was received from Edmund Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Jordan Holt and Sean Kennedy – 2 Gill Street, Unit K – To amend Special Permit granted June 15, 2004 by eliminating condition 3 and modifying conditions 4, 11, and 13

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on August 5, 2008, the Board voted to send a favorable recommendation to the City Council regarding 2 Gill St. Unit K to amend the Special Permit granted June 15, 2004 by eliminating condition 3 and modifying conditions 4, 11, and 13, if the City Council wishes to limit any of the numbers the Planning Board has no objection.

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

Appearing was the petitioner Jordan Holt and he stated that the petition is for a dog daycare business, that the do not board or feed dogs, that dogs are brought in each day when their owners go to work, that the are young, active dogs, that they know the dogs well, that aggressive dogs are prohibited, that in 2004 they applied for their first special permit, that there was a concern that it would operate as a kennel, that the original conditions were designed to eliminate these potential issues, that they are seeking to change four of the conditions, that crates have been found useful for settle dogs or protect them if they are injured and awaiting their owner to pick them up, that they originally

believed that that the dogs would be inside however the dog owners prefer to be outside as much as possible, that they have a large yard, that the dogs are mostly of a breed suitable for the outside such as Labradors, huskies, and shepherds, that barking is controlled by barking collars and spray bottles, that dogs which bark often are not allowed to return, that they do not expect having fifty dogs on site however prefer the flexibility of having the ability to have this number of dogs on site rather than having to schedule customers, that the owners want to be able to drop off their dogs when they choose, that the owners tend to use the facility more on good weather days than bad weather days, that there are two certified dog trainers on staff, that they have an experienced dog daycare staff, that there is a veterinarian and referral hospital within a mile from the facility, that there have not been any barking complaints received by the landlord or the Woburn police department, that they currently open at 8:00 a.m., that clients have asked for earlier drop off times as they work early or wish to avoid the rush hour traffic and later closing hours to allow sufficient time to pick up the dog after work, that the abutters have been supportive of the proposal, that the location is in an industrial area and not near residential uses, that there were 33 to 34 dogs on site when the facility was inspected by the city, that there have been times when they have gone over the twenty dog limit, that they are currently not in compliance with the limit every day, that they want to change the special permit so that they can be in compliance, that they are willing to accept amendments with a limit of twenty-five dogs until changes are made to the municipal code, and that they will comply with the other conditions. Mr. Holt offered documents to the City Council for review. Motion made and 2nd that the documents be received and made part of the record, all in favor, 9-0. Alderman Raymond stated that he spoke to the petitioners as well as to the Board of Health, that this is a licensed kennel, that the use is subject to the municipal code and the conditions of the special permit, that under the municipal code kennels are limited to twenty-five dogs, that he spoke to the landlord and abutters, that most of the other kennels are located in a residential area, and that fifty dogs at these other facilities would cause issues. Alderman Denaro stated that a larger dog care facility was allowed to locate in the city, that the city should try to work on a solution to allow the business to grow, and that the special permit can be approved with the requested changes but be limited to twenty-five dogs. President Doherty stated that the larger dog care facility was associated with a 15,000 square foot retail facility. Alderman Mercer-Bruen stated that there are industrial areas that are located near residences and that the City Council will have to proceed with caution when amending the municipal code because of this. IN FAVOR: Matthew Donaghey, Cummings Properties stated that they own the building, that they have not received complaints from neighbors, that this is a good fit, and that there have been no issues with the petitioner. OPPOSED: Tony Moda, Trustee of 42 Sixth Road stated that his building is located near the petitioner, that when twenty-five dogs are barking it is difficult to hear in his building, that he has complained to the petitioner and to the landlord, that he has counted as many as forty dogs on the site at times, that the parcel is only 5,000 square feet in area, that this is a small parcel for such a large number of dogs, and that it is difficult to operate his business when the dogs are barking. 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 condition: 1. That the number of dogs on site be limited to twenty-five (25), all in favor, 9-0.

On the petition by OCS America, Inc., 27 Draper Street, Woburn, Massachusetts 01801 for two special permits pursuant to the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Pursuant to Section 5.1.42 to allow for warehouse and distribution use and 2. Pursuant to Section 5.1.57b to allow for the parking of commercial vehicles, both at Suite B, 29 Draper Street. PUBLIC HEARING OPENED. A copy of a communication dated August 1, 2008 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer as follows:

Subject: 29 Draper Street Suite B – Warehouse/Distribution Use Special Permit; Special Permit Application Dated June 24, 2008; Memorandum to Planning Board Dated August 1, 2008

This office has reviewed the plans for the above referenced project and offers the following comments.

The applicant is seeking a special permit to allow for warehouse and distribution use as well as parking commercial vehicles onsite.

The applicant's legal counsel has submitted a memorandum summarizing the proposal and proposed operation of the above referenced project. This memorandum outlined the type of facility, number of employees and vehicles that will be used for the proposed use.

The mitigation as per Section 18 of the zoning ordinance has been address as well as other conditions set forth in the previous special permit for the subject property.

Upon review of the information, 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.

A communication dated August 11, 2008 was received from Edmund Tarallo, Planning Director, Woburn Planning Board as follows:

Re: OCS America, Inc. – 29 Draper Street, Suite B – To allow for warehouse and distribution use and to allow for parking of commercial vehicles under Sections 5.1.42 and 5.1.57b

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on August 5, 2008, the Board voted to send a favorable recommendation to the City Council subject to the following conditions:

1. All dumpsters shall be emptied between the hours of 7:00 a.m. to 5:00 p.m.

2. That an access easement or declaration of covenant shall be recorded between Lots 5E and 6C and said easement or covenant shall be provided to the Building Inspector prior to building permit.
3. Signage on the building shall not be illuminated.
4. All lighting on the premises shall be reflected downward to avoid any impact on surrounding properties.
5. There shall be no outside storage of materials allowed on the premises.
6. The hours of operation shall be limited to 5:30 a.m. to 8:00 p.m., Monday through Friday, however, the building shall not be open for business to the public until 6:00 a.m., Monday through Friday. The hours of operation shall be further limited to 7:00 a.m. to 4:00 p.m. on Saturdays and from Noon to 4:00 pm. on Sunday.
7. Loading shall be limited to 7:00 a.m. to 7:00 p.m., Monday to Friday; 8:00 a.m. to 1:00 p.m. on Saturday and not at all on Sunday.
8. No deliveries shall be allowed on the site prior to 7:30 a.m. or after 8:00 p.m., Monday to Friday and there shall be no deliveries on Saturday or Sunday. However, one delivery per day shall be allowed between the hours of 8:00 p.m. and 10:00 p.m., Monday through Friday.”
9. All vehicles associated with the use of this building that are owned by the tenants of this building shall be registered in the City of Woburn.
10. That the Planning Board shall approve and retain jurisdiction over the landscaping.
11. The total mitigation fee of \$28,785.00 shall be provided in accordance with Section 18 of the Woburn Zoning Ordinance prior to the issuance of any occupancy permit for the building. The \$28,785.00 shall be used for Ward 5 infrastructure improvements.

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

Appearing for the petitioner was Attorney Frank DiLuna, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the petitioner will not be changing its operation, that it is currently located at 27 Draper Street and will be moving to 29 Draper Street, that that the petitioner has a worldwide network specializing in the customized distribution and time-sensitive delivery of international business materials around the world, that the petitioner does not handle perishable or hazardous materials, that this is a small company with little impact, that the petitioner averages one to two tractor trailer trucks per week and daily UPS deliveries, and that this is not a significant warehouse and distribution center. Alderman Mercer-Bruen stated that she had received complaints about trucks in the past, that this is an area sensitive to traffic, and that she wants the petitioner’s employees to be instructed not to use Nashua Street. Dave Rosenthal of OCS America, Inc. stated that that petitioner has been located at 27 Draper Street since 2004 and will be relocating to 29 Draper Street. Albert F. Curran, Jr., Manager of Draper Realty LLC stated that the move would not take place for several

months from now and that they are just beginning construction of the building. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON SEPTEMBER 2, 2008 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

On the petition by Fabio A. DeSouza, 12 Sheridan Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.44 of the 1985 Woburn Zoning Ordinances, as amended to allow an automobile and truck repair garage at 317 Montvale Avenue PUBLIC HEARING OPENED. No one appeared on behalf of the petitioner. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON SEPTEMBER 30, 2008, all in favor 9-0.

On the petition by Alderman Darlene Mercer-Bruen concerning the lot of land located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 24 Pine Street, Woburn, Massachusetts for the purposes of determining whether said building or buildings are a nuisance, a nuisance to the neighborhood, dilapidated or dangerous building or buildings or other structure or structures, as said terms are used in Mass. General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED. Alderman Mercer-Bruen stated that the matter has been resolved and the property was cleaned. Appearing was Attorney Jeremy Bombard, Harmon Law Offices, P.O. Box 610389, Newton, Massachusetts 02461-0389 a property manager is in place, that he can provide contact information if there is an issue, that the bill for the grass cutting completed by the Department of Public Works can be sent to the management company for payment, and that the vehicle removed from the site was removed by the former owner. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the public hearing be closed, all in favor, 9-0. Motion made and 2nd that the MATTER be GIVEN LEAVE TO WITHDRAW, all in favor 9-0.

On the petition by President Charles Doherty to amend the 1985 Woburn Zoning Ordinances, as amended, by establishing a new Section 23 entitled Commerce Way Corridor Overlay District as set forth in the petition. PUBLIC HEARING OPENED. President Doherty stated that he expects that there will be a couple of hearings on this matter so that the abutters in the area can participate, that this proposal will allow for a commercial used to be a mixed use of office, retail and high end residential, that the area will be from the Woburn Mall to the I-93 access ramps, that the overall goal is reinvestment and redevelopment of the area. Alderman Raymond stated that the New Boston Street bridge project will also benefit this area and is moving along in the design phase, and that he is concerned that the ladders of the fire department do not go higher than ten stories. IN FAVOR: A communication dated August 12, 2008 was received from Paul J. Meaney, Executive Director, Woburn Business Association, Ten Tower Office

Park, Woburn in favor of the proposal. Matt Donaghey, 27 Thistle Road stated that this proposal will be a great fit for the community, that this has been accomplished in several communities, that the dividends to the community will be profound, that the open space of 15% and building height of ten stories should be amended, that there should be ten to fifteen story buildings and open space of 30%, that the would like to see the sky used more and the land used less, and that this will bring tax revenue to the city and higher revenue to the developer. OPPOSED: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON OCTOBER 7, 2008 AND THAT THE MATTER BE EFERRED TO THE COMMITTEE ON ORDINANCES, all in favor 9-0.

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

ORDINANCE:

On the Order to amend Title 2, Article XXVIII, Section 2-180 of the 1989 Woburn Municipal Code, as amended, relative to the salary line for Board of Registrars of Voters for Warden, Clerk and Inspector, 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: Aug. 14, 2008 s/Thomas L. McLaughlin Aug. 19, 2008

On the Order to amend Title 2, Article XXVIII, Section 2-180 of the 1989 Woburn Municipal Code, as amended, relative to salary line for Police Matrons, Reserve Police Officers and School Crossing Guards, 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: Aug. 14, 2008 s/Thomas L. McLaughlin Aug. 19, 2008

On the Order to amend the Zoning Map of the City of Woburn by changing the zoning district for the property known and numbered as 131 Main Street and shown on Assessors Map 59, Block 25, Parcel 25 from the R-2 zoning district to the B-N zoning district, 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: Aug. 14, 2008 s/Thomas L. McLaughlin Aug. 19, 2008

PERSONNEL:

On the re-appointment of Kathleen Lucero as a member of the Historic District Commission, 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: Aug. 14, 2008 s/Thomas L. McLaughlin Aug. 19, 2008

POLICE AND LICENSES:

On the petition by Ahmad Abbas dba A.A. Transportation for a new Taxi Cab License, committee report was received “ought to pass”. Alderman Mercer-Bruen stated that the petitioner has agreed to comply with the proposed taxicab driver license ordinance if adopted. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

Presented to the Mayor: Aug. 14, 2008 s/Thomas L. McLaughlin Aug. 19, 2008

NEW PETITIONS:

Petition by Mohamad S. Moharam dba First Cab of Woburn, 29 Cummings Park, Suite 440, Woburn, Massachusetts 01801 for a new Taxi Cab License. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON POLICE AND LICENSES, all in favor, 9-0.

Petition by NStar Electric Company, 101 Linwood Street, Somerville, Massachusetts 02143 for a grant of right in a way to install conduit on Washington Street at and southeasterly from Dragon Court from MH22619 thence turning and running easterly to pole 228/114-1X a distance of about forty (40) feet and to install conduit on Washington Street at and southeasterly from Dragon Court from MH22619 thence turning and running southerly to pole 8/138 a distance of about 117 feet. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Keyspan Energy Delivery/National Grid, 100 Commercial Street, Malden, Massachusetts 02148 for a grant of right in a way to install approximately 125 feet of two inch plastic main on Naples Avenue. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Woburn Cemetery Commission, 100 Salem Street, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 5.1.79 and 5.5 of the 1985 Woburn Zoning Ordinances, as amended, to allow the installation of an architectural retaining wall and appurtenant earthwork to create additional space for internment at Woodbrook Cemetery. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Robert Khouzami, 40 Overlook Road, Stoughton, Massachusetts 02072 for a special permit pursuant to Section 5.1.45 of the 1985 Woburn Zoning Ordinances, as

amended, to allow for a license to buy, sell, exchange or assemble second hand motor vehicles or part thereof and for a Second Class Motor Vehicle Sales License at 317 Montvale Avenue. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Metro PCS Massachusetts LLC, 285 Billerica Road, Chelmsford, Massachusetts 01824 for a special permit pursuant to Section 5.1.80b of the 1985 Woburn Zoning Ordinances, as amended, to install a wireless communications facility on the roof of 304 Cambridge Road. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by David Taylor, 37 Tufts Road, Winchester, Massachusetts 01890 for a special permit pursuant to Section 5.1.35 of the 1985 Woburn Zoning Ordinances, as amended, to allow a doggie daycare at 280 Salem Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Dole & Bailey Inc., 16 Conn Street, Woburn, Massachusetts 01810 for a special permit pursuant to Section 5.1.61, 5.1.69 and 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow the alteration of a nonconforming use to install an accessory retail area containing approximately 2,500 square feet of net floor area as allowed by right at 16 Conn Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Petition by Sprint Spectrum, L.P. and its affiliate, Sprint Wireless Broadband Company, LLC, 9 Company Drive, Bedford, Massachusetts 01730 for a special permit pursuant to Sections 5.6 and 11.5 of the 1985 Woburn Zoning Ordinances, as amended, to modify its existing wireless communications facility within the steeple and to allow it to mount one (1) WiMAX GPS antenna on the rooftop of the church next to existing GPS antenna at 523 Main Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

COMMUNICATIONS AND REPORTS:

A communication dated was received from Charles L. O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

In accordance with Massachusetts General Laws Chapter 90, Section 20½, I am submitting a report to you on the parking violations in the City of Woburn for the period ending June 2008: number of parking violations issued 651, number of violations paid 406, number of violations outstanding 354, amount collected and submitted to the Office of the Collector \$34,678.40. There exists a backlog of 4,977 tickets for 1982 through

2007. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$5,700.00.

Respectfully submitted, s/Charles L. O'Connor, Parking Clerk City of Woburn

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

A communication dated July 23, 2008 with attachments was received from Joanne Collins, Director, Woburn Council on Aging along with the minutes of the July meeting of the Council on Aging and the Director's report for the month of July. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A communication dated June 30, 2008 was received from Carol L. Nagle, Clerk to the Woburn License Commission was received as follows:

Dear Mr. Campbell:

At its Regular Meeting on June 19, 2008, the Woburn License Commission voted to allow Keno-to-Go tickets to be sold by existing lottery agents. However, the Commission requested that the Massachusetts State Lottery Commission not allow lottery agents in the City of Woburn to have seating added if Keno-to-Go tickets are sold.

Very truly yours, s/Carol L. Nagle, Clerk to the License Commission

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

A communication dated July 23, 2008 was received from Attorney John J. Goldrosen, Kopelman and Paige, P.C. relative to new excavation and trench safety regulations. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE and that a copy be forwarded to the Department of Public Works and Cemetery Commission, all in favor, 9-0.

A copy of a communication dated July 31, 2008 to Donald Jensen, City Treasurer/Collector was received from Paul L. Sweeney, Treasurer, Northeast Metropolitan Regional Vocational School District advising that the assessment for the City of Woburn for the FY2009 budget is \$1,208,355.00. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A communication dated August 2, 2008 entitled Fuel Transactions from 7/1/2008 to 7/31/2008 Woburn Police was received. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A copy of a communication dated July 21, 2008 to Mayor Thomas L. McLaughlin was received from Susan Thifault, The Tennis Court Committee, Stephen Sullivan, Girl's Varsity Coach and Jack Cornell, Boy's Varsity Coach in support of funding for the tennis courts at Woburn Memorial High School. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A confidential communication dated July 10, 2008 was received from Jonathan M. Silverstein, Kopelman and Paige, P.C. relative to pending litigation in the matter of Extra Space Storage v. City Council of the City of Woburn, et. al., Land Court No, 08-MISC-373888. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A communication dated July 25, 2008 was received from Paul J. Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn, Massachusetts 01801 as follows:

Re: Walnut Street Parking Lot Ad Hoc Committee

Dear Mr. Campbell:

Please find enclosed my recommendation as designated representatives to the Ad Hoc Committee from the Crestview, 36 Montvale Avenue, Woburn, MA 01801 the following two names – Alan Warnick or Peter Ginivisian. I am submitting these two names as representatives in case one can't make the meeting the other will represent The Crestview on this committee.

I hope that this will meet with your approval.

Sincerely, s/Paul J. Meaney, Executive Director

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

A Conservation Easement and Restriction was received from David Tracy and Jayne Tracy pursuant to Sections 31, 32 and 33 of Chapter 184 of the Massachusetts General Laws granting to the City of Woburn in perpetuity and exclusively for conservation purposes a Conservation Restriction on a parcel of land containing approximately 15,294 square feet of land shown as "Conservation Restriction Area A" on a plan entitled "Plan

of Land in Woburn, Massachusetts, Conservation Restriction, Drew Place prepared by Edward Farrell PLS dated July 14, 2008". Motion made and 2nd that the CONSERVATION RESTRICTION be ACCEPTED, all in favor, 9-0.

Presented to the Mayor: Aug. 14, 2008 s/Thomas L. McLaughlin Aug. 19, 2008

A communication with attachments was received from Barry Callahan, Callahan's Deli and Helen Banks, LLC as follows:

Re: Callahan's Deli, 229 Main Street, Woburn, MA modification to parking plan

Petitioner: Mr. Barry Callahan, Callahan's Deli
Helen Banks, LLC

To Whom It May Concern:

We are requesting a modification to the parking space plan prepared by Edward J. Farrell, professional land surveyor, dated 2/6/08. The parking plan was listed as condition #5 of the special permit for the above referenced property. The modification to the plan will show the location of the existing parking lot light fixture, bollard and fire hydrant on the parking plan.

Sincerely, s/Barry Callahan, Callahan's Deli
s/Robert Banks, Com-Manager, authorized signer for Helen Banks LLC

Motion made and 2nd that the REQUEST FOR MODIFICATION OF THE PARKING PLAN be APPROVED, all in favor, 9-0.

A communication dated August 11, 2008 with attachment was received from Attorney John D. McElhiney, McElhiney and Matson, 607 Main Street, Woburn, Massachusetts 01801 as follows:

Re: Modifications to Special Permit – Pecks, Inc., 891 Main St., Woburn, MA

Dear Councillors:

I am submitting herewith a revised site plan (20 copies) for the above matter, which incorporate some of the conditions which you had imposed, and which further modifies the parking plan and some associated layout and lighting changes.

The plan shows the handicap parking space, as required in Condition 4 of your Decision. The plan further shows the location of a solid, gated fence to the rear of the property, behind which will be the location of the dumpster, consistent with Condition #3 of your Decision. The plan also shows a snow storage area along the southerly end of the lot, consistent with Condition #2 of your Decision.

Actual conditions in the field, including the location of the existing free-standing sign (roughly in the middle of the parking lot entrance area), have necessitated a revision to the parking area. While six spaces have been eliminated from the 29 originally shown, we still have 23 spaces, which is 22 more than required under the ordinance. In addition, the spaces eliminated were those which are generally within the snow storage area, and which would not have worked as a practical matter because of the location of the existing sign.

This plan also shows the elimination of a two jutting island area, to better accommodate turning movements and snow plowing efforts. Landscaping along the front is retained, however, and overall the Planning Board will still have jurisdiction over the landscaping aspects of the plan.

Finally, a new light will be installed on an existing pole in the front of the property. We are eliminating the need to utilize an older pole location at the far northerly end of the property (which pole is not, in any event, even on our property).

We are asking the Council to allow us to utilize this revised site plan, as a much more functional and practical design, in lieu of the site plan previously submitted.

I would ask that the Council consider this a relatively minor modification to the Special Permit, and adopt the same without the need for a new public hearing. As you know, this matter had generally garnered the prior support of your board and other city agencies, and was not the subject of any opposition at any of the prior hearings. The Petitioner is hoping to open up at this site as soon as possible, and your approval of this modified site plan will greatly assist in those efforts.

I will be available at your meeting on August 12, 2008, should you have any questions.

Thank you for any courtesy you can render in this regard.

Sincerely, s/John D. McElhiney

Motion made and 2nd that the REQUEST FOR MODIFICATION OF THE PARKING PLAN be APPROVED, all in favor, 9-0.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That the Committee on Special Permits Review meet with representatives of American Venture Corporation, Michael B. Moskow, Trustee of Packet Realty Trust, and William A. Busa and Daniel P. Busa, Jr., Trustees of

B&D Realty Trust relative to a special permit that issued on May 8, 2008 pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to extend and alter a pre-existing non-conforming use, by developing an additional 11,200 square feet (approx.) of retail space on the currently vacant portion of the site, and combining the property at 159 Main Street into the overall site development at 159-175 Main Street to discuss construction operations and conformance with the terms of the special permit.

s/President Doherty, Alderman Galvin
and Alderman Gonsalves

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

ORDERED That the City Council Regular Meeting of September 16, 2008 be canceled due to the State Primary election.

s/President Doherty

Motion made and 2nd that the ORDER be ADOPTED, AS AMENDED, with the amendment as follows: "That the meeting shall be rescheduled to September 30, 2008", all in favor, 9-0.

ORDERED Be It Ordained by the City Council of the City of Woburn that Title 3, Article I, Section 3-3 be further amended by adding a new Section 3-3G as follows:

G. Carry-Over of Department Accounts

Any department request to carry over unexpended funds in an account from one fiscal year to a subsequent fiscal year shall be approved by a majority vote of the City Council prior to the end of the current fiscal year from which the funds remain. Any request shall include a written report detailing the amount requested to be carried-over, the intended use of the funds and how the amount was calculated.

s/President Doherty

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

RESOLVED That the Superintendent of the Department of Public Works and the City Engineer coordinate efforts to ensure that the City of Woburn is taking full

advantage of the Sewer Rate Relief Fund which operates under the provisions of Massachusetts General Laws Chapter 29, §2Z and that a copy of the Massachusetts Department of Revenue Application for FY2009 Distribution under the Commonwealth Sewer Rate Relief Fund be forwarded to the departments for action.

s/President Doherty

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

Presented to the Mayor: Aug. 14, 2008 s/Thomas L. McLaughlin Aug. 19, 2008

ORDERED That in accordance with Massachusetts General Laws Chapter 54, as amended, the City Clerk is hereby authorized and directed to notify and to warn such of the inhabitants of the City of Woburn as are qualified to vote in Primaries to assemble at the polling places in their respective wards as designated herein, on TUESDAY, the SIXTEENTH DAY OF SEPTEMBER, 2008 from 7:00 a.m. to 8:00 p.m., then and their to cast their votes in the State Primary for the candidates of political parties DEMOCRATIC, REPUBLICAN, GREEN-RAINBOW AND WORKING FAMILIES for the following offices:

SENATOR IN CONGRESS FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS ... SEVENTH DISTRICT
COUNCILLOR SIXTH DISTRICT
SENATOR IN GENERAL COURT 2ND MIDDLESEX DISTRICT
(Ward 2)
SENATOR IN GENERAL COURT 4TH MIDDLESEX DISTRICT
(Wards 1, 3, 4, 5, 6, 7))
REPRESENTATIVE IN 15th MIDDLESEX DISTRICT
GENERAL COURT (Wards 1, 7)
REPRESENTATIVE IN 30th MIDDLESEX
GENERAL COURT DISTRICT (Wards 2, 3, 4, 5, 6)
REGISTER OF PROBATE MIDDLESEX COUNTY

Ward-Precinct Polling Place Location

1-1	Joyce Middle School Library 55 Locust Street
1-2	Clapp Elementary School Cafeteria Hudson Street and Arlington Road
2-1	Shamrock Elementary School Gymnasium 60 Green Street

- 2-2 Shamrock Elementary School Gymnasium
60 Green Street
- 3-1 Hurd Elementary School Gymnasium
75 Bedford Road
- 3-2 Hurd Elementary School Gymnasium
75 Bedford Road
- 4-1 Wyman Elementary School Auditorium
Main Street and Eaton Avenue
- 4-2 White Elementary School
36 Bow Street
- 5-1 Goodyear Elementary School Gymnasium
41 Orange Street
- 5-2 Goodyear Elementary School Gymnasium
41 Orange Street
- 6-1 Altavesta Elementary School Gymnasium
990 Main Street
- 6-2 Altavesta Elementary School Gymnasium
990 Main Street
- 7-1 Reeves Elementary School Gymnasium
240 Lexington Street
- 7-2 Reeves Elementary School Gymnasium
240 Lexington Street

s/President Doherty

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

Presented to the Mayor: Aug. 14, 2008 s/Thomas L. McLaughlin Aug. 19, 2008

ORDERED That the following list of Wardens, Clerks and Inspectors be approved for all Elections between September 1, 2008 and August 31, 2009:

1-1	Barbara Fagan	33 Dix Rd. Ext.	Warden
1-1	Sharon Flynn	6 Thornton Street	Clerk
1-1	Carol Lynch	264 Place Lane	Inspector

1-1	Catherine Walsh	273 Cambridge Rd #202	Inspector
1-1	John Cain	72 Bedford Road	Inspector
1-1	Peter Aspesi	31 Hudson Street	Inspector
1-1	Roberta Bengtson	6 Samoset Road	Inspector
1-1	Loretta Schuck	44 Leonard Street	Inspector
1-1	Paula Walsh	11 Hillside Avenue	Inspector
1-1	Darlene C. Wigton	51 Wyman Street	Inspector
1-2	Keith Sullivan	4 Marlboro Road	Warden
1-2	Margaret Wallace	4 Lakeview Terrace	Clerk
1-2	Betty Parechianian	7 Hope Lane	Inspector
1-2	Janet Paleologos	19 Rumford Park Ave	Inspector
1-2	Georgina Silva	50 Cambridge Rd - Apt 209	Inspector
1-2	Carol Beckwith	27 Buttaro Road	Inspector
1-2	Sophie Davidson	37 Arlington Road	Inspector
1-2	Colleen Ward	442 Russell Street	Inspector
1-2	Rodney Flynn	6 Thornton Street	Inspector
1-2	Agnes Salerno	6 Sendick Road	Inspector
2-1	Sandra Luther	19 Cummings Avenue	Warden
2-1	Catherine DiPanfilo	20 Innitou Road	Clerk
2-1	Dorothy O'Halloran	4 Colonial Road	Inspector
2-1	Helen King	4 Bedford Road	Inspector
2-1	Arline Petrino	2 Vine Brook Way	Inspector
2-1	Roy Luther	19 Cummings Avenue	Inspector
2-1	Arthur J. Cumming, Jr.	27 Anna Road	Inspector
2-1	Phyllis McInnis	66 Kilby Street	Inspector
2-1	Theresa Smith	25-0 Arlington Rd 4	Inspector
2-1	Connie Pandolph	9 Park Drive	Inspector
2-2	Patricia McCuish	14 Scott Street	Warden
2-2	Donald McCuish	14 Scott Street	Clerk
2-2	Elizabeth Ober	39 Forest Park Road	Inspector
2-2	Florence Cameron	23 Green Street	Inspector
2-2	Janice Pandolph	37 Elijah Street	Inspector
2-2	Jean Mernin	2 Walnut Street	Inspector
2-2	Judith Nagle	8 Thomas Street	Inspector
2-2	Natalie O'Connor	13 Cummings Avenue	Inspector
2-2	Barbara Sullivan	27 Arlington Road, Bldg 1, Unit 1	Inspector
2-2	Paul Cunniff	93 Waltham Street	Inspector
3-1	Sarkis Chinian	8 Asbury Avenue	Warden
3-1	Helen Simonds	45 Eaton Avenue	Clerk
3-1	Elizabeth A. Simonds	3 Court Street	Inspector
3-1	Gertrude Reil	11 Veteran Road	Inspector
3-1	Janet Barbas	45 Union Street	Inspector
3-1	Marie Price	9 Hinston Road	Inspector
3-1	Mary McElhiney	13 Ash Street	Inspector
3-1	Stella Di Girolamo	9 Lee Road	Inspector
3-1	Richard Tobin	44 Green Street	Inspector
3-1	Janet Irwin	37 Waltham Street	Inspector
3-2	Thelma Anthony	41 Brentwood Road	Warden
3-2	Sheila Tracey McElhiney	7 Sonrel Street	Clerk

3-2	Dianne DiRienzo	24 Carson Road	Inspector
3-2	Barbara Picazio	4 Manomet Road	Inspector
3-2	Hilda Abreu	81 Garfield Avenue	Inspector
3-2	Jean Rooney	59 Campbell St. #506	Inspector
3-2	Joyce Wentworth	17 Highet Avenue	Inspector
3-2	John Matheson	66 Central Street	Inspector
3-2	Doris Stanton	18 Nichols Street Ext.	Inspector
3-2	Paul Johnson	7 Dearborn Terrace	Inspector
4-1	Jean MacDonald	123 Washington Street	Warden
4-1	Madeline Heslin	36 Clinton Street	Clerk
4-1	Adeline Matheson	66 Central Street	Inspector
4-1	Albert Galante	4 Oneil Road	Inspector
4-1	James Rastellini	153 Montvale Avenue	Inspector
4-1	Florence McManus	5 Buck Street	Inspector
4-1	Elaine Haggerty	30 Thistle Road	Inspector
4-1	James Doherty	45 Brentwood Road	Inspector
4-1	Mary McElhiney	10 Pilgrim Road	Inspector
4-1	Mary McLaughlin	6 Carroll Road	Inspector
4-2	Margaret Donahue	176 Bedford Road	Warden
4-2	Anne McGarry	3 Innitou Road	Clerk
4-2	Alfred Autenzio	9 Arbor Lane	Inspector
4-2	Geraldine Moscaritolo	200 Bedford Rd #20E	Inspector
4-2	Jeanne Lingblom	18 Day Circle	Inspector
4-2	Hazel S. Lambert	3 Elmwood Terrace	Inspector
4-2	Stella Kiklis	1 Cliffside Terrace	Inspector
4-2	Kasey Ward	120 Russell Street	Inspector
4-2	Margaret Stack	7 Willow Street	Inspector
4-2	Janice R. Sylvia	2 Bay Street	Inspector
5-1	Joyce Marshall	5 Elijah Street	Warden
5-1	Linda Olsson	60 Water Street	Clerk
5-1	Beverly McCue	51R Central Street	Inspector
5-1	Claire Regan	8 Howard Court	Inspector
5-1	Harold Parechanian	7 Hope Lane	inspector
5-1	Gloria Platon	6 Fieldstone Drive	inspector
5-1	Marie Giangrande	6 Flint Circle	Inspector
5-1	Mary Sandvick	2 Park Drive Ext.	Inspector
5-1	Maureen Vallis	4 Clifford Terrace	Inspector
5-1	Beatrice Armato	6 Forest Glen Road	Inspector
5-2	Helen Hatch	14 Marlboro Road	Warden
5-2	Theresa Nardone	3R James Terr. - PO Box 180	Clerk
5-2	William Coady	35 Glenwood Avenue	Inspector
5-2	Mary Dickie	1 Linden Circle	Inspector
5-2	Marguerite Rebal	111 Spring Ct. Ext.	Inspector
5-2	May Famiglietti	22 Buttarro Road	Inspector
5-2	Shirley Butler	28 Felton Street	Inspector
5-2	Anna Cumming	27 Anna Road	Inspector
5-2	Myles Collins	19 Squanto Road	Inspector
5-2	Janet Galante	3A Kearsarge Avenue	Inspector
6-1	Nancy Darby	20 Ward Street	Warden

6-1	John DeCata	57 Wood Street	Clerk
6-1	Albina Cain	72 Bedford Road	Inspector
6-1	Barbara Ridley	129 Place Lane	Inspector
6-1	James O'Donnell	442 Russell Street	Inspector
6-1	Joan Mann	15 Floyd Street	Inspector
6-1	Josephine Wallace	55 Vernon Street	Inspector
6-1	Loretta Cianchi	32 Dix Road	Inspector
6-1	Helen Buss	15 Plympton Street	Inspector
6-1	Jane Linn	204 School Street	Inspector
6-2	Dianne Autenzio	23 Milan Avenue	Warden
6-2	Daniel Brady	3 Munroe Street	Clerk
6-2	Antoinette Allen	273 Cambridge Rd #208	Inspector
6-2	Carolyn Grammer	27-0 Arlington Rd #1	Inspector
6-2	Irene DeCata	57 Wood Street	Inspector
6-2	Marjorie Amato	24 Mountain Street	Inspector
6-2	Mary O'Doherty	134 Bedford Road	Inspector
6-2	Rita Stone	63 Merrimac Street	Inspector
6-2	Michelina F. DeAngelis	255 Lexington Street	Inspector
6-2	Eleanor J. Collins	19 Squanto Road	Inspector
7-1	Michael Parise	244 Russell Street	Warden
7-1	Alfred Magro	9 Rich Road	Clerk
7-1	Camille Maccini	3 Pheasant Lane	Inspector
7-1	Dorothy Curran	1 Dix Road	Inspector
7-1	Ellen Magro	9 Rich Road	Inspector
7-1	Florence Tully	5 Hiawatha Road	Inspector
7-1	Rita Allitto	11 Morningside Drive	Inspector
7-1	Nancy Nardone	12 Roman Road	Inspector
7-1	Thomas O'Rourke	15 Highet Avenue	Inspector
7-1	Barbara Callahan	32 Van Norden Road	Inspector
7-2	Gloria Hildebrandt	17 Grace Road	Warden
7-2	M. Joyce O'Donnell	442 Russell Street	Clerk
7-2	Helen Foti	10 Morningside Drive	Inspector
7-2	Jean Lally	29 Hart Street	Inspector
7-2	Laura Morrow	15 South Bedford Street	Inspector
7-2	Phyllis Flight	99 Middle Street	Inspector
7-2	Virginia Evans	12 Barbara Circle	Inspector
7-2	Veronica Croke-Golden	12 Warren Avenue	Inspector
7-2	Sharon Lee	14 Henderson Road	Inspector
7-2	Nancy Mathews	11 Albert Street	Inspector
1	Louise (Scholtes) LeBlanc	20 Mayflower Road	Substitute
2	Carolyn Fitzler	23 Webster Ave.	Substitute
3	Debbie Perelli	65 Pine Street	Substitute
4	Edith A. Welch	960C Main Street	Substitute
5	Elizabeth L. Donovan	5 Crescent Road	Substitute
6	Florianna H. Tobin	200 Bedford Rd #26D	Substitute
7	Renee Maher	12 Sendick Road	Substitute
8	Jean O'Connor	9 Rock Street	Substitute
9	June Myers	10 Delaware Avenue	Substitute
10	Martin LaCarbonara	10 Grove Street	Substitute
11	Mary Harrison	48 Lake Avenye #BC5	Substitute

12	Mary Alice Grzyb	26 Carroll Road	Substitute
13	Nancy Disessa	5 Susan Terrace	Substitute
14	Pasquale J. Paradiso	5 Cortland Circle	Substitute
15	Ron Dunn	8 Spring Street	Substitute
16	Rosemary F. Spencer	5 Caulfield Road	Substitute
17	Ruthann Gridelli	25 Grape Street	Substitute
18	Thaddeus M. Baxter, Jr.	172 Winn Street	Substitute
19	Theresa Chotkowski	3 Pond Terrace	Substitute
20	William F. Connolly	27 Parker Street	Substitute

I hereby approved the above: s/Thomas L. McLaughlin, Mayor

s/President Doherty

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

Presented to the Mayor: Aug. 14, 2008 s/Thomas L. McLaughlin Aug. 19, 2008

Motion made and 2nd to ADJOURN, all in favor, 9-0. Meeting adjourned at 11:00 p.m.

A TRUE RECORD ATTEST:

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