

**CITY OF WOBURN
JUNE 7, 2011 - 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 Order relative to the library expansion grant from the Committee on Liaison and to hear from His Honor the Mayor Scott Galvin on the matter, all in favor, 9-0. Mayor Galvin stated that the \$24,000,000.00 library renovation and expansion proposal is too expensive that the building does need to be upgraded, that he supports the city accepting the 2008 grant in the amount o \$4,700,000.00 based on the 38,000 square foot proposal, that the cost of the project should not exceed \$15,000,000.00, that the project will be funded with a \$5,500,000.00 bond, \$2,000,000.00 from Library Board of Trustees funds, \$2,000,000.00 in historic tax credits and the grant, that this proposal will have minimal or no impact on the tax rate, that the project must have the support of the Library Board of Trustees, the Library Director, and the Library Commissioners to move forward, that he recommends renovation of the existing library building, that the City Council will have to approve the bond, and that the grant funds are still available. Alderman Mercer-Bruen stated that this is a good compromise, and that this proposal gets the city close to construction as the grant is already in place for acceptance. Alderman DiTucci stated that she understood the 2008 plan to be deficient. Alderman Galvin stated that Massachusetts Board of Library Commissioners Director Robert Maier stated that the size of the 2008 plan can be reduced by 5%, that the cost of construction at \$400.00 per square foot for a 38,000 square foot building is approximately \$16,000,000.00, and that with \$4,700,000.00 grant proposal there would not be a break into the building as there would be with the larger building. Alderman DiTucci stated that she is concerned with the additional staff that would be needed for the 2008 design and the legacy costs of those employees, that the Library Trustees are seeking a bond in the amount of \$5,500,000.00 and then they will develop the library, and that the City Council must trust the judgment of those who run the library as to what is needed to operate the library. Mayor Galvin stated that all parties are working to the same end and should not be battling. Alderman Raymond stated that he wants to see a plan based on the \$15,000,000.00 projected cost, that the application to the Library Commissioners is based on \$11,000,000.00 in bonds, and that he is not

willing to support a project that will cost the city \$10,000,000.00. Mayor Galvin stated that the original grant was for a 21,000 square foot addition, that there were some deficiencies which may have led to the 38,000 square foot plan, and that the cooperation of the City Council and Mayor are needed as well. Alderman Mercer-Bruen stated that if the current grant is not accepted there is no guarantee that another grant will be awarded, that the smaller library project may not receive architectural awards but should be designed to meet the basic needs of the city. Alderman Gately stated that a \$15,000,000.00 project can be completed. Alderman Gaffney stated that he needs to be assured that the \$5,500,000.00 contribution will be the only amount the city will have to contribute, that there should be a new library board to oversee the construction with greater input by and perhaps members of the City Council on the board as well as citizens participation. Alderman Anderson stated that the city will be signing grant agreement if the grant is accepted and will be responsible for the cost of the project. Alderman DiTucci stated that the funds for the project will not be released by the Library Commissioners until the city's portion of the project costs are in place, that the city will only contribute \$5,500,000.00 for the project unless the city decides to contribute additional money, that she is not an expert on library needs but the trustees and the architect are, and that she questions what the city will do if the smaller library project requires the hiring of additional staff. Mayor Galvin stated that he will not permit hiring of additional staff at the library. Motion made and 2nd that the matter be laid on the table until later in the meeting, ROLL CALL: Anderson – Yes, DiTucci – No, Drapeau – No, Gaffney – Yes, Gately – No, Haggerty – Yes, Mercer-Bruen – No, Raymond – Yes, Denaro – Yes, Motion Passes.

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

MAYOR'S COMMUNICATIONS:

A communication dated June 6, 2011 with attachment was received from His Honor the Mayor as follows:

Re: Proposed Solar Overlay District Zoning Ordinance

Dear President Denaro:

I am forwarding to the Woburn City Council a proposed Solar Overlay District Zoning Ordinance for the municipal landfill. Alderman Mike Raymond, who has been a strong proponent of Woburn's efforts to become a "Green Community" and to re-use the landfill in a safe and productive manner acceptable to his constituents, has agreed to sponsor this proposal.

The Overlay District will lead to savings in the City's electricity costs, while promoting renewable and clean energy technology.

Sincerely, s/Scott D. Galvin, Mayor

Attached thereto was the following Order:

ORDERED

Be it ordained by the City Council of the City of Woburn that the 1985 Woburn Zoning Ordinances, as amended, be further amended by adding a new Section 26 Solar Overlay District as follows:

Section 26 - Solar Overlay District

26.1 Purpose: The purpose of this bylaw is to promote the creation of new large-scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted solar photovoltaic installations.

26.2 Applicability: This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section.

This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

26.3 Definitions

- 1. As-of-Right Siting:** As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-right development may be subject to site plan review to determine conformance with local zoning ordinances or bylaws.
- 2. Large-Scale Ground-Mounted Solar Photovoltaic Installation:** A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.
- 3. On-Site Solar Photovoltaic Installation:** A solar photovoltaic installation that is constructed at a location where other uses of the underlying property occur.

4. **Rated Nameplate Capacity:** The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).
5. **Site Plan Review:** review by the City Council to determine conformance with the zoning ordinance.
6. **Solar Overlay District:** The locations designated by Ordinance where ground - mounted large scale solar photovoltaic installations may be sited as-of right. Said locations are shown on the Zoning Map.
7. **Solar Photovoltaic Array:** an arrangement of solar photovoltaic panels.
8. **Zoning Enforcement Authority:** The person or board charged with enforcing the zoning ordinances or bylaws.

26.4 General Requirements for all Large Scale Solar Power Generation Installations The following requirements are common to all solar photovoltaic installations to be sited in designated locations.

1. **Compliance with Laws, Ordinances and Regulations** The construction and operation of all large scale solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.
2. **Building Permit and Building Inspection** No large scale solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

26.5. Site Plan Review: Ground-mounted large scale solar photovoltaic installations with 250 kW or larger of rated nameplate capacity shall undergo shall be subject to Site Plan Review by the City Council, pursuant to Section 12 Site Plan Review and subject to the dimensional requirements of Section 26.9. Dimension and Density Requirements prior to construction, installation or modification as provided in this section

1. **Plans** All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.
2. **Required Documents** Pursuant to the site plan review process, the project proponent shall provide the following documents:
 - (a) A site plan showing:
 - i. Property lines and physical features, including roads, for the project site;

- ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
 - iii. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures
 - iv. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
 - v. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
 - vi. Name, address, and contact information for proposed system installer;
 - vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any; and
 - viii. The name, contact information and signature of any agents representing the project proponent.
- (b) Documentation of actual or prospective access and control of the project site (see also Section 26.6);
 - (c) An operation and maintenance plan (see also Section 26.7);
 - (d) The underlying Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
 - (e) Proof of liability insurance; and
 - (f) Description of financial surety that satisfies Section 26.13.3.

26.6 Site Control

The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

26.7 Operation & Maintenance Plan

The project proponent shall submit a plan for the operation and maintenance of the large scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

26.8 Utility Notification

No large- scale ground –mounted solar photovoltaic installation shall be constructed until evidence has been given to the City council that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator’s intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

26.9 Dimension and Density Requirements

- 1. Setbacks** For large - scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:
 - (a) Front yard: The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
 - (b) Side yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
 - (c) Rear yard. The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
- 2. Appurtenant Structures** All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

26.10 Design Standards

- 1. Lighting** Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

2. Signage Signs on large- scale ground-mounted solar photovoltaic installations shall comply with Section 13 Sign Regulations of the zoning ordinance. A sign consistent with Section 13 shall be required to identify the owner and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.

3. Utility Connections Reasonable efforts, as determined by the City Council, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

26.11 Safety and Environmental Standards

1. Emergency Services The large scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Fire Chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

2. Land Clearing, Soil Erosion and Habitat Impacts Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large – scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws.

26.12 Monitoring and Maintenance

1 Solar Photovoltaic Installation Conditions The large - scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Fire Chief. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

2. Modifications All material modifications to a solar photovoltaic installation made after issuance of the required building permit shall require approval by the City Council.

26.13 Abandonment or Decommissioning

1. Removal Requirements Any large- scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with Section 26.13.2 of this ordinance shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the City Council by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- (a) Physical removal of all large- scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
- (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- (c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The City Council may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

2. Abandonment Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the City Council. If the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation.

3. Financial Surety Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the City must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the City Council, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

s/Alderman Raymond and Alderman Gately

Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING AT THE REGULAR MEETING OF THE CITY COUNCIL ON JULY 19, 2011, all in favor, 9-0.

ORDERED That the sum of \$12,000.00 be and is hereby transferred as so stated from Property & Liability Insurance Acct #0198051-517540 \$12,000.00 to Veteran's Cash Aid Acct #154357-577000 \$12,000.00.

I hereby recommend the above: s/Lawrence Guiseppe, Veterans Agent
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 \$75,000.00 be and is hereby transferred as so stated from BLS Ambulance Receipts Account #31359-595000 \$75,000.00 to Fire/Overtime Acct #0122051-513100 \$75,000.00

I hereby recommend the above: s/Paul Tortolano, Chief, Fire Department
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 \$15,000.00 be and is hereby transferred as so stated from DPW/Administration Acct #0141151-511000 \$15,000.00 to DPW/Overtime Acct #0141151-513100 \$15,000.00

I hereby recommend the above: s/John F. Duran, DPW, Superintendent
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 \$206,000.00 be and is hereby transferred as so stated from Worker's Compensation Acct #0198051-517100 \$47,000.00, Property Insurance Acct #0198051-517540 \$18,000.00, Auditor's Salary Acct #0113451-511000 \$6,000.00, Non-Contrib. Retirement Acct #0197051-517800 \$8,500.00, W.R.A. Acct #0112252-538905 \$5,000.00, Board of Health Salary Acct #0151251-511000 \$20,000.00, Assessor Salary Acct #0113751-511000 \$30,000.00, Treasurer's Salary Acct #0113851-511000 \$4,000.00, Planning Board Salary Acct #0117251-511000 \$17,000.00, Sealer of Weights Acct #0125451-511000 \$7,000.00, Civil Defense Salary Acct #0129151-511000 \$22,000.00, Civil Defense Acct #0129152-530915 \$2,500.00, Engineering Salary Acct #0141051-511000 \$12,000.00, Council on Aging Acct #0154151-511000 \$7,000.00, Total: \$206,000.00 to Unemployment Comp Acct #0198051-517300 \$122,000.00, Medicare Acct #0198051-517600 \$28,500.00, Short Term Interest Acct #0171559-592500 \$55,500.00, Total: \$206,000.00

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 \$7,349.00 be and is hereby transferred as so stated from Police Overtime Acct #0121051-513100 \$6,000.00, Police Gasoline Acct #0121054-548100 \$1,349.00, Total \$7,349.00 to Cruiser Outlay Acct #0112158-586681 \$7,349.00.

I hereby recommend the above: s/Capt. Richard J. Kelley,
Acting Chief of Police

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 \$30,000.00 be and is hereby appropriated from Cemetery Interest Fund and distributed as follows for Fiscal Year 2012: \$10,000.00 to Utility Acct 0149052-521103, \$5,000.00 to New Equipment 0149058-586600, \$2,000.00 to Office Supplies 0149054-542000, \$5,000.00 to

Equip/Bldg Maint 0149054-543000, \$8,000.00 to Tools/Supplies Acct
0149054-546100.

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 Oliver Enterprises, 278 Salem Street, Woburn, Massachusetts 01801 for a Special Permit pursuant to the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. To allow for the alteration of the existing non-conforming use and structure (single family home) to provide for an addition to the existing structure to allow for the Petitioner's landscaping business pursuant to Section 7.3, and 2. To allow for the overnight parking of commercial vehicles pursuant to Section 5.1.57b, at 5 Hancock Street. PUBLIC HEARING OPENED. A communication dated May 24, 2011 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Oliver Enterprises, 5 Hancock Street, Woburn, MA

Dear Mr. Campbell:

Due to the fact that the Planning Board has not yet completed its review of the above petition, I respectfully request that the public hearing on this matter be continued from June 7, 2011 to June 21, 2011.

If you need any further information, please contact me. Thank you.

Very truly yours, s/Joseph R. Tarby

IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JUNE 21, 2011, all in favor 9-0.

On the petition by Peterson Party Center, Inc., 139 Swanton Street, Winchester, Massachusetts for a special permit pursuant to Section 5.1.57b of the 1985 Woburn Zoning Ordinances, as amended, to allow for the overnight parking of commercial vehicles at 36 Cabot Road. PUBLIC HEARING OPENED. Appearing for the petitioner was Attorney Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the locus is located in the IP-2 zoning district, that the building was constructed in 1975, that the building has been used for warehouse and distribution since 1975, that Teradyne was the last occupant of the property, that the

petitioner is located in Winchester, that the petitioner's business was founded in 1877 renting chairs to funeral parlors, that the company has grown to the most extensive event rental company in New England, that the building is 228,000 square feet, that the petitioner will rent half of the building, that the petitioner will have during peak spring, summer and fall months 44 commercial vehicles on site including 24 foot box trucks, 16 foot trucks, vans, pick-ups and forklift trucks, that approximately half of the vehicles will be on site during the winter months, that the petitioner will be meeting with the Planning Board next week, and that the petitioner will provide larger copies of plans to the City Council. Robert Traina, CEO and President of the petitioner stated that there is no plan at this time to store fuel for the vehicles on site, that the petitioner may perform minor maintenance on the vehicles such as changing lights or replacing tires, that the petitioner has 200 employees during the peak months and 125 employees during the winter months, that the petitioner currently occupies 3½ buildings in Winchester which are inadequate, that the petitioner will consolidate all businesses to this location, and that there will be a retail rental component to the business. Alderman DiTucci stated that the parking plan should include ADA accessible parking spaces. Alderman Anderson requested that larger size copies of the plan be filed with the City Council. IN FAVOR: Paul Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn stated that it is good to attract a great business such as the petitioner from another community, and that the petitioner will provide good employment and good tax revenue to the city. OPPOSED: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JUNE 21, 2011 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

On the petition by Crossroads Properties, LLC, c/o Cummings Properties, LLC, 200 West Cummings Park, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 7.3 and 12.2.4 of the 1985 Woburn Zoning Ordinances, as amended, to construct a one-story, 6,959 gross square foot addition to an existing two-story pre-existing non-conforming structure at 299 Washington Street. PUBLIC HEARING OPENED. A communication dated June 7, 2011 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Crossroads Properties, LLC – 299 Washington St. – To construct o one-story 6,959 S.F. addition to pre-existing non-conforming structure pursuant to Sections 7.3 and 12.2.4

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on May 24, 2011, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Crossroads Properties, LLC, regarding the property at 299 Washington Street for the construction of a one-story 6,959 S.F. addition to pre-existing non-conforming structure pursuant to Sections 7.3 and 12.2.4 subject to the following conditions:

1. That all the conditions of the Special Permit issued April 29, 2004 as modified on September 1, 2009 shall be incorporated as part of this decision unless further modified by these conditions;
2. That the plans of record shall be the plans entitled "Proposed Addition 299 Washington St., Woburn, Massachusetts" consisting of Sheets C-1, C-2, C-3, and C-4 dated 4/19/11 and Drawings A-1 and A-2 dated April 19, 2011 unless modified by these conditions;
3. That the exterior patio area shall not exceed 673 S.F.;
4. That the sidewalk from the entrance of the building connecting to the sidewalk on Forbes Road shall remain as well as the 4 parking spaces and entrance markings limiting restricting the driveway to entrance only as shown on Sheet 1 of the plans of record;
5. That the traffic signage and the drive markings shall remain as shown on the plan entitled "Plot Plan No. 299 Washington St., Woburn, Mass." prepared by Harry R. Feldman, Inc., Land Surveyors, 112 Shawmut Avenue, Boston, Mass 02118 dated March 4, 2004; and
6. That the parking aisle between the 6 compact parking spaces and 6 parking spaces south of the proposed new addition shall have a one way southerly flow marked on the pavement and a one way northerly flow marked on the pavement of the aisle between the 6 parking spaces and the 26 spaces on the easterly side of the property; and
7. That the new addition shall be in accordance with the plans of record and shall not exceed 1,200 NSF of office and 5,473 NSF of light manufacturing space.

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 May 23, 2011 from Brett F. Gonsalves, Senior Engineer, Engineering Department to Edmund Tarallo, Planning Director was received as follows:

Subject: 299 Washington Street – Addition to a Pre-existing Non Conforming Structure
Special Permit – Special Permit Application Dated April 14, 2011 – Plans Dated April 14, 2011

The applicant is seeking permission to allow for the construction of a 6,959 S.F. addition at the above referenced location. The accompanying site plan shows the location of the proposed addition as well as the proposed drainage improvements and relocated parking spaces.

The additional roof runoff will be mitigated through an underground infiltration system. The submitted drainage computations for the underground infiltration system to mitigate the roof runoff for the 2, 10, 25 and 100 year storm events. These calculations

demonstrate that the chambers will be able to handle the runoff from the roof for the designed storm events.

The applicant engineer should look at the site drainage and see what improvements can be made to meet stormwater management requirements.

Upon review of the special permit 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.

Appearing for the petitioner was Attorney Graig Ziady, Cummings Properties and he stated that the special permit is for the construction of a one-story structure, that the unit will have large windows to maximize light, that tenants are interested in cubic feet of a unit not just square feet, that the 154 vehicles parking spaces are sufficient even for peak season usage, that the property is located in the IG zoning district, that the locus is approximately 2.63 acres, that the building was originally constructed for the DeCosta Sausage Company, that the unit will be 39,000 square feet in area, that the property has been a mixed use since purchased by the petitioner in 1994, that all of the uses in the building are by-right in the zoning district, that no traffic safety issues exist with the line of sight, that a special permit is required because on pre-existing non-conformity of the lot, that the green space next to the Elks property and the front yard setback are deficient, that street was widened in 1986 and 1989 following takings which resulted in the front setback deficiency, that the green space requirement was added to the zoning code after the green space boundary had been established, that the City Engineer, Fire Chief and Traffic Safety Officer has visited the site and confirmed that there are no safety or fire threats associated with the project, that the petitioner visited residential neighbors to determine any objections, that no resident gave any objection or criticism of the proposal, that the Planning Board gave unanimous approval, that the petitioner has no objection to Planning Board Conditions one through six but does object to Condition 7, that this project is a speculation building and the limit of uses in Condition 7 was based on an example given to the Planning Board of a potential use, that discussions with the Ward Five Alderman and the Planning Board have resulted in a more acceptable modified condition, that there will be no adverse impact on the neighborhood or traffic, that the existing loading dock will serve this unit as well, that the recharge pit is fifty-two feet long, sixteen feet wide and five feet from bottom of grade to finish gravel, that the City Engineer was satisfied with the drainage, and that one parking space will be lost to the construction of the addition. Alderman Mercer-Bruen stated that she commends the petitioner on continuing to develop property and keep people working during the poor economy. Alderman Gately stated that he was concerned about drainage issues in the area and wanted assurances that the recharge pit is sufficient for the drainage. IN FAVOR: Paul Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn stated that the project is a 6,900 square foot addition, that he wishes it was a larger building as the city can use the tax revenue and employment opportunities, and that he supports the project. 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 one through six of the Planning Board be adopted as conditions of the special permit, 2. That the new addition shall be in accordance with the plans of record, and 3. That the parking requirements for the entire building including the new addition shall be in compliance with the off-street parking and loading requirements of Section 8 of the Woburn Zoning Ordinance, all in favor 9-0.

On the petition by Belinda M. Alfano, Trustee of 85 Green Street Realty Trust, P.O. Box 158, North Billerica, Massachusetts 01862 for a Special Permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for a change in use of the existing non-conforming use and structure from a single family home to a two family home at 85 Green Street. PUBLIC HEARING OPENED. A communication dated June 7, 2011 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Belinda M. Alfano, Trustee of 85 Green Street Realty Trust – 85 Green Street - To allow for a change in use of the existing single family home to a two family home pursuant to Section 7.3

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on May 24, 2011, the Planning Board voted to send an unfavorable recommendation to the City Council on the Special Permit application of Belinda M. Alfano, Trustee of 85 Green Street Realty Trust, regarding the property at 85 Green Street for a change in use of the existing single family home to a two family home pursuant to Section 7.3 because the property is already non-conforming as a single family home and basement apartments are traditionally a concern to the Fire Department. However, had there been evidence that the Building Inspector and Fire Chief were satisfied with this petition then the Board would have offered a favorable recommendation

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 Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the property is located in the R-2 zoning district, that the property is non-confirming as the front yard setback is fifteen feet rather than twenty-five feet and the side yard setback is fifteen feet rather than twenty feet, that there will be two living units, that four parking spaces will be provided, that the driveway entrance will be from Green Street and not Allen Street, that petitioner owns a lot of property in the city which is well maintained, that the petitioner purchased the property in the Fall of 2010, that there is a kitchen, bathroom and living

room in the basement, that a family member used the unit and the unit was rented as well but there is no tenant at this time, that there is a cost involved in preparing plan for approval by the Building Department and the Fire Department which the petitioner does not want to incur if the special permit is not granted, that there are four means of egress to the property, a fire rated ceiling and wall, and hardwired smoke detectors and CO₂ systems proposed, that the required off-street parking is being provided, that the Woburn Zoning Ordinances allow conversion of single-family residences to two-family residences as long as the lot is a minimum of 10,000 square feet in area which this lot is, that the two-family unit is allowed by special permit, and that there are other two family residences in the area. Alderman Gately stated that the parking issue on Allen Street has been addressed, that a shed was of concern but has been removed, and that he is looking at the feasibility of making Allen Street a one-way street at it is a substandard street. PUBLIC COMMENTS: Tom Cashell, 83 Green Street stated that making Allen Street one-way would be difficult particularly in the winter during poor weather, that the property was not rental property, that the building housed a family, and that the current occupants of the house have parties and a number of vehicles park on their side of the street and the lawn. Gail Sullivan, 29 Allen Street stated that she wants to know if the old driveway will be removed and replaced with a new driveway on Green Street, that it is difficult to navigate the street, that this is a small area, that there cannot be a lot of vehicles, that if the property is to be rented this could create problems, and that the property is currently unkempt. Jerry Sullivan, 29 Allen Street stated that the street is currently twenty feet wide, and that it is a narrow and steep street. Bob Holland, 1 Overlook Avenue stated that his daughter Kristin Holland purchased the property, that there are two parking spaces and additional parking on Green Street, that the property is not unkempt, that there are five two-family houses on Allen Street, that the use will not be out of character with the neighborhood, that his daughter will move into the basement unit but not permanently, that she intends to rent both units at some point in the future, that the proposed driveway is not on Allen Street, that he spoke to the neighbors and told them to contact him if there are problems with the property or vehicles with the property, and that he will have interior plans available for review by the City Council this week. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JUNE 21, 2011 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

On the petition by New Cingular Wireless PCS, LLC by AT&T Mobility Corporation, 550 Cochituate Road, Framingham, Massachusetts 01701 for a special permit pursuant to Sections 5.1.80b and 5.6 of the 1989 Woburn Zoning Ordinances, as amended, to add three like antennas and accessories to an existing wireless communications site at 397 Main Street. PUBLIC HEARING OPENED. A communication dated June 7, 2011 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: New Cingular Wireless, PCS, LLC by AT&T Mobility, Inc., as its manager– 395 Main Street – To install 3 additional panel antennas behind the existing stealth framing on the roof of the existing 45’ building at an antenna centerline height of 50’

and below the top of the screen wall and with associated antenna and electronic equipment and to install additional equipment in the existing AT&T equipment room in the basement of the building pursuant to Sections 5.1.80b and 5.6

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on May 24, 2011, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of New Cingular Wireless, PCS, LLC by AT&T Mobility, Inc., as its manager, regarding the property at 395 Main Street for the installation of 3 additional panel antennas behind the existing stealth framing on the roof of the existing 45' building at an antenna centerline height of 50' and below the top of the screen wall with associated antenna and electronic equipment and to install additional equipment in the existing AT&T equipment room in the basement of the building pursuant to Sections 5.1.80b and 5.6 subject to the following conditions:

1. That the antennas shall be in accordance with plans entitled "Woburn Main Street" last dated revision of 12/03/10; and
2. That the petitioner shall post a bond for future removal.

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 Michael Davis, Brown Rudnick LLP, 10 Memorial Boulevard, Providence, Rhode Island 02903 and he stated that the petitioner is building a new wireless Long Term Evolution (LTE) network, that the network will enhance high speed data transmission, internet and wireless service, that the petitioner is retrofitting existing sites with the LTE network, that currently the locus has a rooftop installation at the locus with equipment in the basement, that the locus is located in the BD zoning district, that there is no LTE service in this area currently, that the use will not alter conditions in the area, that the facility will not generally be visible as it is located on a rooftop, that the unit will be visited once or twice a month for maintenance, that the proposal improves public health and safety by improving communications, that two similar petitions were approved for the petitioner last month and a contribution of \$5,000.00 was required for each petition to the wireless facility fund, that the Planning Board did not recommend this locus be conditioned on an additional contribution, that the Planning Director stated that city had sufficient funds to issue a Request for Proposals for the study and the petitioner's contribution has been saturated given the other two \$5,000.00 payments, that the unit will not be any higher than the existing antennas, and that the petitioner will use the existing enclosure on the roof. Alderman Gately stated that he does not want to see antennas on properties along the downtown area, and that other than the current antenna at this locus there are not wireless antennas in the downtown area. Alderman Anderson stated that he would like to see a photograph of the facility, and that the package includes photographs from the ground but he wants to see what the

facility on the rooftop looks like. IN FAVOR: None. OPPOSED: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JULY 19, 2011 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

CITIZEN'S PARTICIPATION:

Petition received from Charles V. Spearman, 50 Salem Street, Apt. A, requesting citizen's participation time to discuss reactivation of the Civil Defense siren system. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY, all in favor, 9-0.

COMMITTEE REPORTS: None.

NEW PETITIONS:

A communication dated May 23, 2011 with attachment was received from Attorney Robert W. Tedesco, 88 Main Street, Woburn, Massachusetts 01801 as follows:

Re: Minor Modification of Landowner's Decision and Notice of Special Permit issued to Anthony J. Triglione

Dear Mr. Campbell:

Please be advised that this office represents Anthony J. Triglione. On February 10, 2011 the City Clerk's Office issued a Special Permit to Anthony J. Triglione, Landowner and Boston Billiards Supply Inc., Petitioner (copy enclosed). The permit was sought as condition precedent to the purchase of the real property located at 102-104 Main Street, at the corner of Ash Street. However, due to unforeseen financial issues, the Petitioner was unable to complete the purchase of the building and is no longer involved with same.

My client is the owner of the building and also is the Founder and President of Mission of Deeds, Inc. located in Reading, Massachusetts. As you may be aware, Mission of Deeds, Inc. is a 501(c)(3) Charitable Organization providing home furnishings and house wares, free of charge, to people in need. After much contemplation and reflection, my client is respectfully requesting that a Minor Modification be made to said Special permit to allow his property to be used as a storage and distribution center for home furnishings and house wares to further expand the good works of Mission of Deeds, Inc. in the community, as opposed to the retail sale of billiard tables and related accessories. It should be noted that the intended hours of operation of Mission of Deeds, Inc. at this location, will be far less than those set forth in Condition Number 6 of the Special Permit as granted. Initially, this location may only be open to the clients of Mission of Deeds, Inc. 2 to 4 days per month.

Therefore, we request that all reference to “billiard table sales and service retail facility” in the Decision be modified to “storage and distribution center for home furnishings and house wares.”

So that my client may move forward as quickly as possible with his plans, I respectfully request that action be taken on this request for a Minor Modification at the upcoming City Council Meeting scheduled for June 7, 2011.

Thank you for your kind attention to this matter, and please do not hesitate to contact me personally should you have any questions or concerns.

Very truly yours, s/Robert W. Tedesco, Esq.

Motion made and 2nd that the MINOR MODIFICATION NOT be ALLOWED AND THE PETITIONER BE NOTIFIED TO FILE A FULL SPECIAL PERMIT PETITION, all in favor, 9-0.

A communication dated June 1, 2011 was received from Attorney Joseph R. Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Minor Modification to Special Permit Granted to Lenny’s Auto Repair Inc.
280 Salem Street, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent Luis Scarabelli, d/b/a Global Automotive. On March 19, 2009, your office issued a Landowner’s Decision and Notice of Special Permit (the “Decision”) (copy enclosed) setting forth approval by the Woburn City Council of the Special Permit granted to Lenny’s Auto Repair Inc. (“Lenny’s”) to operate an auto repair shop at 280 Salem Street, Woburn, Massachusetts.

Lenny’s has vacated the premises and Global Automotive has entered into a lease with Robert Holland, the property owner, to lease the space formerly occupied by Lenny’s. Mr. Scarabelli has over twenty (20) years experience in the auto repair business. He has reviewed the conditions set forth in the Decision and agrees to abide by said condition. Therefore, on behalf of my client, I respectfully request approval by the City Council at its meeting on June 7, 2011 of the transfer of the Decision from Lenny’s Auto Repair Inc. to Luis Scarabelli d/b/a Global Automotive as a minor modification to the Decision.

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

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

Alderman Mercer-Bruen stated that she will support this request for a minor modification as the only change will be the name of the business owner, that it will be the same type of business, and the conditions will remain the same. Motion made and 2nd that MINOR MODIFCATION be GRANTED, 8 in favor, 1 opposed (Anderson opposed).

A communication dated June 1, 2011 was received from Attorney Joseph R. Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: ExecuSpace Construction Corporation
140 Garfield Avenue, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent ExecuSpace Construction Corporation in connection with a Landowner's Decision and Notice of Special Permit issued by the City Clerk on August 11, 2005 (the "Special Permit") which Special Permit was extended to August 11, 2011. As a result of the current status of the economy, construction has not commenced pursuant to said Special Permit.

Therefore, on behalf of the Petitioner, I respectfully request that the City Council further extend the time period for the Petitioner to exercise its rights under the Special Permit for an additional two (2) year period to August 11, 2013.

Should you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2nd that the SPECIAL PERMIT ISSUED TO EXECUSPACE CONSTRUCTION CORP. FOR THE PROPERTY LOCATED AT 140 GARFIELD AVENUE ON AUGUST 11, 2005 AND EXTENDED TO AUGUST 11, 2009 AND EXTENDED TO AUGUST 11, 2011 be FURTHER EXTENDED FOR AN ADDITIONAL TWO YEAR PERIOD UP TO AND INCLUDING AUGUST 11, 2013, all in favor, 9-0.

A communication dated June 1, 2011 was received from Attorney Joseph R. Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: 4-K Realty Trust, 27 Montvale Avenue, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent the 4-K Realty Trust in connection with a Landowner's Decision and Notice of Special Permit issued by the City Clerk on August 14, 2003, as amended by a Landowner's Confirmatory Decision and Notice of Special Permit issued by the City Clerk on January 12, 2004, as extended by Notice of Extension of Special Permit issued by the City Clerk on May 6, 2009 (the "Special Permit"). As a result of the current status of the economy the Petitioner has not been able to proceed forward with this project.

Therefore, on behalf of the Petitioner, I respectfully request that the City Council extend the time period for the Petitioner to exercise its rights under the Special Permit for an additional two (2) year period to August 11, 2013.

Should you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2nd that the SPECIAL PERMIT ISSUED TO 4-K REALTY TRUST FOR THE PROPERTY LOCATED AT 27 MONTVALE AVENUE ON AUGUST 14, 2003 AND EXTENDED TO AUGUST 14, 2007 AND EXTENDED TO AUGUST 14, 2009 AND EXTENDED TO AUGUST 11, 2011 be FURTHER EXTENDED FOR AN ADDITIONAL TWO YEAR PERIOD UP TO AND INCLUDING AUGUST 11, 2013, all in favor, 9-0.

Petition by New Boston Auto Exchange, LLC, 210 New Boston Street, Woburn, Massachusetts 01801 for renewal of Second Class Motor Vehicle Sales License. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON POLICE AND LICENSE, all in favor, 9-0.

Petition by William Crescent dba Crescent Jewelers, 20501 S. LaGrange Road, Frankfort, Illinois 60423 for a License to Purchase and Sell Second-Hand and Personal Articles of Values and Collectibles. Motion made and 2nd that MATTER be REFERRED TO COMMITTEE ON POLICE AND LICENSES, all in favor, 9-0

COMMUNICATIONS AND REPORTS:

A communication dated May 17 2011 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 April 2011: number of parking violations issued 645, number of violations paid 314, number of violations outstanding 265, amount collected and submitted to the Office of the Collector \$23,586.40. There exists a backlog of 5,619 tickets for 1982 through

2010. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$6,000.00.

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 May 26, 2011 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 May 2011. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A copy of an appeal filed by New Boston Street Associates, LLC with the Superior Court relative to the granting of a special permit on May 3, 2011 to Pacific Packaging Products, Inc. at 331 New Boston Street. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A copy of a Decision dated May 24, 2011 by the Surface Transportation Board in the matter of New England Transrail, LLC. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A communication dated May 19, 2011 received from Brian McDonald, 19 Maywood Terrace relative to alleged zoning violations at 17R Maywood Lane. Motion made and 2nd that COMMITTEE ON ORDINANCES, all in favor, 9-0.

UNFINISHED BUSINESS OF PRECEDING MEETING:

On the Order to amend Title 2, Section 2-5 of the 1989 Woburn Municipal Code, as amended, relative to exemptions from conflict of interest education training for volunteer and short-term temporary or seasonal compensation positions. Motion made and 2nd to take the matter from the table, all in favor, 9-0. Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0.

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That the Regular Meetings of the City Council shall be held on July 19, 2011 at 7:00 p.m. and August 9, 2011 at 7:00 p.m. and all other regular meetings during July 2011 and August 2011 shall be and hereby are canceled.

s/President Denaro

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

ORDERED That the Woburn City Council hereby authorizes the Conservation Commission to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Conservation Commission may spend funds received without further appropriation during Fiscal Year 2012 for the purpose of environmental public benefit and open space acquisitions and/or protection. The “Conservation Commission’s Revolving Fund”, is to be credited with all fees and charges not to exceed \$10,000.00 received during Fiscal Year 2012 from gifts, donations and monies raised. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Conservation Commission’s Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Board of Health to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Board of Health may spend funds received without further appropriation during Fiscal Year 2012 for the purpose of purchasing additional compost bins. The “Board of Health Revolving Fund”, is to be credited with all fees and charges not to exceed \$2,500.00 received during Fiscal Year 2012 from persons purchasing compost bins. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Board of Health Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual

vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Recreation Department to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Recreation Department may spend funds received without further appropriation during Fiscal Year 2012 for the purpose of purchasing playground equipment and related items for Leland Park only. The “Kids’ Kingdom Revolving Fund”, is to be credited with all fees and charges not to exceed \$2,500.00 received during Fiscal Year 2012 from donations and monies raised. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Kids’ Kingdom Revolving Fund”, under M.G.L. Chap. 44, Sec. 53E ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Parks Department to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Parks Department may spend funds received without further appropriation during Fiscal Year 2012 for the purpose of construction and a maintenance of a street hockey rink at Leland Park. The “Leland Park Street Hockey Revolving Fund”, is to be credited with all fees and charges not to exceed \$2,500.00 received during Fiscal Year 2012 from gifts, donations and monies raised. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Leland Park Street Hockey Revolving Fund”, under M.G.L. Chap. 44, Sec. 53E ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start

of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Woburn Police Department School Resources Officer to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Woburn Police Department School Resources Officer may spend funds received without further appropriation during Fiscal Year 2012. The “Woburn Police Department School Resources Officer Revolving Fund”, is to be credited with all fees and charges not to exceed \$25,000.00 received during Fiscal Year 2012 from donations and money raised. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Woburn Police Department School Resources Officer Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Board of Health to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Board of Health may spend funds received without further appropriation during Fiscal Year 2012 for the purpose landfill closure. The “Board of Health Revolving Fund”, is to be credited with all fees and charges up to \$400,000.00 received during Fiscal Year 2012. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Board of Health Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an

annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Council on Aging to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Council on Aging may spend funds received without further appropriation during Fiscal Year 2012 for the purpose of operating the Senior Center. The “Council on Aging Revolving Fund”, is to be credited with all fees and charges received during Fiscal Year 2012 up to \$70,000.00. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Council on Aging Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Office of the Mayor to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Office of the Mayor may spend funds received for cable television and telecommunications franchise fees as required under the CATV operator license agreement with the City of Woburn without further appropriation during Fiscal Year 2012 for the purpose of cable related expenditures. The “Cable Television and Telecommunications Revolving Fund”, is to be credited with all fees and charges up to \$500,000.00 received during Fiscal Year 2012. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Cable Television and Telecommunications Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor,

must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Recreation Department to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Recreation Department may spend funds received without further appropriation during Fiscal Year 2012 for the purpose of a basketball league. The “Recreation Basketball Revolving Fund”, is to be credited with all fees and charges not to exceed \$40,000.00 received during Fiscal Year 2012 from donations and monies raised. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Recreation Basketball Revolving Fund”, under M.G.L. Chap. 44, Sec. 53E ½ must be re-established on a year-to-year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Department of Public Works to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Section 53½ . The Department of Public Works may spend funds received without further appropriation during Fiscal Year 2012 for the purpose of the Liberty Elm Tree Program. The “Liberty Elm Tree Revolving Fund”, is to be credited with all fees, charges and donations not to exceed \$10,000.00 received during Fiscal Year 2012 from donations and monies collected. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Liberty Elm Tree Revolving Fund” under M.G.L. Chap. 44 Section 53½ must be re-established on a year-to-year basis. The City Council, upon

recommendation of the mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Mayor to utilize a Department Revolving Fund under M.G.L. Chap. 44, Sec. 53E 1/2. Mayor may spend funds received without further appropriation during Fiscal Year 2012. The “Spence Farm Revolving Fund”, is to be credited with all fees and charges not to exceed \$50,000.00 received during Fiscal Year 2012 from donations and money raised. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Spence Farm Revolving Fund”, under M.G.L. Chap. 44, Section 53E ½ must be re-established on a year-to-year basis. The City Council, upon recommendation of the mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

ORDERED That the Woburn City Council hereby authorizes the Mayor to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. Mayor may spend funds received without further appropriation during Fiscal Year 2012 with the purpose of encouraging the wellness and healthy lifestyles in the City of Woburn. The “Be Well Woburn Committee Departmental Revolving Fund”, is to be credited with all fees and charges not to exceed \$50,000.00 received during Fiscal Year 2012 from donations and money raised. Any remaining balance at June 30, 2012 is to revert to the General Fund, unless the fund is re-established. The “Be Well Woburn Committee Departmental Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the

start of the Fiscal Year. This authorization makes the approved Departmental Revolving Fund effective for the ensuing Fiscal Year only.

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

s/President Denaro

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

Presented to the Mayor: June 10, 2011

s/Scott D. Galvin June 10, 2011

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

ORDERED

That the ward lines for the City of Woburn following the 2010 United States Decennial Census shall be and are hereby established as follows:

WARD 1
Population 5521

Beginning at the intersection of Cambridge Road and the Burlington town line running in a southerly direction along Cambridge Road to the intersection with Locust Street, then northeasterly along Locust Street to the center of the utility line easement, thence southerly along the utility line easement to the intersection with Lexington Street, thence southwesterly along Lexington Street to the intersection with Cambridge Road, thence southerly along Cambridge Road to the intersection with the Winchester Town Line, thence running along the Winchester Town Line to the intersection with Main Street, northwesterly direction along Main Street to the intersection with Porter Street and Warren Avenue, thence northwesterly along Warren Avenue to the intersection with Pleasant Street, thence westerly along Pleasant Street to the intersection with Lexington Street, thence westerly along Lexington Street to the intersection with Akeson Road, thence northerly along Akeson Road to the intersection with Burlington Street, thence northwesterly along Burlington Street to the intersection with South Bedford Street, thence northwesterly along South Bedford Street to the intersection with Willow Street, thence northerly along Willow Street to the intersection with Bedford Road, thence westerly along Bedford Road to the center of the utility line easement, thence northwesterly along the utility line easement to the Burlington town line, then southwesterly along the Burlington town line to the point of beginning

WARD 2
Population 5252

Beginning at the intersection of Main Street at the Winchester town line in a northeasterly direction along the Winchester Town Line to Holton Street, thence northerly along Holton Street to the intersection with Nashua Street, thence northerly along Nashua Street to the intersection with Montvale Avenue, thence westerly along Montvale Avenue to the intersection with Union Street, thence westerly along Union Street to the intersection with First Street, thence southerly along First Street to the intersection with Montvale Avenue, thence westerly along Montvale Avenue to the intersection with Everett Street, thence northwesterly along Everett Street to the intersection with Main Street, thence southwestly along Main Street to the intersection with Winn Street, thence southwestly and thence turning in northwesterly along Winn Street to the intersection with Harrison Avenue, thence southwestly along Harrison Avenue to the intersection with North Warren Street, thence southeasterly along North Warren Street to the intersection with Pleasant Street, thence southeasterly along Warren Avenue to the intersection with Main Street, thence southerly on Main Street to the point of beginning.

WARD 3
Population 5266

Beginning at the intersection of Akeson Road and Lexington Street in an easterly direction along Lexington Street to the intersection with Pleasant Street, thence easterly along Pleasant Street to the intersection with North Warren Street, thence northwesterly along North Warren Street to the intersection with Harrison Avenue, thence easterly along Harrison Avenue to the intersection with Winn Street, thence southeasterly along Winn Street to the intersection with Pleasant Street, thence northwesterly along Winn Street to the intersection with Park Street, thence northerly along Park Street to the intersection with Centre Street, thence northerly along Centre Street to the intersection with Franklin Street, thence westerly along Franklin Street to the intersection with Johnson Street, thence northerly along Johnson Street to the intersection with Main Street, thence northerly along Main Street to the intersection with Lowell Street, thence northwesterly along Lowell Street to the Burlington town line, thence southerly and thence southeasterly along the Burlington town line to the center of the utility line easement, thence southeasterly along utility line easement to the intersection with Bedford Road, thence easterly along Bedford Road to the intersection with Willow Street, thence southerly along Willow Street to the intersection with South Bedford Street, thence southeasterly along South Bedford Street to the intersection with Burlington Street, thence southeasterly along Burlington Street to the intersection with Akeson Road , thence southerly along Akeson Road to the point of beginning.

WARD 4
Population 5518

Beginning at the intersection of Lowell Street and the Burlington town line in a easterly direction along Lowell Street to the intersection with Main Street, thence southerly along Main Street to the intersection with Johnson Street, thence southerly along Johnson Street

to the intersection with Franklin Street, thence easterly along Franklin Street to the intersection with Centre Street, thence southerly along Centre Street to the intersection with Park Street, thence southerly along Park Street to the intersection with Winn Street and Main Street, thence northeasterly along Main Street to the intersection with Everett Street, thence easterly along Everett Street to the intersection with Montvale Avenue, thence easterly along Montvale Avenue to the intersection with First Street, thence northerly along First Street to the intersection with Union Street, thence easterly along Union Street to the intersection with Montvale Avenue, thence easterly along Montvale Avenue to Wood Street, thence northerly along Wood Street to the intersection with Salem Street, thence westerly along Salem Street to the intersection with Beach Street, thence northwesterly along Beach Street to the intersection with Mishawum Road, thence northeasterly along Mishawum Road to the intersection with Middle Street, thence northeasterly along Middle Street to the intersection with Mishawum Road, thence northeasterly along Mishawum Road to the intersection with School Street, thence northwesterly along School Street to the intersection with Main Street, thence southerly along Main Street to the intersection with Interstate Route 95, thence westerly along Interstate Route 95 to the Burlington town line, thence southerly along the Burlington town line to the point of beginning

WARD 5
Population 5638

Beginning at the intersection of Beach Street and Mishawum Road along Beach Street in an easterly direction to the intersection with Salem Street, thence easterly along Salem Street to the intersection with Wood Street, thence southerly along Wood Street to the intersection with Nashua Street, thence southerly along Nashua Street to the intersection with Holton Street, thence southerly along Holton Street to the Winchester town line, thence easterly along the Winchester town line to the Stoneham town line, thence northerly along the Stoneham town line to the Reading town line, thence northwesterly along the Reading town line to the Wilmington town line, thence southwestwesterly along the Wilmington town line to the intersection with the MBTA Commuter Rail line, thence southerly along the MBTA Commuter Rail line to the intersection with Interstate Route 95, thence westerly along Interstate Route 95 to the intersection with Mishawum Road, thence southwestwesterly along Mishawum Road to the intersection with Middle Street, thence southerly along Middle Street to the intersection with Mishawum Road, thence southerly along Mishawum Road to the point of beginning.

WARD 6
Population 5548

Beginning at the intersection of the MBTA Commuter Rail line with the Wilmington town line in a southwestwesterly direction along the Wilmington town line to the Burlington town line, thence southerly along the Burlington town line to the intersection with Interstate Route 95, thence in an easterly direction along Interstate Route 95 to the

intersection Main Street, thence along Main Street to the intersection with School Street, thence easterly and thence turning southeasterly along School Street to the intersection with Mishawum Road, thence southwesterly along Mishawum Road to the intersection with Interstate Route 95, thence easterly along Interstate Route 95 to the intersection with the MBTA Commuter Rail line, thence northwesterly along the MBTA Commuter Rail line to the point of beginning.

WARD 7
Population 5377

Beginning at the intersection of Russell Street and the Lexington town line in a northwesterly and thence a northeasterly direction along the Lexington town line to the Burlington town line, thence along the Burlington town line to the intersection with Cambridge Road, thence southeasterly along Cambridge Road to the intersection with Locust Street, thence northeasterly along Locust Street to the center of the utility line easement, thence southeasterly along the utility line easement to the intersection with Lexington Street, thence southwesterly along Lexington Street to the intersection with Cambridge Road and Russell Street, thence southeasterly along Cambridge Road to the Winchester town line, thence southwesterly along the Winchester town line to the Lexington town line, thence northwesterly along the Lexington town line to the point of beginning.

s/President Denaro

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

Presented to the Mayor: June 9, 2011

s/Scott D. Galvin June 9, 2011

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

ORDERED That the City Council of the City of Woburn does hereby approve the Discontinuance, Abandonment, and Release of a perpetual right and easement over a parcel of land, which parcel is shown as “Access Easement” on a plan of land entitled “Approval Not Required, 32 Merrimac Street, Woburn, MA, Prepared for Leo and Carolyn DiLorenzo,” by Borselli Engineering, dated September 27, 2007, recorded as Plan 1204 at Book 2007 Page 1204;

Said easement being discontinued, abandoned and released is described in a document title “Grant of Easement” dated November 11, 2007 and recorded with Middlesex South Registry of Deeds on January 29, 2008 at Book 50647 Page 384; and

Further it was VOTED to authorize the Mayor to execute such Release or other Instrument in favor of the owner of record of such affected parcel in consideration of such sum as he deems to be in the best interest of the City of Woburn.

s/Alderman Raymond

Alderman Raymond stated that the easement was granted as part of a Court order when houses behind houses were built, that the easement is in the middle of a wetland, that the easement was for a sidewalk that cannot be built on the wetland, that the City Solicitor reviewed the matter, that the Conservation Commission had no concerns, and that removing the easement will assist in selling the property. Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0.

Presented to the Mayor June 10, 2011 and ten days having elapsed without same being approved, said License became effective without his signature on June 21, 2011.

RESOLVED Whereas, the City of Woburn has voluminous records that it must maintain and archive; and

Whereas, the City of Woburn requires space to secure these records; and

Whereas, the City of Woburn must adequately catalogue and preserve these records as well as plan for the cataloguing, maintenance and preservation of future records; and

Whereas, there is a financial impact upon the City to maintain its' voluminous records and archives;

Now Therefore, Be It Resolved that the City of Woburn, through the Mayor and in concert with the Grant Writer and City Clerk investigate the availability of federal and state grants that may be available to financially assist the City to catalogue, maintain and/or preserve the records of the City of Woburn.

s/Alderman Anderson

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

Presented to the Mayor: June 10, 2011 **s/Scott D. Galvin June 10, 2011**

Motion made and 2nd to take from the table the Order relative to the library expansion grant and to hear from His Honor the Mayor and the Board of Library Trustees on the matter, all in favor, 9-0. Appearing was Janet Rabbitt, President of the Library Board of Trustees and she stated that at the City Council meeting in May 2011 the City Council

indicated that \$5,500,000.00 was the maximum contribution that the city would make for the library project and that the tax burden would not increase, that an Historic Tax Credit could be obtained with a value of between \$3,000,000.00 and \$4,500,000.00, that the Board used a tax credit of \$3,500,000.00 as an estimate for their calculations, that the Historic Tax Credit was created in 1976, that the owner of the building receives a 20% tax credit for historical renovations, that there is also an emphasis on energy efficient renovations, that the building must be listed as a historic structure on the National Historic Register, that the work must preserve the historic nature of the building, that there was a shortfall of funding of \$3,179,376.00 before the project was downsized, that the funding can be accomplished by reducing the size of the building and using cheaper materials without compromising the building, that the Trustees will begin an aggressive fundraising campaign, and that the Trustees did not hear about the proposal of the Mayor until this meeting. President Rabbitt offered a document entitled "Trust Funds, Fundraising, City Funds and Grants for Addition/Renovation Project" 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. President Denaro stated that the library grant was awarded in 2008. President Rabbitt stated that in 2008 the City Engineer projected the cost of the library project at \$20,000,000.00 in a T.A.R.P. funding proposal for shovel-ready projects, that there were a number of deficiencies with the project but the grant was approved because of the dire need for improvements in Woburn's library, that the final date to accept the grant is June 16, 2011, and that all funding has to be in place before the grant money will be paid to the city. Alderman DiTucci stated that the city cannot accept the grant until all of the funds for the project are available. Mayor Galvin stated that the Administration's proposal includes a smaller Historic Tax Credit estimate, that the plan is tied to a 38,000 square foot design project but the design can be changed and the square footage reduced 5% below the 38,000 square feet, that the \$5,500,000.00 is being pledged to the 38,000 square foot plan, and that if the money is not available the project will not move forward. Alderman DiTucci stated that she was not aware that the \$5,500,000.00 was only for the 38,000 square foot project. Mayor Galvin stated that he has always been clear that the \$24,000,000.00 project is too big, that he will permit spending for \$15,000,000.00 for the library, that the city received a \$4,700,000.00 grant for a 38,000 square foot project, and it is the 38,000 square foot which is the target of the grant. President Rabbitt stated that under the CBT plan \$8,000,000.00 to \$10,000,000.00 of the cost is for renovation of the existing building. Mayor Galvin stated that the design of the library will have to be worked out. President Rabbitt stated that it was not certain how a new plan and all the research that is necessary could be completed with the short time frame. Alderman Raymond stated that he will not commit the city to \$10,000,000.00 in bond money. Alderman Mercer-Bruen stated that she was surprised that the Trustees are not happy with the Mayor's proposal, that the alternative proposal of the Trustees is based on estimates, and that there is no certainty that there will be another grant. President Rabbitt stated that there is no certainty in the Mayor's proposal because there is no plan for a \$15,000,000.00 addition. President Denaro stepped down from the chair and Alderman Mercer-Bruen assumed the chair. Alderman DiTucci stated that the City Council told the Trustees to come up with a new plan and the Trustees have done so, and that the City Council has not been given any information to assess the Mayor's proposal. Alderman Drapeau stated that he was not aware of the Mayor's proposal, that the library

does need to be renovated, that he is not certain what the \$15,000,000.00 will pay for, that he will support the new plan with a cap on the city's investment of \$5,500,000.00, and that if in three years the project cannot be funded then the project can go away. Mayor Galvin stated that the city will fund \$5,500,000.00 for a \$15,000,000.00 project "period", that the \$24,000,000.00 project is too much, and that the project can be completed for a lower number. Alderman Haggerty stated that he has concerns with the scope and size of the project, that he will support the \$5,500,000.00 investment, that this is an appropriate and fair amount, that these are difficult economic times, that the \$15,000,000.00 plan is completely hypothetical and he cannot support that plan, that the City Council can approve the authorization for the grant application with the proviso that the city will only fund \$5,500,000.00, and that he wants the Order to read "subject to bond approval not to exceed \$5,500,000.00 by the City Council." President Denaro stated that he had conversations with the Mayor but not with the Trustees, that there was no communication between the Trustees and him since the May 2011 City Council meeting until he received a call from President Rabbitt last Friday but he has had many conversations with the Mayor during this time, that the \$15,000,000.00 plan is on file with the City Council and was received from the Trustees and approved by the MBLC, that a grant was awarded based on that plan, that the project was designed without enough input from the city side of government, and that if the City Council feels rushed in this matter then the city can walk away from the deal. President Rabbitt stated that the Trustees are willing to state that they will seek only \$5,500,000.00 from the city regardless of the size of the project. Mayor Galvin stated that to accept the \$5,500,000.00 he would have to bond the entire \$15,000,000.00 of the project although the city will only pay \$5,500,000.00 and the remainder would be paid by other sources, and that if the City Council accepts the grant and the Mayor approves as well then the MBLC will send out a contract in September. Alderman DiTucci stated that it does not make sense not to apply for the \$24,000,000.00 grant rather than build a \$15,000,000.00 building that was already determined to be deficient if in either case the city will only pay \$5,500,000.00, and that there were three city employees on the library construction committee when established by Mayor McLaughlin. John Corey, City Engineer stated that he was a member of the Library Building Committee for the last two years, that the Committee never voted on anything but received presentations, that the costs of the project were reduced by \$3,000,000.00 in one meeting, that with compromises, which do not seem to exist, the cost can be reduced further, that approximately \$3,500,000.00 is the most that can be pared from the new plan, and that a \$15,000,000.00 project is possible with compromise. Motion made and 2nd to amend the Order to add the words "subject to bond approval not to exceed \$5,500,000.00 by the City Council" in the first paragraph after the words "City of Woburn" and before the words "approves the proposed renovation", ROLL CALL: Anderson – Yes, DiTucci – Yes, Drapeau – Yes, Gaffney – Yes, Gately – No, Haggerty – Yes, Mercer-Bruen – No, Raymond – No, Denaro – No, Motion Passes. Motion made and 2nd that the ORDER be ADOPTED, AS AMENDED, ROLL CALL: Anderson – No, DiTucci – Yes, Drapeau – Yes, Gaffney – Yes, Gately – No, Haggerty – Yes, Mercer-Bruen – No, Raymond – No, Denaro – No, Motion Fails. President Denaro stated that the Trustees can use the remaining day to meet with city officials.

Motion to return to the regular order of business, President declared motion made and 2nd but hearing no response when motion was put to the Council did not declare the vote.

Motion made and 2nd to ADJOURN, all in favor, 9-0. Meeting adjourned at 10:53 p.m.

A TRUE RECORD ATTEST:

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