

**CITY OF WOBURN
MAY 4, 2010 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
DiTucci	Haggerty
Drapeau	Mercer-Bruen
Gaffney	Raymond
Denaro	

The City Council recognized and thanked Water Treatment Plant Manager Anthony Blazejowski and City Engineer John Corey for acting quickly to shut off the MWRA water connection recently which resulted in Woburn avoiding having to issue a boil water order following a major pipe rupture in the WMRA system over the past weekend.

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 take the following matter out of order, all in favor, 9-0.

On the petition by President Paul Denaro to amend the 1985 Woburn Zoning Ordinances, as amended, by relative to floodway and flood plain districts as set forth in the petition [Note: For a full recitation of the Ordinance see City Council Journal for April 6, 2010]. PUBLIC HEARING OPENED. A communication dated May 3, 2010 was received from Edmund Tarallo, Woburn Planning Director, as follows:

Re: City Council President Paul J. Denaro – Zone Change – Floodway and Floodplain Overlay Districts Map changes and Text changes

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting of April 27, 2010, the Planning Board voted to forward a favorable recommendation to the City Council regarding the Floodway and Floodplain Overlay Districts Map changes and text changes subject to the modification of Section 9.7 Reference to Existing Regulations to be as follows:

“The Floodway and Floodplain Districts ~~is~~ are established as ~~an~~ an overlay districts s to all other districts. All development in the districts s, including structural and non-structural activities, whether permitted by right or by special permit must be in

compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:” and further that after the words “Woburn Wetlands Ordinance” the text inside the parenthesis should be “currently Title VIII of the Woburn Municipal Code”

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

A copy of a communication dated April 20, 2010 to the Honorable Mayor Scott D. Galvin was received from Sandra K. Knight, PhD, PE, Deputy Federal Insurance and Mitigation Administrator, Mitigation, FEMA, U.S. Department of Homeland Security, 500 C Street, SW, Washington, D.C. 20472 as follows:

Dear Mayor Galvin:

I am writing this letter as an official reminder that the City of Woburn, Massachusetts, has until June 4, 2010, to adopt and have the Department of Homeland Security’s Federal Emergency Management Agency (FEMA) Regional Office approve floodplain management measures that satisfy 44 Code of Federal Regulations (CFR) Section 60.3 of the National Flood Insurance Program (NFIP) regulations.

The City of Woburn must adopt floodplain management measures, such as a floodplain management ordinance, that meet or exceed the minimum NFIP requirements (copy enclosed) by June 4, 2010, to avoid suspension from the NFIP. If suspended, your community becomes ineligible for flood insurance through the NFIP, new insurance policies cannot be sold, and existing policies cannot be renewed.

The provisions of Section 202(a) of Public Law 93-234, as amended prohibits Federal officers or agencies from approving any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, or disaster assistance loan or grant, for acquisition or construction purposes within Special Flood Hazard Areas (SFHAs), areas subject to inundation by the base (1-percent-annual-chance) flood. Your community’s suspension from the NFIP would prohibit mortgage loans guaranteed by the Department of Veterans Affairs, insured by the Federal Housing Administration, or secured by the Rural Economic and Community Development Service. This prohibition also affects the disaster assistance in connection with a flood under the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, as amended.

Furthermore, Section 202(b) of Public Law 93-234, as amended, requires Federally regulated lending institutions to notify the purchaser or lessee of improved real property located in an SFHA, whether Federal disaster assistance will be available when the property is being used to secure a loan is being made, increased, extended, or renewed.

Your NFIP State Coordinator and FEMA would like to assist the City of Woburn to ensure it remains in good standing with the NFIP and avoids suspension from the Program. If your community is suspended, it may regain its eligibility in the NFIP by enacting the floodplain management measures established in 44 CFR 60.3 of the NFIP regulations. As stated in my previous correspondence, I recommend you contact your NFIP State Coordinator or the FEMA Regional Office if the City of Woburn is encountering difficulties in enacting its measures.

I recognize that your community may be in the final adoption process or may have recently adopted the appropriate floodplain management measures. Please submit these measures to the Floodplain Management Program at the Massachusetts Department of Conservation and Recreation. Richard Zingarelli, the NFIP State Coordinator, is accessible by telephone at (617) 626-1406, in writing at 251 Causeway Street, Suite 700, Boston, Massachusetts 02114, or by electronic mail at richard.zingarelli@state.ma.us.

The FEMA Regional staff in Boston, Massachusetts, is also available to assist you with your floodplain management measures. The FEMA Regional Office may be contacted by telephone at (617) 832-4761 or in writing. Please send your written inquiries to the Director, Federal Insurance and Mitigation Division, FEMA Region I, at 99 High Street, Sixth Floor, Boston, Massachusetts 02110.

In the event your community does not adopt and/or submit the necessary floodplain management measures that meet or exceed the minimum NFIP requirements, I must take the necessary steps to suspend your community from the NFIP. This letter is FEMA's final notification before your community is suspended from the Program.

Sincerely, s/Sandra K. Knight, PhD, PE, Deputy Federal Insurance and Mitigation
Administrator, Mitigation

Appearing was City Engineer John Corey and he stated that FEMA maps areas greater than one square mile, that the local flood plain map is also presented, that FEMA indicated the plan must be adopted by June 4, 2010, that areas subject to flooding are already regulated, that the areas are now shown on the map so that people are aware of the locations, that these are areas where historically there have been issues, that property shown on the map makes the property eligible for flood plain insurance, that the adoption of this map does not placed the property in the flood plain zone, that the property is already located in the flood plain zone, that this just sets out where those areas are located, and that if map is not adopted FEMA flood insurance would not be available and the city would not be eligible for other funding. Planning Director Edmund Tarallo stated that if the plan is not adopted this will impede people's ability to obtain mortgage financing and any flood policies that were in force could not be renewed. 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 ORDER be ADOPTED, with the following conditions: 1. That the recommendations of the Planning Board be adopted, and 2. That the letter dated April 20, 2010 from FEMA be received and made part of the record, all in favor, 9-0.

Presented to the Mayor: May 6, 2010

s/Scott D. Galvin May 6, 2010

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

MAYOR'S COMMUNICATIONS:

ORDERED That the sum of \$70,000.00 be and is hereby transferred as so stated from ALS Ambulance Receipts Acct #31359-595000 \$70,000.00 to Fire Department Overtime Acct #0122051-513100 \$70,000.00.

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.

PUBLIC HEARINGS:

On the petition by Mario Abruzzese, 80 School Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.5 of the 1985 Woburn Zoning Ordinances, as amended, to allow the placements of approximately 1,200 cubic yards of fill to construct a level backyard at 80 School Street. PUBLIC HEARING OPENED. A communication dated May 3, 2010 was received from Edmund Tarallo, Woburn Planning Director, as follows:

Re: Mario Abruzzese – 80 School Street – To allow for filling a property pursuant to Section 5.5

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on April 27, 2010, the Board voted to forward a favorable recommendation to the City Council on the Special Permit application of Mario Abruzzese, regarding the property at 80 School Street to allow filling at the site, subject to the following conditions:

1. That the filing be in accordance with the revised site plan dated April 26, 2010;
2. That the 3:1 slope shall be stabilized by a layer of 4" loam seeded with grass seed mix and by placing over the seeded slope an erosion control matting staked to the ground;
and

3. That all work be in compliance with the requirements of the Woburn Conservation Commission.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A copy of a communication dated April 27, 2010 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

SUBJECT: 80 School Street Fill Special Permit - Revised Plan Dated April 26, 2010 - Slope Stabilization Cut Sheet

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

The applicant is proposing 1,200 cubic yards of fill to level off the back yard of the property. The site plan shows the proposed limits of fill and a 3 to 1 grade for the side slopes. The applicant has submitted a cut sheet on a slope stabilization product and erosion control measures.

After reviewing the submitted materials, this office takes no exception to the special permit application and plan as submitted.

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

Appearing was the petitioner Mario Abruzzese. Alderman Raymond stated that he does not have any concerns with this petition. Alderman Gately stated that he is in favor of the petition, and that he would like a photograph of the property to be taken and filed with the City Clerk when the work commences and that a second photograph of the property be taken and filed with the City Clerk one year after the issuance of the special permit. 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 recommendations of the Planning Board be adopted as conditions of the special permit, and 2. That a photograph of the property to be taken and filed with the City Clerk when the work commences at the locus and that a second photograph of the property be taken and filed with the City Clerk one year after the issuance of the special permit, all in favor, 9-0.

Motion made and 2nd that the public hearing on the next two matters be held collectively, all in favor, 9-0.

On the petition by Town Fair Tire Centers of Massachusetts LLC, 460 Coe Avenue, East Haven, Connecticut 06512 for a special permit pursuant to Section 5.1.22b of the 1985 Woburn Zoning Ordinances, as amended, to allow for a retail establishment between 5,000 square feet to 15,000 square feet (7,600 square feet) at 422-424 Washington Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "back for action". Appearing for the petitioner was Attorney Joseph Tarby, Murtha Cullina, LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he offered a document entitled "Town Fair Tire Proposed Conditions to Special Permit Petitions" for the City Council to review. Motion made and 2nd that the document be received and made part of the record, all in favor, 9-0. Attorney Tarby stated that the proposed conditions would attach to both special permits, and that if a tire is not in stock it will be delivered to the facility for installation the next day. Alderman Mercer-Bruen stated that she spoke to the City Solicitor who expressed no concerns with the language used in the petition, that the traffic volume of this particular business is not an issue as it is a low impact business, that the concern is with the left hand turns and the impact on other traffic in the area, and that the petitioner has addressed the left hand turn issue. Alderman Gately stated that this will be a good use in the area and the petitioner worked to address the issues raised. Patrick Dunford, Vanasse Hangen Brustlin, Inc., 101 Walnut Street, Watertown, Massachusetts 02471-9151 stated that the island size was increased by reducing the size of the entrance and exit driveways, and that this created concerns with truck and fire apparatus vehicles being able to navigate the driveways. 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 Proposed Conditions to Special Permit Petitions number 1 to 25 dated May 4, 2010 be adopted as conditions of both special permits, and 2. That the following language be added to the decision but not as a condition: "In making it's decision regarding the 'retail' special permit, the City Council believes that the sale of tires is considered to be a low impact retail use and if that retail use were to change or expand the same decision would not have been rendered. It is this intent in which condition number 19 of the special permit was written," all in favor, 9-0.

On the petition by Town Fair Tire Centers of Massachusetts LLC, 460 Coe Avenue, East Haven, Connecticut 06512 for a special permit pursuant to Section 5.1.44 of the 1985 Woburn Zoning Ordinances, as amended, to allow for an automobile and truck repair garage at 422-424 Washington Street. PUBLIC HEARING OPENED. SEE NOTES FOR PRECEDING MATTER. 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 Proposed Conditions to Special Permit Petitions number 1 to 25 dated May 4, 2010 be adopted as conditions of both special permits, and 2. That the following language be added to the decision but not as a condition: "In making it's decision regarding the 'retail' special permit, the City Council believes that the sale of tires is considered to be a low impact retail use and if that retail

use were to change or expand the same decision would not have been rendered. It is this intent in which condition number 19 of the special permit was written,” all in favor, 9-0.

On the petition by Kiwanis Club of Woburn, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.75 of the 1985 Woburn Zoning Ordinances, as amended, to conduct a carnival on June 18 and 19, 2010 at Library Park. PUBLIC HEARING OPENED. A communication dated May 3, 2010 was received from Edmund Tarallo, Woburn Planning Director, as follows:

Re: Kiwanis Club of Woburn – Library Park – Annual Flag Day June 18-19, 2010

Dear Mr. Campbell and Members of the City Council:

At the meeting held on April 27, 2010, the Planning Board voted to forward a favorable recommendation to the City Council regarding the Special Permit for the Annual Flag Day Festival at Library Park with the condition that the applicant comply with Section 5.1, Note 14 of the Woburn Zoning Ordinance.

If Council members have any questions or concerns regarding the above recommendations, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

Appearing for the petitioner was Attorney Mark Salvati, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 and he stated that there will be fireworks, a carnival and perhaps balloon rides, and that the carnival will operate over two nights on Friday and Saturday with no Sunday operations. 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, all in favor 9-0.

On the petition by Masuco, Inc., 880 Main Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.44 of the 1985 Woburn Zoning Ordinances, as amended, to allow repair and service of autos and medium and small trucks at 921 Main Street Rear. PUBLIC HEARING OPENED. A communication dated May 3, 2010 was received from Edmund Tarallo, Woburn Planning Director, as follows:

Re: Masuco, Inc. – 921 Main St. Rear – To allow repair and service of automobiles and trucks pursuant to Section 5.1.44

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on April 27, 2010, the Board voted to forward a favorable recommendation to the City Council on the Special Permit application of Masuco, Inc., regarding the property at 921 Main St. Rear to allow repair and service of

automobiles and trucks pursuant to Section 5.1.44 at the site, subject to the following conditions:

1. That the state plumbing code be complied with prior to occupancy of the building;
2. That the Building Inspector determine the number of parking spaces required in accordance with Section 8.2 of the zoning ordinance;
3. That a parking plan shall be provided to the Planning Board for their approval based on the number of spaces required in accordance with Condition #2; and
4. That no cars shall be stored overnight outside of the building in conjunction with the repair and service of automobiles and trucks at the site.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A copy of a communication dated April 26, 2010 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 921 Main Street Auto Repair Special Permit –
Special Permit Application Dated April 12, 2010

The applicant is seeking a special permit to allow for repair of automobiles and small trucks. The special permit application includes a sketch of the existing site as well as the parking space locations. A portion of the existing building where the proposed repair facility will be located has a power tool rental service business.

A zoning regulation table outlining the required and provided parking requirements based on the zoning should be submitted for review. This is necessary in order to determine if there is sufficient parking on site for all the uses.

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

Appearing for the petitioner was Jane Gillespie, 19 Ward Street, Woburn, Massachusetts 01801 and she stated that the petitioner performs auto repair currently at 880 Main Street, that the petitioner is looking for a new location, that the building was constructed in the 1970s for auto and truck repair, that the building was used for that purpose, that there has been no change in that intent, that the petitioner has been in business at 880 Main Street for twenty-two years, and that he family has operated a business at that location since 1954, that they have added onto the building over the years, that they will comply with the plumbing regulations, and that the area was used to repair their own vehicles and equipment at the site over the years. Alderman Raymond stated that the petitioner's area in the parking lot will have to be designated and that some of the heavy equipment on site will have to be moved. IN FAVOR: Paul Meaney, Executive Director, Woburn Business

Association, Ten Tower Office Park, Woburn stated that the property owner runs a good clean business, and that he is in favor of the petition . 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 four Planning Board recommendations be adopted as conditions of the special permit, all in favor 9-0.

On the petition by Kraft Foods, Inc., 3 Lakes Drive, Northfield, Massachusetts 60093 to amend an Inflammable License for maximum of 635 gallons LP-gas stored above ground in 1 x 200 gallon stationary tank and 13 x 10 gallon forklift tanks, maximum of 50,000 gallons of #6 fuel oil in AST container, maximum of 50,000 gallons of diesel fuel in AST container, maximum of 115,000 gallons of grease oil in AST container, maximum of 3,000 gallons of Class A liquid flavoring in drums, maximum of 8,500 gallons of Class B liquid flavoring in drums, and 4,000 gallons of Class C oil and liquid flavoring in drums, all at 7 Hill Street. PUBLIC HEARING OPENED. A communication dated April 28, 2010 was received from Michael J. Covenno, Safety, Security and Environmental Manager, Kraft Foods Global Inc., Hill Street, Woburn, Massachusetts 01801 as follows:

Re: Amended License, Record #2010-81

Dear Ms. Gray,

After discussion with Chief Tortolano on Thursday April 22, 2010, we would like to amend the storage amounts listed for LP gas on our license application. The amounts should read as follows:

Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: 880 gallons

List sizes and capacities of all aboveground containers used for storage: 2 x 120 gallon stationary tanks, 1 x 500 gallon stationary tank, 14 x 10 gallon forklift tanks.

Total aggregate quantity of all LP-gas to be stored: 880 gallons.

Please amend our application for Amended License for our Inflammable License.

Feel free to call me with any questions.

Sincerely, s/ Michael J. Covenno, Safety, Security and Environmental Manager,
Kraft Foods Global Inc.

The Application for License included the following statement dated April 26, 2010: "I, Paul Tortolano, Head of the Woburn Fire Department, endorse this application with my approval. s/Paul Tortolano". Appearing for the petitioner was Mike Covenno, Safety, Security and Environmental Manager, Kraft Foods stated that they are seeking to amend

an existing license to be consistent with what is stored on site. IN FAVOR: Paul Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn stated that this is not a big increase as it relates to the forklifts used in the business.

OPPOSED: Frank Luzzo, 62 Central Street stated that he is not in favor of the petition, and that since the petitioner cannot control odor from the plant he is concerned that they will not be able to control flammables at the plant. David Hunt, 2 Central Court stated that he is opposed to the petition, that he is concerned with the ability of the petitioner to control the flammables on the locus including leakage, and that since the vapors cannot be controlled from emitting from the site he is concerned with the flammables being safely stored on the site. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MAY 18, 2010 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON POLICE AND LICENSES, all in favor 9-0.

On the petition by Bradco Supply Inc., 8 Draper Street, Woburn, Massachusetts 01801 for three special permits pursuant to Sections 5.1.42, 5.1.57b and 8.2.5 of the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. To allow for warehouse/wholesale use under Sec. 5.1.42; 2. To allow for accessory parking of commercial vehicles under Sec. 5.1.57b; and 3. A reduction of one-third of the required parking spaces for a mixed use under Sec. 8.2.5, all at 8 Draper Street. PUBLIC HEARING OPENED. A communication dated April 8, 2010 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Bradco Supply Inc. – 8 Draper Street – To allow for warehouse/wholesale use pursuant to Section 5.1(42); to allow for accessory parking of commercial vehicles pursuant to Section 5.1(57b); and a reduction of one third of the required parking spaces under Section 8.2.5

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on April 6, 2010, the Board voted to forward a favorable recommendation to the City Council on the Special Permit application of Bradco Supply Inc., regarding the property at 8 Draper Street, subject to the following conditions:

1. That the 18 parking spaces outside the fence area shall be signed so that customers know that they are available for usage as well as employee usage;
2. That the hours of operation shall be limited to 7 A.M. to 5 P.M. Monday through Friday;
3. No deliveries shall be allowed on the site prior to 7:30 a.m. or after 5:00 p.m., Monday to Friday and there shall be no deliveries on Saturday or Sunday;
4. All loading shall be done onsite;
5. That the number of commercial vehicles shall be limited to 7 and shall be stored within the gated and fenced area of the site and the parking shown inside the fence does not have to be lined;

6. All vehicles associated with the use of this building that are owned by the applicant shall be registered in the City of Woburn;
7. That the Planning Board shall approve and retain jurisdiction over the landscaping;
8. The fencing shown on the plan shall be sight impervious;
9. That the existing drainage facilities shall be upgraded to meet the intent of the Massachusetts storm water management rules concerning storm water runoff and quality said upgrades to be approved by the City Engineer;
10. That the sewer connection/mitigation fee shall be in accordance with the recommendation of the City Engineer; and
11. That the approval shall be in accordance with the plans dated 3/12/10 except as modified by the conditions of this decision.

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 communication dated April 28, 2010 with attachments was received from Attorney Mark Salvati, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 as follows:

Re: Bradco Supply Corp Special Permit – 8 Draper Street

Dear Council Members:

Attached please find revised plans and an operations and maintenance plan for the above site.

Based on the favorable recommendation from the Planning Board and suggestions from the Special Permit Committee, the following are the proposed conditions for the special permit at 8 Draper Street:

1. That the 18 spaces outside the fence shall be signed so that customers know that they are available for usage as well as employee usage;
2. That the hours of operation shall be limited to 7 A.M. to 5 P.M., Monday through Friday;
3. No deliveries shall be allowed on the site prior to 7:30 A.M. or after 5:00 P.M., Monday to Friday and there shall be no deliveries on Saturday or Sunday;
4. All loading must be done onsite;
5. That the number of commercial vehicles shall be limited to 7 and shall be stored within the gated and fenced area of the site and the parking inside the fence does not have to be lined;
6. All commercial vehicles associated with the use of this building that are owned by the applicant shall be registered in the City of Woburn;
7. That the Planning Board shall approve and retain jurisdiction over the landscaping;

8. The fencing at the front of the site shown on the plan shall be sight impervious;
9. That the sewer connection fee pursuant to Title XIII shall be in accordance with the recommendation of the City Engineer;
10. That a maintenance/operation plan for stormwater management and snow removal as submitted and approved by the Council shall be followed for the duration of the Special Permit;
11. That the Special Permit be exclusive to Bradco Inc and any change would require a new special permit and not a minor modification;
12. That the parking be ADA compliant;
13. That the commercial vehicles shall not make use of Nashua Street when entering or exiting the area;
14. That these conditions shall apply to all three special permits; and
15. That the approval shall in accordance with the plans dated 3/12/10, with a revision date of 4/28/10.

Very truly yours, s/Mark J. Salvati

Attached thereto was a report entitled "Operations and Maintenance Plan for Bradco Realty Corporation, 8 Draper Street, Woburn, MA" prepared by Allen & Major Associates, Inc. dated April 28, 2010 and a plan entitled "8 Draper Street, Woburn, MA" prepared by Allen & Major Associates dated 03/12/10 revised 04/28/10. A report was received from the Committee on Special Permits as follows: "Back for action".

Appearing for the petitioner was Attorney Mark Salvati and he stated that he filed fifteen proposed conditions, a revised site plan and a snow removal plan, and that the plan of record is dated 3/12/10 with a revision date of 4/22/10. 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 fifteen conditions proposed by the petitioner in a communication dated April 28, 2010 and the Planning Board recommendations be adopted as conditions of the special permit, all in favor 9-0.

Alderman Gately stated that he will abstain from participating in the following matter as he has performed work in this area and left the Council Chamber.

On the petition by Ambius, Inc., 485 E. Half Day Road, Suite 450, Buffalo Grove, Illinois 60089-8809 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 petitioner's commercial vehicles at Lot 6C, 29 Draper Street. PUBLIC HEARING OPENED. A communication dated May 3, 2010 was received from Edmund Tarallo, Woburn Planning Director, as follows:

Re: Ambius, Inc. – 29 Draper St. (Lot 6C) Suite D – To allow a special permit for the overnight parking of commercial vehicles pursuant to Section 5.1.57b

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on April 27, 2010, the Board voted to forward a favorable recommendation to the City Council on the Special Permit application of Ambius, Inc., regarding the property at 29 Draper St. (Lot 6C) Suite D with the condition that the overnight parking be limited to four commercial vehicles, said vehicles shall be parked overnight to the rear of the building and that all commercial vehicles parked overnight on the site shall be registered in the City of Woburn.

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 this is the last building on Draper Street at the end of the cul-de-sac, that the petitioner provides interior landscaping service for businesses such as offices, shopping centers and hotels, that the petitioner has eight full-time employees who are office personnel and design installers, that the petitioner has four trucks that they want stored on site, that the business will be located on the left side of the building facing the ledge, and that the first four conditions of the special permit issued to OCS America Inc. on September 25, 2008 will apply to this special permit after changing the name in the conditions from OCS America Inc. to Ambius, Inc. Attorney Tarby offered a copy of the special permit issued on September 25, 2008 to OCS America Inc. for the City Council to review. Alderman Mercer-Bruen stated that there should be a condition prohibiting the petitioner from traveling on Nashua Street, that the OCS America Inc. conditions should be adopted for this special permit, that the parking of vehicles should be in the rear of the property, that the vehicles associated with the business should be registered in Woburn, and the petitioner's employees should not travel along Nashua Street. IN FAVOR: Paul Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn stated that he is in favor of the petition. OPPOSED: None. Motion made and 2nd that the public hearing be closed, all in favor, 8 in favor, 0 opposed, 1 abstained (Gately abstained). Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS A MENDED with the conditions as follows: 1. That the recommendations of the Planning Board be adopted as conditions of the special permit, and 2. That conditions 1 through 4 of the special permit issued to OCS America Inc. on September 25, 2008 for this locus be adopted as conditions of this special permit with the exception of changing the words "OCS America Inc." in the conditions to "Ambius Inc.", 8 in favor, 0 opposed, 1 abstained (Gately abstained).

Alderman Gately returned to the Council Chambers.

On the petition by Bo-Peep Realty LLC, 28 Torrice Drive, Woburn, Massachusetts 01801 for two special permits pursuant to the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Pursuant to Section 5.7.57b to allow for accessory parking of commercial vehicles, and 2. Pursuant to Section 8.2.5 for a reduction of one-third in the required number of parking spaces for a mixed use, both at 28 Torrice Drive. PUBLIC HEARING OPENED. A communication dated May 3, 2010 was received from Edmund Tarallo, Woburn Planning Director, as follows:

Re: Bo-Peep Realty LLC – 28 Torrice Drive – To allow a special permit for a accessory parking of commercial vehicles pursuant to Section 5.1.57b and a reduction of one-third in the required number of parking spaces for a mixed use under Section 8.2.5

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on April 27, 2010, the Board voted to forward a favorable recommendation to the City Council on the Special Permit application of Bo-Peep Realty LLC, regarding the property at 28 Torrice Drive to allow a special permit for a accessory parking of commercial vehicles pursuant to Section 5.1.57b and a reduction of one-third in the required number of parking spaces for a mixed use under Section 8.2.5, subject to the following conditions:

1. That the 6 spaces to the north of the proposed parking area for trucks be eliminated;
2. That the parking except as modified by the conditions of this Special Permit shall not be less than those identified on the plan;
3. That the 17 delivery trucks shall be located as shown on the plan in the area designated as the “proposed parking area for trucks”;
4. That all commercial vehicles parked overnight on the site shall be registered in the City of Woburn;
5. That the Planning Board shall approve a landscaping plan for the site and the Board shall retain jurisdiction over the landscaping.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A copy of a communication dated April 26, 2010 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 28 Torrice Drive Commercial Vehicle Parking Special Permit - Special Permit Application Dated March 21, 2010 - Plot Plan Dated January 13, 2010

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 parking of commercial vehicles onsite. The submitted plot plan shows that locations of where the existing and proposed vehicles will be located. The applicant is requesting that the overall parking requirements for the site be reduced by 1/3 because of how the business has been operating.

It does not appear that there will be any proposed impervious surface and no changes to the exterior of the building other than a chain link fence at the rear of the building.

It will be the discretion of the board whether to grant the reduction in parking request.

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

A communication dated May 3, 2010 with attachment was received from Attorney Mark Salvati, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 as follows:

Re: Bo-Peep Realty LLC, 28 Torrice Drive – Special Permit

Dear Council Members:

The Woburn Planning Board, at their April 27th meeting voted to send a favorable recommendation on the above petition with the following 5 conditions:

1. That the 6 spaces to the north of the proposed parking area for trucks be eliminated;
2. That the parking except as modified by the conditions of this Special Permit shall not be less than those identified on the plan;
3. That the 17 delivery trucks shall be located as shown on the plan in the area designated as the “proposed parking area for trucks”;
4. That all commercial vehicles parked overnight on the site shall be registered in the City of Woburn;
5. That the Planning Board shall approve a landscaping plan for the site and the Board shall retain jurisdiction over the landscaping.

The engineering department had no objections to the petition. Enclosed please find a revised plan which addresses condition 1 by removing the requested spaces. Therefore, request is made that if the permit is granted the following conditions would apply:

1. That the plan of record shall be “Plot Plan showing proposed parking areas, no. 28 Torrice Drive, Woburn Mass” by Feldman Land Surveyors dated January 13, 2010, revised April 28, 2010.
2. That the 17 delivery trucks shall be located as shown on the plan in the area designated as the “proposed parking area for truck”;
3. That all commercial vehicles parked overnight on the site shall be registered in the City of Woburn;

4. That the Planning Board shall approve a landscaping plan for the site and the Board shall retain jurisdiction over the landscaping.

Thank you for your attention to this matter and please call with any questions.

Very truly yours, s/Mark J. Salvati

Motion made and 2nd to take the communications collectively and to receive and place on file, all in favor, 9-0. Appearing for the petitioner was Attorney Mark J. Salvati and he stated that the company is Geriatric Medical Supply, that the business will move to Woburn from Everett, that this is a larger building than their present location, that the petitioner will not expand the site or change the building, that the site is fenced, that the parking is more than sufficient, that this petition will allow parking of vehicles, that there is a small ratio of employees to parking, that the building is already set up for warehouse use, that the trucks are small tractor trailers of about thirty feet in length, and that these are not box trucks. Alderman Raymond stated that the city is trying to keep truck traffic off of Merrimac Street, and that he will offer a condition that truck traffic can only turn right out of the property. 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 amendments as follows: 1. That the four proposed conditions set forth in the letter dated May 3, 2010 from Attorney Mark Salvati be adopted as conditions of the special permit, and 2. That condition 5 shall read "That no truck traffic from the locus shall travel along Merrimac Street," all in favor, 9-0.

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Order to appropriate the sum of \$10,000.00 from the Cemetery Interest Fund to the Burial Sections Account, 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: May 6, 2010 s/Scott D. Galvin May 6, 2010

PERSONNEL:

On the appointment of MaryAnn Chorlton to the Woburn Handicapped and Disabled Citizens 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: May 6, 2010 s/Scott D. Galvin May 6, 2010

MUNICIPAL LANDS:

On the Order to authorize the Mayor to execute a certain Easement Agreement by and between Trade Center Park, LLC and the City of Woburn relative to 100 Sylvan Road, 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: May 6, 2010 s/Scott D. Galvin May 6, 2010

POLICE AND LICENSES:

On the petition by Woburn Cab Company, Inc. for renewal of a Taxi Cab License, committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

Presented to the Mayor May 6, 2010 and ten days having elapsed without same being approved, said license became effective without his signature on May 18, 2010

On the petition by Woburn Cab Company, Inc. for renewal of a Livery License, committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

Presented to the Mayor May 6, 2010 and ten days having elapsed without same being approved, said license became effective without his signature on May 18, 2010

NEW PETITIONS:

Petition by American Classic Limousine, Inc. for renewal of a Livery License for three (3) vehicles. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON POLICE AND LICENSES, all in favor, 9-0.

COMMUNICATIONS AND REPORTS:

A communication dated April 16, 2010 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 March 2010: number of parking violations issued 537, number of violations paid 261, number of violations outstanding 231, amount collected and submitted to the Office of the Collector \$18,935.20. There exists a backlog of 5,269 tickets for 1982 through 2009. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$4,200.00.

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 April 29, 2010 with attachments was received from Joanne Collins, Director, Woburn Council on Aging along with the minutes of the April meeting of the Council on Aging and the Director's report for the month of April. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A communication dated April 27, 2010 was received from Richard J. Mahoney, Chair, Library Building Committee as follows:

Dear President Denaro:

The trustees of the Woburn Public Library would like to appear at the Council meeting on May 18, 2010. At that time our architects, CBT of Boston, will present the schematic design of the addition and renovations of the Woburn Public Library. We will also have a firm estimate of the construction cost for the project.

Our project manager, Design Technique Inc., will present a projected schedule for the project after approvals.

The trustees will also update the council on on-going fund raising activities at the library.

Thank you, s/Richard J. Mahoney, Chair, Library Building Committee

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

A communication dated April 15, 2010 with attachments was received from City Solicitor John D. McElhiney as follows:

Re: Public Way Easement Agreement – Four Corners Right of Way

Dear Members of the Council:

Enclosed please find a copy of a Public Way Easement Agreement and an Order authorizing the Mayor to accept the same on behalf of the City of Woburn. This relates to one of several parcels that make up the right of way between Lexington Street and Russell Street, and is a necessary pre-requisite to the formal layout and acceptance of the street as a public way. There are other such Easement Agreements to follow as they are obtained.

While I am certainly happy to further explain this in Committee, I believe that Ward Alderman has a sufficient understanding of this to answer any questions, and as I do not believe this requires two readings, it is your option, if you so choose, to accept this easement at one meeting.

Thank you for your cooperation.

Sincerely, s/John D. McElhiney

Attached thereto was the following:

ORDERED That the Mayor is hereby authorized to accept, on behalf of the City of Woburn, a certain grant of easement for public way purposes, as set forth in a "Public Way Easement Agreement" executed by Inland American CFG Portfolio, L.L.C., a copy of which is attached hereto, relative to one of the parcels of land which forms a part of a private way located between Lexington Street and Russell Street, and shown on the Plan attached to said Easement Agreement.

s/Alderman Drapeau

Alderman Drapeau stated that this is a right of way that runs behind businesses from Russell Street to Lexington Street, that the road is in poor condition, that the easements will allow the city to repair the roadway, that he is trying to expedite the process, that all of the abutters own to the middle of the road, that the estimated cost to repair the road is \$44,000.00, that debris is dumped along the road, that tractor trailers park at the location, that a van parked there for years, that the city may be able to install sidewalks along the roadway, that no money is being paid to the landowners for the easement, that the street is in deplorable condition, that all of the surveys have been completed, that the City Solicitor is recommending the easement be accepted, that the residents of the area want the work done, that Ward Seven residents have waited long enough to get this road repaired, that it is disheartening to have this project delayed, that an appropriation and plan would have to be provided before the work begins, and that this order allows the Mayor to accept the easement for public way purposes. Alderman Gately stated that he wants to know who will pay for the repair of the roadway, that this is located in the flood plain, that the roadway will have to be raised, that this is not an easy job, that this matter should be discussed in the Committee on Municipal Lands, that Chapter 90 money cannot be used for the repairs because it is not a public road, that the money for the repairs will have to come from somewhere, and that he wants to see the plan before money is expended to repair the street to assure that the roadway does not wash out. Alderman Mercer-Bruen stated that the roadway is in poor condition, that the matter should be reviewed in the Committee on Municipal Lands, and that the City Council should perform due diligence in reviewing the proposal. Alderman Haggerty stated that the road is in terrible condition, that this is a significant amount of money, and that the committee review may be beneficial. President Denaro stepped down from the chair and Alderman Raymond assumed the chair. Alderman Denaro stated that the work in the roadway needs

to be done, that he does not understand how \$44,000.00 would be sufficient to repave the roadway and install drainage, that the work should be done even if the cost is greater than \$44,000.00 but a clear plan should be prepared, and that the City Council has not even had the opportunity to review the easement document. Alderman DiTucci stated that if the city accept the road and the cost was too excessive to make repairs the city may be liable for damages incurred by motorists. Motion made and 2nd that the MATTER be REFERRED TO THE COMMITTEE ON MUNICIPAL LANDS, all in favor, 9-0.

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

A communication dated April 30, 2010 was received from Larry Guisepppe, Veterans Agent as follows:

Would you please schedule me on the agenda of the Regular City Council Meeting on May 18, 2010? I would like to address the Council on a proposed 60th Anniversary Korean War parade to be held in Woburn in July 2010.

Sincerely, Larry Guisepppe, Veterans Agent, City of Woburn

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

A communication was received from the U.S. Environmental Protection Agency relative to a public meeting on May 6, 2010 at 7:00 p.m. in the Council Chamber Woburn City Hall relative to the status of the Wells G&H Superfund Site, summarize the well installation program, and answer questions, as well as notice of a shallow monitoring well installation program scheduled for May 19, 2010 at the Site. Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

A communication dated April 30, 2010 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Landowner's Decision and Notice of Special Permit/Andrew G. Eromin and Mary Eromin/7 Richmond Avenue, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent Andrew G. Eromin and Mary Eromin of 13 Waverly Road, Massachusetts (the "Petitioners") in connection with a certain Landowner's Decision and Notice of Special Permit dated June 12, 2008 (the "Decision") which Decision granted a Special Permit to the Petitioners to alter and change a pre-existing

non-conforming structure, by razing an existing dwelling and allowing for the construction of a new two family dwelling which will conform to all dimensional requirements except lot size at 7 Richmond Avenue, Woburn, Massachusetts.

As a result of the economy, my clients have not proceeded forward to construct the new two family structure. Therefore, on behalf of my clients, I respectfully request an extension of the Special Permit to June 12, 2012. If you have any questions, please feel free to contact me. Thank you.

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

Motion made and 2nd that the REQUEST FOR EXTENSION OF A SPECIAL PERMIT be GRANTED UP TO AND INCLUDING JUNE 12, 2012, all in favor, 9-0.

A communication dated April 21, 2010 with attachment was received from John F. Duran III, P.E., Duran Associates, P.O. Box 571, Woburn, Massachusetts 01801 as follows:

Re: 17 Richardson Street

Dear Mr. Campbell:

On behalf of my father, John F. Duran Jr., I would like to request a minor engineering modification to the approved site plan for the Special Permit obtained for the property on March 25, 2010. The request is to move the driveway away from the respective abutters' property line on each side of the proposed home and position them as shown on the attached "Proposed Site Plan". Each unit will have a garage space and driveway as shown, to provide the adequate number of off street parking spaces as per the City of Woburn Zoning Ordinance. Based upon my discussions with Planning Director, Mr. Ed Tarallo, it is hereby requested that conditions numbers two and three be removed from the decision.

Please feel free to contact me if you have any further question pursuant to this matter.

Respectfully submitted, s/John F. Duran III, P.E., Duran Associates

Motion made and 2nd that the MINOR MODIFICATION be GRANTED, all in favor, 9-0

A communication dated April 21, 2010 was received from Ali Saleh, Metro Cab as follows:

Subject: Notice of Address Change

Effective May 1, 2010 my business office is located at 193 Main Street, Woburn, MA 01801. My previous business office address was 21 Cummings Park, Suite 224, Woburn, MA 01801.

s/Ali Saleh, Metro Cab

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

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

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 25 entitled “Upper Main Street Overlay (UMS) District” as follows:

SECTION 25
UPPER MAIN STREET OVERLAY (UMS) DISTRICT

A. Purpose of District

1. To promote the health, safety and general welfare of the community by encouraging the redevelopment of abandoned, underutilized, and/or obsolete commercial and industrial sites to residential use.
2. To promote high quality design and minimize negative impacts on the surrounding area.

B. Scope of Authority

1. The Upper Main Street Overlay (UMS) District is hereby established as an overlay district. The UMS shall only be applied to properties zoned R-3 that have frontage along Route 38 (Main Street) of at least 250 feet and are at least 860 feet from the Wilmington Town line. Inclusion of any property into the UMS shall also require a zoning map change consistent with the rules and regulations of the Woburn Zoning Ordinance.

2. The provisions of the UMS shall only apply to projects using the criteria set forth herein. Any building, structure or use of land that is not part of a UMS development proposal shall maintain the rights and privileges of the underlying district without modification by the UMS.

C. Associated Criteria

1. All UMS proposals shall be subject to Site Plan Review Section 12a, as applicable.
2. All UMS proposals shall be subject to Section 18, Development Impact Mitigation, as applicable.
3. All UMS proposals shall be subject to Section 11.11 Affordable Housing Requirements, as applicable.

D. By Right Uses

1. None

E. Special Permit Uses

1. A special permit issued by the Woburn City Council shall be required for:
 - a. Townhouse or Garden Apartment.
 - b. Congregate Elderly Housing.
 - c. Elevator Apartment.
 - d. Accessory offices, clubhouses, personal services and recreation amenities consistent with the uses noted above.

F. Dimensional and Density Regulations

1. Lot area, frontage and yards.

Minimum Lot Area: 4 acres

Minimum Lot Frontage: 250 feet

Minimum Front Yard Setback: 25 feet

Minimum Side Yard Setback: 25 feet

Minimum Rear Yard Setback: 30 feet

2. Lot coverage and Landscaped Usable Open Space

Maximum Building Coverage: 30%
Minimum Landscaped Usable Open Space: 40%

3. Building Height and Intensity of Use

Maximum height for UMS developments shall be four (4) stories and 60 feet. The maximum number of residential units shall not be more than fifty-seven (57).

4. More than One Building on a Lot

All UMS development may contain more than one principal building on a lot.

G. Off-Street Parking Requirements

1. At a minimum, off-street parking spaces shall be provided as follows:

- a. Congregate Elderly Apartments: 1.5 spaces per unit and 1 visitor space per 10 units.
- b. Townhouse, Garden Apartments or Elevator Apartments: 1.25 spaces per studio and one bedroom dwelling units, 1.75 spaces per two bedroom dwelling units and 2.00 spaces per three bedroom dwelling units.

s/Alderman Raymond

Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

ORDERED

Be it Ordained by the City Council of the City of Woburn as follows:

That the “Zoning Map of the City of Woburn, dated April 7, 1980, as revised” be and is hereby further amended by adding the parcel of land known as 1071 Main Street (Map 8, Parcel 18) consisting of approximately 4.92 acres and shown on the attached plan to the “Upper Main Street Overlay District” (“UMS”) zoning district.

s/Alderman Raymond

Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

ORDERED Be it Ordained by the City Council of the City of Woburn as follows:

That Section 2-180 of the 1989 Woburn Municipal Code, as amended, be further amended by deleting the base salary lines of the City Auditor, Human Resources Director, Library Director, City Solicitor, City Clerk, Clerk of the City Council, and Clerk of the Board of Registrars of Voters, and replacing same with the following new base salary lines:

City Auditor	\$88,023.49
Human Resources Director	\$87,146.91
Library Director	\$86,610.87
City Solicitor	\$86,190.00
City Clerk	\$72,248.54
Clerk of the Council	\$10,162.84
Clerk of Board of Registrars of Voters	\$10,162.84

This Ordinance shall be effective July 1, 2010.

s/Alderman Denaro

Alderman Gately stated that the Order should be denied, that he does not agree with band raises, that salary decisions should be based on merit not because a person is a department head, that because these positions are not in a bargaining unit this is not an issue for the City Council, that he does not like how this was presented, that this should be a merit system, and that band raises were not a good idea from day one. Alderman Mercer-Bruen stated that this looks like the city is giving out raises. President Denaro stepped down from the chair and Alderman Raymond assumed the chair. President Denaro stated that certain department heads are not in a bargaining unit, that this order will bring the department heads up to the level of the other department heads, that this is an issue of fairness, and that the order can be amended in committee. Alderman Drapeau stated that with the absence of the city budget and the impact of these increases on the budget the matter should be referred to Committee on Ordinances, that he would support the department heads keeping pace with their counterparts, and that he wants to see this proposal in conjunction with the budget. Motion made and 2nd that the ORDER be DENIED, ROLL CALL: Anderson – Yes, DiTucci – Yes, Drapeau – No, Gaffney – Yes, Gately – Yes, Haggerty – No, Mercer-Bruen – Yes, Denaro – No, Raymond – Yes, MOTION PASSES, ORDER DENIED.

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

RESOLVED That His Honor the Mayor investigate the feasibility of purchasing the land located at the intersection of South Bedford Street and Burlington Street for the purpose of making traffic improvements for the protection of motorists and pedestrians in the area, including obtaining an appraisal of the value of the land.

s/Alderman DiTucci

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

Presented to the Mayor: May 6, 2010 Returned Unsigned May 6, 2010

RESOLVED That the Traffic Commission investigate the feasibility of establishing a four-way stop restriction at the intersection of Garfield Avenue and Jefferson Avenue.

s/Alderman Gately

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

Presented to the Mayor: May 6, 2010 Returned Unsigned May 6, 2010

RESOLVED That the Traffic Commission investigate the feasibility of establishing a no parking restriction for a suitable distance from the corner on Prospect Street at the intersection with Montvale Avenue with the appropriate sign being erected and in addition that a street sign be installed with the name "Prospect Street" at the intersection with Montvale Avenue.

s/Alderman Gately

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

Presented to the Mayor: May 6, 2010 Returned Unsigned May 6, 2010

Motion made and 2nd to ADJOURN, all in favor, 9-0. Meeting adjourned at 9:21 p.m.

A TRUE RECORD ATTEST:

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