

**CITY OF WOBURN
DECEMBER 12, 2017 – 6:00 P.M.
COUNCIL CHAMBERS, WOBURN CITY HALL
SPECIAL MEETING OF THE CITY COUNCIL**

Roll Call

Anderson - absent	Gately
Campbell	Higgins
Concannon	Mercer-Bruen
Gaffney	Tedesco - absent
Haggerty	

Pursuant to Title III, Section 12 of the Charter of the City of Woburn, His Honor the Mayor has called a Special Meeting of the City Council for the purpose of Public hearing and action on tax classification; action on any financial matters including transfers and appropriations pending in Committee on Finance and new transfers and appropriations; action on Order authorizing the city to file and accept grants for the construction of Clapp Park at Fleming Field; and a petition by Leo Realty Holdings LLC for a special permit to allow eight residential units above commercial structure and to amend a special permit to allow for an addition at 371-375 Main Street.

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent).

Motion made and 2nd to suspend the rules for the purposes of taking the following matters from the Committee on Finance, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent).

On the Order to transfer the sum of \$1,783,325.00 from Debt Reserve Account to Debt Principal Account in the sum of \$1,310,000.00 and the Debt Interest Account in the sum of \$473,325.00. Motion made and 2nd to suspend the rules to hear from the City Auditor regarding this matter, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent). Appearing was City Auditor Charles Doherty and he stated that the money is for a debt payment for the school, and that this amount must be approved before the tax rate is set to be included in the tax certification for the year. Motion made and 2nd that the ORDER be ADOPTED, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent).

Presented to the Mayor: December 14, 2017

s/Scott D. Galvin December 14, 2017

On the Order to transfer the sum of \$90,000.00 from the Cemetery Interest Fund to the Cemetery New Equipment Account. Alderman Concannon stated that he spoke to the Cemetery Commission Chair John Sawyer, that the funds will be for the purchase of a backhoe, that the

current backhoe will be retained as it has some use, that the new backhoe is required for planned projects, that the Commission researched the matter, and that the funds will be sufficient to purchase the backhoe for the department needs. Motion made and 2nd to suspend the rules to hear from the Mayor regarding the matter, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent). Appearing was Mayor Galvin and he stated that the backhoe is in rough shape, that the Commission has done well with their investments and will be used for the purchase, and that the Commission has been seeking authorization to purchase the backhoe for some time. Alderman Gately stated that this seems like a low price for a backhoe. Motion made and 2nd that the ORDER be ADOPTED, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent).

Presented to the Mayor December 14, 2017 and ten days having elapsed without same being approved, said Order became effective without his signature on December 26, 2017.

PUBLIC HEARINGS:

On the matter relative to Tax Classification for the City of Woburn. PUBLIC HEARING OPENED. Appearing was His Honor the Mayor Scott D. Galvin and he stated that this hearing is for the purposes of setting the tax rate, that the budget was approved in June, that the budget dictates the tax rate, that spending issues such as pensions, debt service and support of the schools resulted in the budget increase, and that this process is required to set the tax rate. Appearing was Andrew Creen, Chief Appraiser, Board of Assessors and he introduced the Board of Assessors and staff present at the meeting, and offered a communication dated December 12, 2017 with a series of charts entitled Analysis of Levy Limit, Analysis of Levy Limit Increase, Fiscal 2018 New Growth, Valuation by Class of Property, Classification Options, Tax Rate History, Median Sales Price of Single Family Homes, and Analysis of Competitive Communities attached thereto, as follows:

Dear President Haggerty and Council Members:

The Board of Assessors is pleased to report that the valuation roll for fiscal 2018 has been finalized after a reappraisal of all taxable properties was conducted by this office. The total assessed valuation for all real and personal property in the City effective January 1, 2017 is \$7.367 billion. This represents an increase from the prior fiscal year's total of \$6.839 billion. This increase in taxable valuation is attributable to the appreciation experienced by all classes of property.

The City Council must now determine the relative tax burden to be borne by each class of property by selecting a "residential factor". To assist the Council in its deliberations, several charts have been prepared and are attached to this correspondence. These charts illustrate relevant valuation and tax levy data and the impact of your vote this evening.

By selecting a residential factor of "1" a single tax rate of \$14.25 results. Choosing a factor less than "1" results in a portion of the tax levy shifting from residential properties to commercial, industrial and personal property taxpayers. For example, adopting a residential factor of ".69" means that the residential class of property would pay 69% of the levy they would pay if there were no classification. Under this scenario, the levy increases for the other classes of property by

a factor of 175 percent. The chart entitled "Classification Options" best illustrates the various scenarios available to you.

s/Robert E. Maguire, Jr., Chairman, s/Lori Medeiros, s/David J. Rufo

Motion made and 2nd that the communication be received and made part of the record, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent). Mr. Creen stated that this is a recertification year, that the Department of Revenue spent considerable time reviewing the city's procedures as to determining value, that in FY2017 the levy limit was \$113,058,815.00, that the city is allowed to increase that by 2.5% in addition to an increase resulting from a revised personal property levy, that the adjusted personal property levy resulted in an additional \$1,332,861.00, that the 2.5% increase is \$2,859,792.00, that new growth in FY2018 is \$3,067,125.00, that the result is an FY2018 level limit of \$120,318,593.00, that this is a significant increase in the levy limit of \$7,259,778.00, that the new growth is comprised of 77% personal property, 15% is residential and 8% commercial/industrial, that personal property continues to be a significant portion of new growth, that a factor of 100% results in a tax rate of \$14.25 for all classes, that reducing the factor will increase the commercial/industrial/personal property tax rate and reduce the residential tax rate, that the factor can be reduced to 69.3920% which results in a residential tax rate of \$9.89 and a commercial/industrial/personal property tax rate of \$24.95, that the FY2017 average residential tax bill was \$4,072.00, that with the shift to a factor of 69.3920% the FY2018 average residential tax bill will be \$4,321.00, that the Board of Assessors receive a copy of every building permit issued by the Building Department, that the professional staff make site visits, that the department records are updated based on this information, that allowable new growth is captured in this manner, that new homes and projects such as the subdivision of the former Shannon Farm with a change from agricultural to residential use adds to residential new growth, that there is not as much new growth activity in the commercial/industrial sectors as of January 1, 2017, that the ownership of property determines whether the personal property is taxable, that the large personal property tax was due to a reclassification of a business with the result of additional tax being due, that the average residential tax bill increase is \$249.00 between FY2017 and FY2018, that the Board does not make recommendations on the tax rate as this is a policy decision left to the City Council, that his professional opinion is that the factor of 69.3920% results in a competitive commercial tax rate, that industrial demand is strong with close to 5% vacancy, that office vacancy is close to 10%, that the former Kraft site will be a boon to the city at some point due to its ideal location near the highway and relatively close proximity to the airport, that the former Kraft site is large with few similar properties in the region and with patience this will be a great benefit to the city, that the city is \$15,000,000.00 under the levy limit, and that having this great capacity will be a relief when the economy is not as strong. Alderman Concannon stated that over the years the city has taken the position that the shift of the tax burden to the commercial sector was fair and reasonable because of the benefits to businesses locating in the city and the impact of the commercial uses on the residents, and that he wants to be certain that such a policy position is still fair and reasonable. President Haggerty stated that the city is in a great position with the tax rates and being \$15,000,000.00 under the levy limit. PUBLIC COMMENTS: None. Motion made and 2nd that the public hearing be closed, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent). PUBLIC HEARING CLOSED. Motion made and 2nd for a two minute recess, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent). President Haggerty called the meeting back to order. Motion made and 2nd that a TAX

CLASSIFICATION SHIFT OF 175% RESULTING IN A FACTOR OF 69.3920 % AND A RESIDENTIAL TAX RATE OF \$9.89 AND A COMMERCIAL/INDUSTRIAL/PERSONAL PROPERTY TAX RATE OF \$24.95 be ADOPTED, ROLL CALL: Anderson – Absent, Campbell – Yes, Concannon - Yes, Gaffney – Yes, Gately – Yes, Higgins - Yes, Mercer-Bruen - Yes, Tedesco - Absent, Haggerty – Yes, MOTION ADOPTED.

Presented to the Mayor: December 14, 2017 **s/Scott D. Galvin December 14, 2017**

A communication dated October 8, 2017 with attachment was received from Mayor Scott D. Galvin as follows:

Re: Proposed Order for the City of Woburn’s Application to the Parkland Acquisitions and Renovations for Communities (PARC) Grant Program: Clapp Park at Fleming Field

Dear Council:

In support of the City of Woburn’s pending application for State PARC grant funding for the development of Clapp Park, I respectfully request the Council’s consideration and passage of the proposed Order (attached hereto). City Council authorization of the proposed Order by the end of the 2017 calendar year is a required element of the PARC program application process. As a result, your action on this matter would be very much appreciated by this evening.

As you are aware, this project presents a major opportunity for the City to redevelop a decommissioned school facility and property into a multi-use recreation park for a wide range of users of all ages and abilities and demonstrates a commitment to the City’s Master Plan and its Open Space and Recreation Plan. In addition, extensive public input has been actively sought and incorporated into the design in order to create a facility that reflects the recreational needs and desires of Woburn’s residents.

As background, the City’s recent application for a Land and Water Conservation Fund (LWCF) grant will be awarded if Federal funding is received by the Commonwealth; but given the uncertain nature of that funding source, the City elected to apply for a PARC grant as well. An announcement relative to the City’s PARC application is expected shortly.

If you require additional information about the project or have any questions about our application, please contact me or Dan Orr, the City’s grant writer.

Respectfully, s/Scott D. Galvin, Mayor

Attached thereto was the following Order:

ORDERED Whereas Clapp Park at Fleming Field will serve as a community-wide asset and the preservation and improvements to this facility are a City priority as evidenced in the most recent Open Space and Recreation Plan; and

Whereas Clapp Park at Fleming Field will be designed and used for park and recreation purposes; and

Whereas Clapp Park at Fleming Field's ultimate creation, guided in principal by the City of Woburn's Open Space and Recreation Plan, will be greatly enhanced with improved infrastructure, path systems, site lighting, universal access, etc.; and

Whereas The main focus of the Plan is to increase the available space for the enjoyment of outdoor recreation by users of all ages, and the overall cost and fiscal budget constraints prevent the City from proceeding with implementation at its sole cost; and

Whereas The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the PARC (formerly Urban Self-Help) Act (301 CMR 5.00); and

Whereas the Clapp Park at Fleming Field Project will cost a total of approximately \$997 thousand (Nine-Hundred Ninety-Seven Thousand Dollars) to construct; and

Whereas the City has appropriated the total cost of Clapp Park at Fleming Field project (\$997 thousand) but anticipates an effective municipal share of \$597,000 post-grant reimbursement (having received \$400,000 in PARC grant funding).

Now therefore be it Ordered:

1. That the Mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Parks and Recreation Department; and
3. That this resolution shall take effect upon passage; and
4. That the Clapp Park at Fleming Field property is designated as parkland in accordance with M.G.L. Chapter 45, Section 3.

s/Joanne Campbell

Appearing was Mayor Galvin and he stated that the Order is a requirement for a grant application, that the Order must be approved as part of the grant program, that a decision on the application is expected by the end of the year, and that the application is for a \$400,000.00 grant for the construction of a park at the former Clapp School site. Planning Director Tina Cassidy stated that an application was submitted for a grant for the Green Street pool under this program but it was not approved, that agency encouraged the city to submit the application for this project, that the city also applied for a Land and Water Conservation Fund grant but federal funding for the project is not certain, that the city must designate the land permanently as

parkland and a sign must be erected identifying the agency as a funding source for the project, and that the designation of parkland requires that the property be Article 97 property to be eligible. Alderman Campbell stated that she wanted assurances the property would remain as Article 97 property, and she asked for an update on the bids for demolition of the former school building. Mayor Galvin stated that the City Engineer and Purchasing Agent are assembling a bid package for demolition of the building as well as removal of the asbestos. Director Cassidy stated that the city has the park designer on retainer to move forward with construction of the park as soon as funding is available, and that work is proceeding on the final design. Alderman Campbell stated that she wants to be included in the final design plans. Director Cassidy stated that each community has an maximum amount that can be applied for a grant, that the city's limit is \$400,000.00 but the final grant could be less than this amount, and that the city applied for the maximum grant available. Alderman Mercer-Bruen stated that she wants to know what the terms and conditions of the grant would be. Director Cassidy stated that there would be a grant agreement that the Mayor would have to sign, and that she is willing to obtain a sample of the agreement from the agency for review. Motion made and 2nd that the communication be accepted from the Mayor and made part of the record, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent). Motion made and 2nd that the ORDER be ADOPTED, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent).

Presented to the Mayor: December 14, 2017

s/Scott D. Galvin December 14, 2017

On the petition by Leo Realty Holdings LLC, 17 Concord Avenue, Cambridge, Massachusetts for special permits pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.5 to 1; allow for eight (8) residential units above first floor story in commercial structure at 375 Main Street; and 2. To amend a prior special permit to allow for an addition to 371 Main Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent).

Motion made and 2nd to ADJOURN, 7 in favor, 0 opposed, 2 absent (Anderson, Tedesco absent). Meeting adjourned at 6:50 p.m.

A TRUE RECORD ATTEST:

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