

**CITY OF WOBURN
NOVEMBER 23, 2021 – 5:45 P.M.
SPECIAL MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Campbell - Absent	Ferullo
Concannon	Gately
Demers - Absent	Lannan
Dillon	Mercer-Bruen - Absent
Tedesco	

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 to be held in the City Council Chambers.

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent).

Motion made and 2nd to suspend the rules to take from the table the next matter under Unfinished Business of Preceding Meeting, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent).

UNFINISHED BUSINESS OF PRECEDING MEETING:

ORDERED That the sum of \$125,000.00 be and is hereby appropriated as so stated:

To: Veterans Cash Aid	\$125,000.00
Acct# 0154357-577000	

I hereby recommend the above: s/Scott D. Galvin, Mayor
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/President Tedesco

Motion made and 2nd to ADOPT THE ORDER, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent). President Tedesco stated without objection, the motion to reconsider is laid upon the table. Hearing no objection so ORDERED.

Presented to the Mayor: November 24, 2021 **s/Scott D. Galvin November 24, 2021**

ORDERED

That the sum of \$220,000.00 be and is hereby appropriated as so stated:

To: Increased Utility Costs / FY2022 \$220,000.00
Acct# 0112152-521100

I hereby recommend the above: s/Scott D. Galvin, Mayor
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/President Tedesco

Motion made and 2nd to ADOPT THE ORDER, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent). President Tedesco stated without objection, the motion to reconsider is laid upon the table. Hearing no objection so ORDERED.

Presented to the Mayor: November 24, 2021 s/Scott D. Galvin November 24, 2021

ORDERED

Authorizing the Mayor to expend \$2,500,000 of federal funds received from the American Rescue Plan Act of 2021 (ARPA). ARPA established the new Coronavirus Local Fiscal Recovery Fund (CLFRF) to local governments to respond to the public health emergency caused by the Coronavirus Disease (COVID-19); and The Coronavirus State and Local Fiscal Recovery Funds provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery. The Coronavirus State and Local Fiscal Recovery Funds provide substantial flexibility for each government to meet local needs. The \$2,500,000 will be used to Offset Lost Local Receipts for Fiscal Year 2022.

I hereby recommend the above: s/Scott D. Galvin, Mayor
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/President Tedesco

Motion made and 2nd to suspend the rules to allow His Honor Mayor Galvin to speak, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent). Mayor Galvin stated that Woburn is a nonentitlement community and received funding for the city as well as portion for Middlesex County. Woburn will be receiving just under \$12 million for ARPA, which received half of it and receiving the other half next year. Mayor Galvin stated that the

allowed spending uses of ARPA funds includes water and sewer, broadband, replacement of lost revenues, and premium pay for employees. Mayor Galvin stated that due to COVID, the city lost receipts such as hotel/motel and meals tax and that he plans to replace the lost revenues last year the city used \$3.5 million of free cash to offset, this year using ARPA funds to replace and bridge the gap until the receipts come back to give the residential and commercial taxpayer a break. Upon inquiry from Councilor Dillon, Mayor Galvin stated that the number of buckets of local receipts as high as \$18-\$19 million to this year \$14 million, and on average the city receives \$17.5 million for excise, hotel/motel, restaurants and local permitting that he expects to comeback. Councilor Gately stated that there was quite a bit of new revenue on buildings. Mayor Galvin stated that there was new growth but that the chief appraiser will explain, and that the City also needs to take into account that values will be contested for commercial businesses. Councilor Concannon that he would support this use as it is reasonable, prudent, and clearly allowable. Mayor Galvin also stated that the Free Cash has been certified at \$38.5 million and water and sewer is 5.3 retained earnings and the unused tax levy is \$25.5 million and continue to strengthen the City's financial status. Motion made and 2nd to return to the regular order of business, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent). President Tedesco stated without objection, the motion to reconsider is laid upon the table. Motion made and 2nd to ADOPT THE ORDER, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent). President Tedesco stated without objection, the motion to reconsider is laid upon the table. Hearing no objection so ORDERED.

Presented to the Mayor: November 24, 2021 s/Scott D. Galvin November 24, 2021

Motion made and 2nd to return to the regular order of business, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent).

PUBLIC HEARINGS:

On the matter relative to Tax Classification for the City of Woburn. PUBLIC HEARING OPENED: A communication was received from His Honor Mayor Galvin dated November 18, 2021 as follows:

Dear President Tedesco and Council members:

In accordance with section 12 of The City of Woburn Charter, enacted by virtue of special legislation approved as Chapter 374 of the acts of 1888, and revised by the legislature by Chapter 172 of The Acts of 1897, I am calling for a Special meeting of The Woburn City Council to be held on Tuesday, November 23, 2021 at 5:45 pm.

The purpose of the meeting is for the City Council to hold its annual tax classification hearing. At this hearing, the council will consider whether to shift a portion of the tax levy from residential taxpayers to commercial, industrial and business personal property taxpayers. The Board of Assessors will present informational materials to assist the council

in its deliberations. The City Council will also vote on two supplemental appropriations and to authorize the use of \$2.5 million in ARPA funds to replace lost revenue. In addition, the City Council will have first readings on any new ordinance, or amendment timely filed.

Sincerely, s/ Scott D. Galvin, Mayor

Further, a communication was received from the Woburn Board of Assessors dated November 23, 2021 as follows:

Dear President Tedesco and Council Members:

The Board of Assessors is pleased to report that the valuation roll for fiscal 2022 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, 2021 is \$9.436 billion. This represents an increase from the prior fiscal year's total of \$8.930 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 \$13.01 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 ".71" means that the residential class of property would pay 71% 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.

Woburn Board of Assessors, s/ Robert E. Maguire, Chairman, Lori S. Medeiros, David J. Rufo

Motion made and 2nd that any and all communication be received and made part of the permanent record, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent). His Honor the Mayor recognized John Connolly, Chief Appraiser, as well as the Board of Assessors, Robert Maguire and Lori Medeiros, who were in attendance and David Rufo. Mayor Galvin stated that the office still has a position open. John Connolly then spoke and recognized and thanked his staff and then read into the record the communication dated November 23, 2021 from the Board of Assessors (please see above). Mr. Connolly then explained the handout of information and that the Table of Contents: 1. Analysis of Levy Limit; 2. Analysis of Levy Limit Increase; 3. Fiscal 2022; 4. Valuation by Class of Property; 5. Classification Options; and 6. City of Woburn Tax Rate History. Further, Mr. Connolly stated that the Analysis of Competitive Communities was added as the final page. Mr. Connolly stated that on Slide 2, there was \$3,939,818 of new growth, \$3,248 was amended

new growth, \$3,524,171 was the 2.5 percent increase, \$140,963,591 was the prior year levy limit, and the 2022 Limit was \$148,430,828. Mr. Connolly stated on Slide 3, the new growth was \$3,939,818 with a total increase of \$7,467,237. Mr. Connolly stated on Slide 4, that the numbers were not on the pie chart, but the percentages were. The personal property was 64% which included Amazon personal property, and that the majority of residential portion included mixed use such as 290 Mishawum and 120 Commerce Way that used to be industrial/commercial and now are residential with a small amount of commercial. Mr. Connolly stated on Slide 5, that the city continues to appreciate in value. On Slide 6, Mr. Connolly stated that this is the most important part of the presentation a residential factor of 0.717901, which was 0.7142167 in FY2021, and that the rate gets the max tax shift of 175%. On Slide 7, Mr. Connolly stated for FY2022 the proposed tax rate for residential will be \$9.34 and for commercial will be \$22.77. Mr. Connolly stated on the last exhibit, Analysis of Competitive Communities, that all but the Woburn are FY2021 rates as those communities are now going through the process, and that the only one that came available was Reading was residential for \$13.33 and commercial was \$13.55, with an average assessment of \$702,600, and the FY2022 average single family tax bill was \$9,366. Councilor Gately stated they did a good job, he thanked Andy Creen, stated he had no problem with the rate, and that he likes the residential rate and the shift to the commercial. Councilor Gately then stated that there is only a penny difference for the residential rate, and that the City must be doing something right. Councilor Concannon thanked John Connolly and his team, and stated that the rate was similar to last year, especially with the times everyone is in, and residents may have other costs. Councilor Concannon stated that the residents get the break because the commercial taxpayers get the benefits, and that the shift does not seem to be scaring anyone away. Councilor Concannon stated that the neighboring communities do a similar shift, so it clearly seems fair and reasonable and is a reason the residents put up with all the business in the community. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent). PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING BE CLOSED, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent). Motion made and 2nd that a TAX CLASSIFICATION SHIFT OF 175% RESULTING IN A RESIDENTIAL FACTOR OF 0.717901 AND A RESIDENTIAL TAX RATE OF \$9.34 AND A COMMERCIAL/INDUSTRIAL/PERSONAL PROPERTY TAX RATE OF \$22.77 be ADOPTED, ROLL CALL: Campbell - Absent; Concannon - Yes; Demers - Absent; Dillon - Yes; Ferullo - Yes; Gately - Yes; Lannan - Yes; Mercer-Bruen - Absent; Tedesco - Yes. Motion made by Councilor Concannon to reconsider his vote and 2nd, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent). Motion made and 2nd that a TAX CLASSIFICATION SHIFT OF 175% RESULTING IN A RESIDENTIAL FACTOR OF 0.717901 AND A RESIDENTIAL TAX RATE OF \$9.34 AND A COMMERCIAL/INDUSTRIAL/PERSONAL PROPERTY TAX RATE OF \$22.77 be ADOPTED, ROLL CALL: Campbell - Absent; Concannon - Yes; Demers - Absent; Dillon - Yes; Ferullo - Yes; Gately - Yes; Lannan - Yes; Mercer-Bruen - Absent; Tedesco - Yes.

FIRST READINGS ON ANY NEW ORDINANCES:

ORDERED

Be it Ordained by the City Council of the City of Woburn, that Title 2, Administration and Personnel, of the Woburn Municipal Code, as amended, be further amended as described herein:

by amending Article XII, Fire Department, as follows: (deleted language in ~~strikethrough~~; new language in **bold**):

2-87 Fees for inspections and permits.

TYPE OF PERMITS OR INSPECTIONS ~~FEE/TIME~~

- 1. Oil burner/**tank** installation ~~completions~~, inspection and permit
~~.\$25.00~~ **\$50.00** per job
~~and tank installation for oil burner~~
- 2. Propane storage, ~~inspection and~~ **tank** permit
.....\$50.00 per job
- 3. Flammable fluids and gases (M.G.L. c.148, §9) ~~\$40.00~~
\$50.00/year
- 4. Storage of black or smokeless powder \$25.00/
~~one~~ year
- 5. Blasting Permit ~~\$50.00~~
per job **\$150.00**
- 6. Tank Removal **permit (per tank)**
Residential..... \$
50.00

Commercial.....**\$100.00**
- 7. Installation of combustible/flammable liquid tank..... \$50.00
per tank
- 8. Fireworks display \$50.00
per event
- 9. Flammable decorations (NFPA 1).....\$15.00
one year
- 10. Tar kettle \$50.00
per job
- 11. Tar truck \$50.00
per job
- 12. Tank truck inspections \$75.00
two years
- 13. ~~Copies of fire or ambulance reports~~ ~~\$25.00~~
per copy
- 13. Cutting & welding permit**.....**\$50.00**
- 14. Smoke and/or Carbon Monoxide detectors (~~M.G.L. c.148,~~
~~§26/NFPA 1~~)
One Unit\$ 50.00
per inspection

Two Unit	\$100.00
per inspection	
Three to Six Units.....	\$150.00
per inspection	
Over Six Units	\$500.00
per inspection	
15. Buildings, as defined by M.G.L. c. 148, §1	\$50.00
per inspection	
16. Motel and hotel	\$25.00 per
inspection	
17. Theatres	\$50.00 per
inspection	
18. Fire Alarm (connection fee).....	\$50.00
19. Fire Alarm master box connection (yearly fee)-.....	\$250.00
350.00/per year	
20. Central office and other signal to fire alarm	\$125.00
per year	
21. Hazardous Material Processing Permit.....	\$ 50.00
All other fees not listed, but required by M.G.L. c.148, §10A....	
\$25.00	

and by amending Article XXVI, City Ambulance Service, as follows:

Section 2-174 Rates of service.

A. The following fees shall be charged for all persons transported to the hospital by the City ambulance service: ~~Current Medicare Fee Schedule plus 200%.~~

BLS Emergency Base Rate	\$1196.25
\$1,600.00	
BLS Non-Emergency Base Rate	\$ 747.66
ALS1 – Emergency Base Rate	1420.56
2,000.00	
ALS Non-Emergency Base Rate	897.18
ALS2 Emergency Base Rate	2056.05
2,900.00	
Specialty Care Transport	2429.88
Mileage	20.58
25.00	
Airway	173.30
Cardiac Monitor	214.07
Defibrillation	352.87
Oxygen	164.69
MAST.....	235.27

IV/Drugs 352.87

The costs of ancillary services such as cardiac monitor, oxygen, IV/drugs are included in the Base Rate Fee.

s/President Tedesco
Per Request of the Mayor

Motion made and 2nd that the MATTER BE LAID ON THE TABLE, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent).

ORDERED

Be it Ordained by the City Council of the City of Woburn, that Title 3, Revenue and Finance, of the Woburn Municipal Code, as amended, be further amended as follows: (deleted language in ~~striketrough~~; new language in **bold**):

by revising Article III, Fees for Licenses, Permits & Records, as follows:

Section 3-19 Schedule of fees for licenses and permits.

**Business Certificates (filing).....
\$25.00**

Business Certificates amendments and Terminations \$5.00

Marriage, Birth or Death Certificate... \$10.00 per copy

**Marriage Intention with one certified copy of
marriage certificate.....\$40.00**

and by deleting the following paragraph:

~~For the following, the fees charged shall be those which are prescribed by MGLA:~~

~~Birth Records, Death Records, Marriage Records, Registration Fees, Business~~

~~Certificates. (Prior Ch. 10 sec. 1; amended 1/19/2017; amended 3/23/2017).~~

and by revising Article VI, Demand Fees – Unpaid Taxes as follows:

Article VII, Demand Fees – Unpaid Taxes, ~~(numbered as passed)~~

Section 3-34 Demand fees - unpaid taxes

The Treasurer/Collector shall charge a fee of ~~\$10.00~~ **\$15.00** for each written demand issued for unpaid real estate, personal property and excise tax, which fee is to be added to and collected as part of the tax, as authorized by M.G.L. c.60, §15, effective as of ~~July 1, 2014~~.

January 1, 2022;

and by renumbering VIII. REVOLVING FUNDS.

s/President Tedesco

Motion made and 2nd that the MATTER BE LAID ON THE TABLE, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent).

ORDERED

Be it Ordained by the City Council of the City of Woburn, that Title 13, Public Services, of the Woburn Municipal Code, as amended, be further amended as follows: (deleted language in ~~striketrough~~; new language in **bold**):

to revise Article II, Water System, Section 13.2.2 as follows:

13.2.2 Water Charges – Payable

All bills for metered water services shall contain the actual meter readings or an estimated reading. Such water charges shall be payable semi-annually, or monthly for non-residential water takers consuming large quantities of water. A ~~\$10.00~~ **15.00** late fee will be added and interest shall begin to accrue on any balance which remains unpaid after the 31st day at the statutory rate provided in M.G.L. c.59, §57. A \$25.00 lien fee will be added when unpaid charges and interest are liened to the real estate bills. Only one late fee and lien fee will be imposed when the bill is a combination water/sewer bill. Effective ~~July 1, 2015~~ **January 1, 2022**; and

and by inserting the following new provision:

13.2.32 ~~Reserved~~ **Request for Final Water Reading – Change of Ownership**

In every instance when a Certificate of Municipal Lien is requested by the property owner or their representative (i.e., real estate broker or attorney) for the conveyance of real property, a final water reading shall also be requested at least 7 days prior to

the closing. The charge for such final water reading shall be \$50.00. Payment for the final bill charge is due and payable within 30 days. Failure of new owners to notify the Water Department of the change in name and/or address will not relieve them in any way from liability for payment of outstanding charges, interest or demands. All outstanding charges remain with the property and the Water Department will not bill prior balances to previous owners even if that amount appeared on a final bill.

s/President Tedesco
Per Request of the Mayor

Motion made and 2nd that the MATTER BE LAID ON THE TABLE, all in favor, 6-0-3 (Campbell, Demers, and Mercer-Bruen Absent).

ORDERED

Be it Ordained by the City Council of the City of Woburn, that pursuant to M.G.L. c.40A, §9 and Section 11.3.1 of the Woburn Zoning Ordinance as amended, that the following Filing Fee Schedule be adopted:

WOBURN CITY COUNCIL FILING FEES

(A \$300.00 Advertising and Mailing Charge shall be added to all fees)

Special Permits

Residential:

New 1 and 2 family construction, \$ 500.00
and conversions

Multi-family – Table 5.1, lines 3, 3a, \$1,000.00
3b, 3c and 4

Commercial/Industrial

Under 15,000 s.f. gfa \$ 800.00
15,000 s.f. gfa and over \$1,600.00

Other \$ 500.00

Site Plan Review (without special permit) \$1,600.00
(with special permit) no fee

Zoning Map or Text Amendment \$ 750.00

Special Permit, Section 7.3	\$ 500.00
Special Permit Modification, Major filing fee	same as initial
Special Permit Modification, Minor	no fee
Special Permit, Request to Extend Expiration Date	no fee
Resubmission of Lapsed CWCOD Concept Plan	\$ 100.00
TBOD District (site plan review and/or special permit)	\$1,500.00
Conversion of Significant Historic Buildings	\$500.00

s/President Tedesco
Per Request of the Mayor

Motion made and 2nd that the MATTER BE LAID ON THE TABLE, all in favor, 6-0-3
(Campbell, Demers, and Mercer-Bruen Absent).

Motion made and 2nd to ADJOURN, all in favor, 6-0-3 (Campbell, Demers, and Mercer-
Bruen Absent). Meeting adjourned at 6:16 p.m.

A TRUE RECORD ATTEST:

Lindsay E. Higgins
City Clerk and Clerk of the City Council