

**CITY OF WOBURN
FEBRUARY 1, 2022 – 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Campbell	Ferullo
Demers	Gately
Dillon	Mercer-Bruen
DiMambro	Viola
Concannon	

VOTED to dispense with the reading of the previous meeting’s Journal and to APPROVE.

MAYOR’S COMMUNICATIONS:

A communication dated January 27, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

President Concannon and City Council Members:

I am respectfully requesting the opportunity to appear before The City Council at the beginning of your meeting on Tuesday, February 1, 2022 to present an update on the status of PFAS in our water system and the steps we are taking to address this issue.

By way of background, PFAS in drinking water is a challenge across the entire U.S. and throughout Massachusetts. Many communities – large and small – are impacted. Click on link to view local water systems dealing with PFAS

[PFAS in Mass. Water](#)

The City first tested its water supply for PFAS in 2015, in accordance with U.S. Environmental Protection Agency (EPA) methods, which at the time issued a health advisory that PFAS levels should not exceed 70 parts/trillion (ppt) in drinking water. This standard still applies to many States and communities across the U.S. In October 2019, in response to updated test methods, the City began routinely testing for PFAS in its wells and treated water. In April 2021, The Massachusetts Department of Environmental Protection (DEP) established a new drinking water standard of 20 parts per trillion (ppt) for the sum of 6 PFAS compounds, called “PFAS6”, which is much more restrictive than the EPA. Over the past two years of testing, Woburn’s drinking water has averaged 18 ppt of PFAS6.

The City has been in compliance with the new state regulation until the 3rd quarter of 2021, when residents were advised that the quarterly average value of 24 ppt for Woburn’s drinking water exceeded DEP maximum contaminant level (MCL) for PFAS6 of 20 ppt. The results for the 4th quarter ending December 31, 2021 were also slightly elevated at 22 ppt.

Levels above the 20 ppt do not automatically mean there is a public health risk. The City has been working closely with the MA DEP over this period.

The 20 ppt is based on conservative assumptions that consider the populations that could be most affected by PFAS6, including those in sensitive populations. In addition, the MCL of 20 ppt also assumes that each person is substantially exposed to PFAS6 from other sources in addition to drinking water, such as stain- and water-repellant fabrics, nonstick cookware, polishes, waxes, paints, cosmetics and cleaning and other products.

If you are an adult or older child, not in sensitive populations, you may continue to consume the water because the 20 ppt value is applicable to a lifetime of consuming the water and shorter duration exposures present less risk.

The DEP advises that those people in sensitive populations, which include pregnant women, nursing mothers and infants, and people diagnosed by their health care provider to have a compromised immune system should not drink or cook with water that exceeds 20 ppt.

We are taking several actions to address the PFAS6 levels in the drinking water and their impacts, as follows:

- The Water Department has purchased and will be installing a water bottle filling station at the Senior Center on School Street. We must get DEP approval before it can be used. We will post information on our website and alert the media as soon as the station is available.
- For people considered in a sensitive population who must purchase bottled water, the City will provide a monthly credit to for those periods of time we are DEP non-compliant. The DEP defines sensitive populations as pregnant women, nursing mothers and infants and people diagnosed by their health care provider to have a compromised immune system.

Qualifying Residents are able to enroll in this program on the City of Woburn website [Bottled Water Rebate Program - City of Woburn \(woburnma.gov\)](http://woburnma.gov).

Most importantly, we will be upgrading our water treatment plant to treat and remove PFAS 6. Engineering firm, CDM Smith Inc. of Boston, has been hired to do the engineering studies. The City is working to get state and federal funding, including funds from the American Rescue Plan Act (ARPA) and the Bipartisan Infrastructure Bill, to construct the upgrades to our water treatment plant.

We will be available to provide additional information at your meeting, regarding this upgrade to the water treatment plant and other actions taken to address PFAS 6.

Sincerely, s/Mayor Scott Galvin

A communication dated January 27, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

President Concannon and Members of The City Council:

I am requesting a transfer of funds from the City of Woburn Surplus Overlay Account to fund (3) assessing activities necessary for a successful Fiscal Year 2023 recertification by the Massachusetts Department of Revenue (DOR), totaling \$145,000.

These programs are summarized as follows:

Real Property: Valuation, Valuation Review, Market Based Cost Schedules, Income Valuation Schedules and Guidance to Ensure Compliance with Unique DOR (5) Year Certification Standards, approximately 13,000 Parcels.

Cost: \$40,000 Account 530510

Personal Property: Discovery and Listing of Taxable Personal Property Accounts, Valuation and Identification of Allowable New Growth and Development of Appropriate Depreciation Schedules, approximately 1,900 Accounts.

Cost: \$45,000 Account 584042

Defense of Values: Litigation Services, Expert Valuation Services, Expert Court Testimony and the Review of Case Materials and Management of Appellate Tax Board Docket.

Cost: \$60,000 Account 571001

It has been 5 years (Fiscal Year 2018) since our last Recertification with the MA Department of Revenue. This current year, Fiscal 2023, is a full Recertification year for the City of Woburn.

The five-year certification review is conducted by BLA staff to ensure the proposed values are derived utilizing a methodology based on generally accepted mass appraisal practices, are supported with current market evidence and are uniformly and equitably applied to all property. The data quality, all cost and depreciation tables, and land schedules will be reviewed for all real property. In addition, income producing property will be reviewed for income and expense analysis, development of the economic rent schedules, capitalization rates and correlation of the values derived from two appraisal approaches.

Personal property accounts will be reviewed for appropriate listing and valuation of assets along with the cost and depreciation schedules.

The mass appraisal system is comprised of the following: data management, valuation, performance analysis, administration and appeals.

I am also requesting an additional transfer of \$750,000 from the Surplus Overlay to the OPEB Trust Fund to help reduce our outstanding liability for OPEB. I look forward to discussing these transfers during the next finance committee meeting.

Sincerely, s/Mayor Scott Galvin

ORDERED That the sum of \$895,000.00 be and is appropriated as so stated from Overlay Reserve Acct# 01-322000 \$895,000.00 to Stabilization Fund Acct# 750048-483011 \$750,000.00, Assessors Appraisals Acct# 0113757-571001 Real Property \$40,000.00 Valuation Services \$60,000.00, and Assessors Personal Property Acct# 0113757-584042 \$45,000.00.

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

A communication dated January 27, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

President Concannon and Members of the City Council:

I am filing two transfers from the Unreserved Fund balance for your consideration. The first is for \$1,000,000 to The SPED Stabilization Fund. As we have discussed in the past it is important to have additional funding available to address unanticipated Special Education costs due to unplanned and unbudgeted out of district tuition expenses. The expenditure of funds from this stabilization fund will require a 2/3 vote by the City Council.

In addition, I am requesting the approval of a \$10,000,000 transfer from the Unreserved Fund balance to the general Stabilization Fund. This will provide the Treasurer with additional investment options, that are not allowed for funds in the general fund.

Sincerely, s/Scott D. Galvin, Mayor

ORDERED That the sum of \$1,000,000.00 be and is appropriated as so stated from Unreserved Fund Balance Acct# 01-359000 \$1,000,000.00 to SPED Stabilization Fund Acct# 704049-4971000 \$1,000,000.00.

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

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In addition, I am requesting the approval of a \$10,000,000 transfer from the Unreserved Fund balance to the general Stabilization Fund. This will provide the Treasurer with additional investment options, that are not allowed for funds in the general fund.

Sincerely, s/Scott D. Galvin, Mayor

ORDERED That the sum of \$10,000,000.00 be and is appropriated as so stated from Unreserved Fund Balance Acct# 01-359000 \$10,000,000.00 to General Stabilization Fund Acct# 704049-4971000 \$10,000,000.00.

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

ORDERED That the sum of \$28,000.00 be and is appropriated from the Cemetery Interest Fund and distributed as follows for Fiscal Year 2022: \$8,000.00 to New Equipment Acct. 0149058-586600, \$8,500.00 to Equip/Bldg Maint Acct. 0149054-543000, \$2,500.00 to Tools/Supplies Acct. 0149054-546100, \$9,000 to Burial Sections Acct. 0149058-586601.

I hereby approve the above: s/John Sawyer, Chairman, Cemetery Commission
I hereby recommend the above: s/Scott D. Galvin, Mayor
I have reviewed the above: s/Charles E. Doherty, City Auditor

NEW PETITIONS:

Petition by Give2Those for special event permit for Freedom Flag Memorial 5k road race at Horn Pond on October 15, 2022.

Request by Seaver Properties, LLC for Minor Modification to Landowner's Decision and Notice of Special Permit dated November 17, 2021, at Dexter Avenue. A communication

dated January 27, 2022 was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, as follows:

Re: Request for Minor Modification to Landowner's Decision and Notice of Special Permit dated November 17, 2021, Seaver Properties LLC, Dexter Avenue, Woburn, Massachusetts (the "Decision")

Dear Ms. Higgins:

Please be advised that I represent Seaver Properties LLC in connection with the above-referenced matter. On behalf of my client I respectfully request that the Site Plan of record referenced in the Decision be amended by substituting in Condition One the Revised Plan referenced below.

I have included herewith ten (10) copies of the above Decision, the original Plan of Record entitled "Site Plan, East Dexter Avenue, Woburn, Massachusetts" dated September 10, 2018 and last revised on November 29, 2018 and December 7, 2018 (Sheet 6 of 8) prepared by ALAN Engineering L.L.C., 110 Winn Street, Woburn, MA 01801 and the revised plan entitled "Site Plan, East Dexter Avenue, Woburn, Massachusetts" dated September 10, 2018, revised November 29, 2018; March 10, 2021; June 4, 2021 and June 24, 2021, prepared by ALAN Engineering L.L.C., 110 Winn Street, Woburn, MA 01801.

In addition I have enclosed a "Summary of Plan Changes, Condominium Development East Dexter Avenue" prepared by ALAN Engineering L.L.C., 110 Winn Street, Woburn, MA 01801 summarizing the minor revisions to the Plan of Record. I have also included a full size copy of both plans.

Section 11.12 of the 1985 City of Woburn Zoning Ordinance entitled Modification of Special Permits defines a "Minor Modification" as follows:

A Minor Modification is one which will result in insignificant changes to the project. The following changes are examples of revisions that may be deemed to be Minor Modifications by the SPGA for purposes of this section (this list is not intended to be inclusive):

1. Minor adjustments in the location of buildings.
2. Minor adjustments to parking, landscaping or other site details that do not affect the overall buildout of the site;
3. Reductions of less than five percent (5%) in the amount of landscaped usable open space.
4. Minor adjustments that do not affect the number of housing units;
5. Minor adjustments that do not materially affect any housing units set aside as affordable housing units.
6. Minor adjustments to interior building floor plans that do not increase the number of required parking spaces.
7. Minor adjustments to approved façade plans and building elevations.
8. Minor adjustments to underground utility infrastructure.

The revisions shown on the Revised Plan and set forth on the Summary are minor modifications as noted above that do not affect the overall buildout of the site.

On behalf of my client I respectfully request that the City Council approve the revision as shown on the Revised Plan as a minor modification. If you need any additional information please contact me. Thank you.

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

Request by Bloomfield Hospitality 3, Inc. for Minor Modification to Landowner's Decision and Notice of Special Permit dated December 27, 2012 as modified by Landowner's Decision Notice of Special Permit dated July 9, 2015, at 880 Main Street. A communication dated January 27, 2022 was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, as follows:

Re: Request for Minor Modification to Landowner's Decision and Notice of Special Permit dated December 27, 2012 as modified by Landowner's Decision Notice of Special Permit dated July 9, 2015/Bloomfield Hospitality 3, Inc., 880 Main Street, Woburn, Massachusetts (the "Decision")

Dear Ms. Higgins:

Please be advised that I represent J&C Hospitality Inc. in connection with the above-referenced matter. On behalf of my client I respectfully request that J&C Hospitality Inc. be allowed to replace Bloomfield Hospitality 3, Inc. as the Petitioner.

I have included herewith ten (10) copies of both of the above Decisions.

Section 11.12 of the 1985 City of Woburn Zoning Ordinance entitled Modification of Special Permits defines a "Minor Modification" as follows:

A Minor Modification is one which will result in insignificant changes to the project. The following changes are examples of revisions that may be deemed to be Minor Modifications by the SPGA for purposes of this section (**this list is not intended to be inclusive**):

1. Minor adjustments in the location of buildings.
2. Minor adjustments to parking, landscaping or other site details that do not affect the overall buildout of the site;
3. Reductions of less than five percent (5%) in the amount of landscaped usable open space.
4. Minor adjustments that do not affect the number of housing units;
5. Minor adjustments that do not materially affect any housing units set aside as affordable housing units.

6. Minor adjustments to interior building floor plans that do not increase the number of required parking spaces.
7. Minor adjustments to approved façade plans and building elevations.
8. Minor adjustments to underground utility infrastructure.

The replacement of Bloomfield Hospitality 3, Inc. with J&C Hospitality Inc. is a minor modification. J&C Hospitality Inc. will continue to operate a family style restaurant at 880 Main Street, Woburn, Massachusetts.

On behalf of my client I respectfully request that the City Council approve the name change as a minor modification. If you need any additional information please contact me. Thank you.

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

PUBLIC HEARINGS:

Petition by Skyworks Solutions, Inc., to amend an inflammable license, for N-Methyl2pyrrolidone Class B 4x350 gallons in IBC container to N-Methyl2pyrrolidone Class B 4x350 gallons in IBC container and/or Kwik Strip Class B 4x350 gallons in IBC containers, and/or a mixture of both types totaling no more than four IBC Containers, at 20 Sylvan Road. [This public hearing is being re-noticed for the February 15, 2022 City Council Meeting]

On the petition by NStar Electric Company, d/b/a Eversource Energy for grant of right in a way to install approximately 962 feet of conduit southeasterly from Montvale Avenue to the end of Hill Street, and one new manhole, MH31201, approximately 238 feet southwest of Montvale Avenue, in Hill Street.

On the petition by E.A. Spry, Inc., 54 Holton Street, Woburn, Massachusetts 01801, for special permit to modify Landowner’s Decision and Notice of Special Permit dated November 13, 2015 as modified by Landowner’s Decision and Notice of Special Permit dated February 27, 2020 and a special permit from Section 7.3 of the 1985 City of Woburn Zoning Ordinance as amended to allow for revised site plan, amendment to Condition 2, amendment to Condition 3 to allow overnight parking of additional vehicles, and the continuation of the nonconforming parking, loading bay fronting on Holton Street, area and landscaping requirements, at 80 Holton Street. PUBLIC HEARING OPENED:

A committee report was received “ought to pass” with the following conditions: 1. The Petitioner shall construct and improve the Site as substantially described on the Plan of Record which for this project shall be “Layout & Materials Plan” dated December 15, 2021, prepared by Allen & Major Associates, Inc., 100 Commerce Way, Woburn, MA 01801 (hereinafter the “Site Plan”) although design adjustments and modifications generally

associated with: (i) preparing so-called “working drawings” or (ii) site conditions shall be permitted so long as such changes do not constitute substantial changes from said plans as determined by the Building Commissioner. In the event that the Building Commissioner determines that the building plans filed with the building permit application are not in substantial conformance with the Site Plan, the Petitioner may request a review of said plans by the City Council Special Permits Committee who shall make a final determination. If the Special Permits Committee makes a determination that the proposed plans are not in conformance with the Site Plan, the Petitioner shall be required to file a Special Permit Petition seeking approval to modify the Site Plan; 2. All dumpsters shall be enclosed, by means of a fence, wall or landscaping in compliance with the Woburn Zoning Ordinances; 3. No deliveries shall be allowed to the site prior to 8:00 a.m. or after 4:00 p.m. Monday through Friday. There shall be no deliveries to the site on Saturday or Sunday; 4. No deliveries shall be allowed from the site prior to 6:00 a.m. or after 6:00 p.m. Monday through Saturday. There shall be no deliveries from the site on Sunday; 5. The Petitioner shall post signs within its loading area requesting that its delivery companies obey the rules of the road while traveling on City of Woburn streets and to use caution while traveling on Nashua Street to and from Holton Street; 6. The Petitioner’s commercial vehicles shall not use the section of Nashua Street between Draper Street and Holton Street or Blueberry Hill Road when traveling to and from the site; 7. That the commercial vehicles parked on the site shall be limited to seven (7) vehicles (seven (7) box trucks); 8. All commercial vehicles shall be registered in the City of Woburn; 9. No gasoline or other combustible material shall be stored in the building; 10. That all other conditions set forth in the Decision dated November 13, 2015 as modified by the Decision dated February 27, 2020 shall remain in full force and effect unless modified by this Decision; 11. A snow storage plan shall be filed with the Building Dept; and the one finding that the proposed use by the Petitioner is consistent with the past use of the property and is not substantially more detrimental than the existing nonconforming use to the neighborhood.

UNFINISHED BUSINESS OF PRECEDING MEETING:

ORDERED

Be it ordained by the City Council of the City of Woburn that Title 15, Buildings and Construction, of the Woburn Municipal Code as amended, be further amended, as follows:

by inserting at the end of Article I, Section 15-5 Building Permit Fees, the following:

Table 110 - Schedule for Periodic Inspection of Existing Buildings
Per 780 CMR/Current Edition of Massachusetts State Building Code

Use Group	Use	Fee
A-1	Movie Theater or Theaters for Performing Arts	\$2 per seat

5.02. The Registration must designate and retain a local individual or local property management company responsible for maintenance of the property.

An annual registration fee of \$1500.00 must be paid until property is sold to third party and no longer vacant.

s/President Michael Concannon
Per Request of the Mayor

COMMITTEE REPORTS:

PUBLIC SAFETY AND LICENSE:

A committee report was received “ought to pass” for the following:

Petition by Cargotiator LLC dba Cargotiator Auto Sales for a new Second Class Motor Vehicles Sales License, at 104 Winn Street.

A committee report was received “ought to pass” for the following:

Petitions for renewal of Second Class Motor Vehicles Sales Licenses by the following: Adamo Rufo dba Route 16 Auto Broker, 280 Salem Street; and McDermottroe Auto Sales, 229 Lexington Street.

A committee report was received “ought to pass upon the provision of an insurance binder indicating there is valid workmen’s compensation insurance” for the renewal of Second Class Motor Vehicles Sales Licenses by E & C Auto Brokers, LLC, 505 Main Street.

CITIZEN’S PARTICIPATION: None.

COMMUNICATIONS AND REPORTS:

A communication dated January 26, 2022 was received from Charles O’Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

Council Members,

In accordance with Massachusetts General Laws Chapter 90, Section 20½, I am submitting the following parking ticket report. Figures cited below are for the Month of January 2021 to December 2021: Number of Violations Issued 507, Numbers of Violations Paid 193, Number of Violations Outstanding 290, Amount collected and submitted to Collectors Office \$34,586.20, Parking fines referred to the Handicap Commission \$9,600.00.

There is a backlog of 1578 tickets dating from January 2004 to December 2021. A 21 day late notice is sent to vehicle owners who have not paid the fine. After 28 days, if the fine still has not been paid, that information is forwarded to the Registry of Motor Vehicles for administrative action.

Respectfully submitted, s/Charles O'Connor, Parking Clerk

APPOINTMENTS AND ELECTIONS:

A communication dated January 26, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Higgins:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Shannon Ryan, 139 School Street, with three-year term to expire March 30, 2024, to the Woburn Board of Registrars of Voters, subject to approval by the City Council.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated January 26, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Higgins:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Joseph A. Palmisano, 16 Senator Road, as Chairman to the Woburn Board of Registrars of Voters, with a term to expire June 30, 2024; subject to approval by the City Council.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated January 26, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Higgins:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Daniel J. Gately, 16 Arcadia Street, to serve on the Housing Authority Board, with an expiration date of April 1, 2024, subject to confirmation by the City Council.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated January 26, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Higgins:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Larry Rideout, 65 Arlington Road, Woburn, to serve on the Housing Authority Board, with an expiration date of March 31, 2023, subject to confirmation by the City Council.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated January 26, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Higgins:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Mark R. Cavicchi, 1 Rag Rock Drive, as an alternate member to the Woburn Board of Appeals, subject to confirmation by the City Council, with a term to expire January 31, 2025.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated January 26, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Higgins:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Mark J. Kiklis, 3 Belford Circle, to the Woburn Redevelopment Authority with a term set to expire on December 31, 2026. Subject to City Council approval.

Mr. Kiklis's appointment will fill the seat of David S. Ryan who's term has expired.

Respectfully, s/Scott D. Galvin, Mayor

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED

Be it Ordained by the City Council of the City of Woburn, that the Woburn Municipal Code, as amended, be further amended by inserting into Title 12, Streets, Sidewalks & Public Places, a new Article XV, Regulation of RoadWork in Operable Unit No. 1 of the Industri-Plex Superfund Site as follows:

XV. REGULATION OF ROADWORK IN OPERABLE UNIT NO. 1 OF THE INDUSTRI- PLEX SUPERFUND SITE

15-1 Purpose

To regulate work activities in roadway areas with Institutional Controls established for Operable Unit No. 1 of the Industriplex Superfund Site, as set forth in the “Record of Decision, Industri-Plex Superfund Site, Woburn, Massachusetts,” dated September 30, 1986 (the “ROD”), said ROD being on file at the EPA Region I Record Center located at Five Post Office Square, Boston, Massachusetts. The Institutional Controls maintain the protectiveness of the Industri-Plex Operable Unit No. 1 remedy and establishes restrictions on excavation, construction and maintenance or other intrusive activities in Class A Land, Class B Land, Class C Land and/or Class D Land, as defined in the January 2018 Model Notice of Activity and Use Limitation (NAUL), Operable Unit No. 1, Industri-Plex Superfund Site. A copy of the January 2018 Model NAUL is attached to the Regulations for Roadwork as Appendix I.

15-2 Permit Required

A permit issued by the Department of Public Works shall be required for any work performed in road rights of way within Industri-Plex Operable Unit No. 1, including along Merrimac Street, New Boston Street, Atlantic Avenue, Commerce Way and Presidential Way, that are designated as Class A Land, Class B Land, Class C Land or Class D Land, on the plan entitled “Plan of Restricted Areas (Record Boundaries, Ties to Survey Control and Restricted Areas Delineation) R.O.W./ Roads, Lot IC-47, Woburn, Massachusetts dated April 27, 2020 prepared by Fieldstone Land Consultants, PLLC”. A copy of such plan is available for review in both the Department of Public Works and the Engineering Department.

15-3 Authority to Promulgate Regulations

In furtherance of this ordinance, the Superintendent of Public Works in consult with the City Engineer, shall promulgate regulations pursuant to which permits are to be issued for work to be performed in Operable Unit No. 1 including, application fees.

15-4 Compliance with DPW Regulations

Any permit issued hereunder shall be in compliance with the regulations issued by the Department of Public Works in consultation with the Engineering Department. Such regulations shall incorporate the health and safety and related requirements that are documented in the January 2018 Model NAUL with respect to work within road rights of way situated in Operable Unit No. 1 of the Industri-Plex Superfund Site in order to comply with the provisions of the consent decree entered on April 24, 1989 by the United States District Court for the District of Massachusetts in the matter styled *United States v. Stauffer Chemical Company et al.*, Civil Action No. 89-0195-MC, and the *Commonwealth of Massachusetts v. Stauffer Chemical Company et al.*, Civil Action No. 89-0196-MC.

Per Request of the Mayor

Motion made and 2nd to ADJOURN.