

**COMMITTEE ON ORDINANCES, CHARTER AND RULES**  
**MONDAY, FEBRUARY 7, 2021, AT 6:45 P.M.**  
**CITY COUNCIL CHAMBERS**  
**WOBURN CITY HALL**  
**And virtually via Microsoft Teams**

Voting members present: Chairman Joseph Demers, Councilor Richard Gately, Councilor Darlene Mercer-Bruen, Councilor Robert Ferullo, and Councilor Lou DiMambro

Non-voting members present: President Michael Concannon, Councilor Joanne Campbell, Councilor Jeffrey Dillon, and Councilor Charles Viola

\* \* \* \* \*

**MOTION** made by Councilor Mercer-Bruen and seconded by Councilor Ferullo take out of order from the posted agenda the meeting of the Committee on Ordinances, Charter & Rules; in favor, 5-0.

\* \* \* \* \*

**Reading of previous meeting minutes:** Motion made by Councilor Mercer-Bruen and seconded by Councilor Ferullo to approve the minutes of the meeting of December 27, 2021; in favor, 5-0.

\* \* \* \* \*

**Order to amend Title 12 of the Woburn Municipal Code, Streets, Sidewalks & Public Places, a new Article XV, Regulation of Road Work in Operable Unit No. 1 of the Industri-Plex Superfund Site:** Representing the Environmental Protection Agency via the Microsoft Teams platform was David Peterson, Senior Enforcement Counsel, 5 Post Office Square, Suite 100, Boston, MA. Attorney Peterson said he is an attorney with the EPA. He said the goal is to make sure the Industri-Plex site has environmental restrictions in place in perpetuity. He said EPA has worked with the City Solicitor on this ordinance. He said one of the components is notification will be made to EPA and the state DEP. He said it is a way to streamline the permitting process for minor issues like curb cuts, and at the same time making sure people aren't digging down into the cap. He said the ordinance is pretty straightforward. Chairman Demers said the council has to pass an ordinance to promulgate the regulations. Councilor Mercer-Bruen asked if the state will update any information related to the Industri-Plex site so accurate information is available. Attorney Peterson said the ordinance references a plan. He said the current plan was developed in 2011. He said plans are updated as they change. Councilor Mercer-Bruen asked if adoption of the ordinance will change the City Council's role. She said she wants to make sure anyone who files for permits in the area will get a list of things they can and cannot do. Attorney Peterson answered affirmatively. Councilor Mercer-Bruen asked if EPA will get notice. Attorney Peterson answered affirmatively. Councilor Mercer-Bruen asked if the City Council is going to lose any authority. Attorney Peterson said he is not sure how the city works its permitting process. Councilor DiMambro asked who will police the ordinance and who will enforce it. He asked who will be on-site. Attorney Peterson said the city will have its normal enforcement apparatus. He said the belt and suspenders aspect of the ordinance is EPA and the state will also get notice and will have a role. He said the city will oversee all permits. Councilor

Gately asked if the city issues a permit in that district, can EPA take over jurisdiction. Attorney Peterson said EPA's goal is to establish a work plan before ground is broken. He said the idea is to make sure people have a plan. He said the city can enforce permit violations. He said EPA and DEP can also take enforcement actions. He said another goal is to make sure the applicant understands enforcement issues. Councilor Gately said the city has qualified personnel monitoring the Industri-Plex site and if the city determines there is something going on that shouldn't be going on, the city will be the first to call EPA. Councilor Mercer-Bruen said what might be happening is this ordinance will provide more protection for the city. She said EPA will be in the loop the whole time. Attorney Peterson said that is exactly it. He said this will give the city additional protection. He said the ordinance it set up so the city is protecting itself. He said there will be a clear record. He said there are added layers and tracking. Councilor Campbell left the meeting at 7:01 p.m. Councilor DiMambro asked if EPA or DEP will send officials to the site for updates. Attorney Peterson said it depends on the scale of the project. He said if the project is substantial, EPA may send someone out. Motion made by Councilor Mercer-Bruen and seconded by Councilor DiMambro that the order "ought to pass;" approved, 5-0.

\* \* \* \* \*

**MOTION** made by Councilor Mercer-Bruen and seconded by Councilor DiMambro to adjourn; in favor, 5-0. Chairman Demers adjourned the meeting at 7:03 p.m.

A TRUE RECORD ATTEST

---

Gordon Vincent  
Clerk of Committees