

**CITY OF WOBURN
APRIL 19, 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, all in favor, 9-0.

Moment of Silence to honor Former Woburn First Lady Rosemarie Gilgun, the wife of the late Former Mayor John F. “Jack” Gilgun, who passed away on April 14, 2022 at the age of eighty-eight years.

MAYOR’S COMMUNICATIONS:

A communication dated March 31, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear President Concannon and Council Members:

I am respectfully requesting time to meet at the beginning of your regularly scheduled meeting on Tuesday, April 5, 2022 at 7:00 pm to provide an update on the downtown safety plan with our design consultant, World Tech Engineering, LLC.

In addition, I am requesting time to meet at the beginning of your regularly scheduled meeting on Tuesday, April 19, 2022 at 7:00 pm to provide an update on PFAS testing results and the design of upgrades to our Horn Pond Water Treatment plant to remove PFAS from our water supply.

Thank you for your consideration on these matters.

Sincerely, s/Scott D. Galvin, Mayor

Motion made and 2nd that any and all communication be received and made part of the permanent record and to suspend the rules to allow His Honor Mayor Galvin or designee to speak, all in favor, 9-0. Mayor Galvin stated he is having these meetings to keep people up to speed on PFAS. Mayor Galvin also recognized those present are Carol Rego and Michaela Bogosh from CDM Smith, as well as Tony Blazejowski from the Water Department, City Engineer Jay Corey, DPW Superintendent Jay Duran, and DPW Asst. Superintendent Lenny Burnham. Mayor Galvin stated that the city had one quarter tested above the limit and most recently the testing was at 13 ppt (parts per trillion). Mayor Galvin stated that the city was still waiting for the April results. Carol Rego from CDM Smith stated she had the standard agenda, Ms. Rego stated that she would start with the monitoring results with the numbers on the right in dark green. Ms. Rego stated that 2022 Q1 was approximately sampling result was 13 ppt based on the three-month average. Ms. Rego stated that in 2021 Q4 sampling result was an average of 22 ppt. Ms. Rego stated that the DEP requires a quarterly average be done. Ms. Rego stated that the 2022 Q1 sample result was an average of 12.67 ppt, but the DEP requires the standard be rounded to the whole number. Ms. Rego stated that the average results were as follows: 2021 Q1 was 13 ppt; 2021 Q2 was 16 ppt; 2021 Q3 was 24 ppt; 2021 Q4 was 22 ppt; and 2022 Q1 was 13 ppt. Ms. Rego stated it was hard to determine if there is a significant pattern. Ms. Rego stated that the DEP would like communities to be reliable and confidently below the standard which is 10 ppt. Ms. Rego stated based on this, treatments are designed to meet the 10 ppt standard or below. Ms. Rego stated that items that have been completed are: the Water Filling Station at the Senior Center; DEP approval of the short term Corrective Action Plan (“CAP”); and the long term CAP was due in February and has been approved on March 11, 2022. Ms. Rego stated that the filling station is open and has DEP approval. Ms. Rego stated that there has been a fair amount of activity and use. Ms. Rego stated that as part of the station approval there is a requirement that the station also be monitored every month. Ms. Rego stated that regarding the treatment update, the DEP has approved the Granulated Activated Carbon (“GAC”) approach, which is very compatible with the current manganese treatment and the water treatment plant. Ms. Rego stated that GAC has been used in the past and Mr. Blazejowski has extensive amount of experience with GAC in in former profession. Ms. Rego stated that this a proven technology. Ms. Rego stated on the aerial view slide there PFAS treatment portion will be located in the blue oval on site, with the original historic pump station building is furthest away near the water. Ms. Rego stated that the 2002 treatment that was added is the front building, with the manganese treatment towards the bottom of the slide in back, the support building on the left and the PFAS treatment will be tucked in between. Ms. Rego stated that on the engineering drawings the water starts are the manganese treatment then goes to the PFAS treatment, then back to disinfection, and then back into the regular system. Ms. Rego stated that regarding timing and next steps, the concept design was due on February 8, 2022 to DEP, and that the City did meet with the Clean Water Trust and Mass DEP in March for the timeline for funding. Ms. Rego stated that the application for the DEP SRF Program will be submitted in August 2022, and the short list of eligible projects will be released in late 2022 or early 2023, with the final list for funding being available in April 2023. Ms. Rego stated that once you make the early list it is essentially a guarantee, with only more communities being added on to the final list. Ms. Rego stated she does not know the amount of principal forgiveness, as it depends upon what Washington will contribute. Ms. Rego stated the next steps will be investigation and then design. Ms. Rego stated that there is no real pattern, only that the PFAS seems to be a

little higher in the summer. Ms. Rego stated she all wells were tested. Ms. Rego stated that testing stated in September 2019. Ms. Rego stated they keep updating the results each time new information comes in. Ms. Rego stated that she cannot say that it is always high, but that the general trend is that it is higher in the summer. Ms. Rego stated that every city and town have kicked into testing. Ms. Rego stated the biggest communities were first required to do the testing, then so on, and Woburn was in the second group of communities. Ms. Rego stated the DEP has data on its website from all communities, but that she does not know how updated it is. President Concannon thanked both Ms. Rego and Mayor Galvin for providing the update to the City Council and the public. Motion made and 2nd to place the matter on file and to return to the regular order of business, all in favor, 9-0.

Motion made and 2nd to suspend the rules to take the matter under Citizens Participation out of order, all in favor, 9-0.

CITIZEN'S PARTICIPATION:

On the request by Rachel Shapiro, 8 Dorothy Drive, Woburn, Massachusetts 01801 for citizen's participation regarding farmers market. Rachel Shapiro read the following into the record:

Did you know that there are 8,690 farmers markets nationwide! Also did you know that farmer's markets have been around since the early 1600's? I believe there should be a farmer's market in Woburn because it would be fun, farmers have an opportunity to make more money, and so everyone can make friends and get to know people in your own community. I think Woburn should have a farmer's market so people can have fun in Woburn some more. One of the reasons is that as far as I know the farmers markets can help people get to know each other. When farmers sell things at the stores they don't get as much money. When they sell at a farmer's market, they get more money. But the most important part is to have fun.

It would be good for Woburn to have a farmer's market so people in the community could meet and become friends. First of all, if someone needs help the person that they met at the farmer's market might have that kind of job so they might be able to help you. It is important for the community to get to know each other so when they need help that person that they met at the farmers market might be able to help. For example, if you are like my dad who goes into the hospital a lot, you might need help and if you meet someone at the farmers market who is a doctor, that doctor might be able to see what that person needs to help them feel better.

If you want farmers to keep their business so you can get food and crops, the farmer's market can give the farmers more money than a store would. For example, let's say that a farmer would get 85 dollars from a farmer's market and 10 dollars from a store. That means the farmers didn't get enough money to keep their businesses so they can get money for their

family. Another example that we should have a farmer's market is because the farmer's market food is fresher than the stores. The farmers market crops and food are healthier than the stores because it's fresher.

But most importantly, when you get to know farmers markets you would get to have fun. For example, at the Wakefield farmer's market, here are some things that they have. You can have henna, balloons, a book swap, food, and more. You can also have bands, music, dancing, photo booth, ice cream, tables, bouncy house, and lots and lots more. The farmers can sell candy, meat, and dairy. There can be activities too.

In conclusion, I think my reasons are right because if the farmers don't get enough money, they won't be able to keep their businesses. Personally, I think that farms are fresher and better to shop at than grocery stores. For example, Russell farm is a fresh farm that you can get fresh vegies, fruit, and meat at. One of my other reasons said that farmer's markets are a good place to meet people in your community. Let's say that someone was sick and the doctors were full of patients. If you met someone who was a doctor at the farmers market that person might be able to help you. Also, the most important part is to have fun. I would really like for you to try making the farmer's market come to Woburn. Thank you for listening to my opinion letter.

Councilor Demers thanked Ms. Shapiro for coming in at her age and being very active for several advocacy issues. Councilor Demers stated that he could see her up in the City Council seats in the future. Councilor Dillon stated he had the pleasure to help Ms. Shapiro last fall to do a cleanup at the pond. Councilor Dillon then thanked Ms. Shapiro. Councilor Mercer-Bruen stated that Ms. Shapiro's request may come true, as there has been a lot of different discussions around this topic. Councilor Mercer-Bruen stated that the Woburn Mall location has discussed having a farmers market in the open area that will be there. Councilor Mercer-Bruen stated she would keep Ms. Shapiro posted on this and that she did a nice job. President Concannon stated Ms. Shapiro had him at ice cream. President Concannon stated that the agricultural commission used to have a farmers market at Spence Farm, and hopefully they will come back. President Concannon then thanked Ms. Shapiro. Motion made and 2nd that the MATTER BE PLACED ON FILE and to return to the regular order of business, all in favor, 9-0.

A communication dated April 14, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

I am submitting a final appropriation request in the amount of \$285,000 from free cash for the scope of work that was required to complete the design and permitting of the New Boston Street Bridge.

As a multitude of factors including Mass DOT, MBTA, EPA and utility owner directed or requested changes to the project, as well as those requested by abutter's required several redesigns of significant project elements. These changes exceeded the scope of the original

contract and amendment 1 and amendment 2, requirement amendment 3 for \$285,000. As a result, the total design contract for the New Boston Street Bridge project cost \$1,525,000.

I will be available to discuss this appropriation request, as well as provide an update on the timeline and progress of the construction of the New Boston Street Bridge under the recently awarded to AA Will Corp for \$23,549,743 in committee.

ORDERED That the amount of \$285,000.00 be and is transferred as follows from Unreserved Fund Balance Acct# 01-359000 \$285,000.00 to Engineering/New Boston Street Acct# 0112158-589260 \$285,000.00.

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

s/President Michael Concannon

Motion made and 2nd that the MATTER BE REFERRED TO THE COMMITTEE ON FINANCE, all in favor, 9-0. Motion made and 2nd that any and all communication be received and made part of the permanent record, all in favor, 9-0.

A communication dated April 14, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

I am requesting the City Council approve an appropriation of \$1.7 million form Water and Sewer retained earnings for the design, oversight and replacement of commercial meters and reading devices.

Commercial meters have reached the end of their design life (15 years) and have become less efficient. The cost of meters, miu's, collector's and reading devices will be charged to commercial customers over a five year period.

I will be available to discuss this appropriation request in committee.

ORDERED That the amount of \$1,700,000.00 be and is transferred as follows from Water/Sewer Enterprise Unreserved Fund Balance Acct# 6410-359000 \$1,700,000.00 to Commercial Meters Acct# 623058-580000 \$1,700,000.00.

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

s/President Michael Concannon

Motion made and 2nd that any and all communication be received and made part of the permanent record and that the MATTER BE REFERRED TO THE COMMITTEE ON FINANCE, all in favor, 9-0.

ORDERED That the amount of \$1,054,008.53 be and is transferred as follows from BLS/Ambulance Receipts Acct# 31359-595000 \$1,054,008.53 to Fire Regular Salary Acct# 0122051-511000 \$336,000.00, Fire Ambulance Salary Acct# 0122051-511500 \$381,000.00, Fire / Overtime Acct# 0122051-513100 \$193,000.00, Fire 16th Man Overtime Acct# 0122051-513101, \$87,000.00, Ambulance Maintenance Acct# 0122054-544300 \$21,000.00, Apparatus Maintenance Acct# 0122054-544400 \$15,000.00, Computer Maint / Fire Acct# 0122054-544500 \$6,008.53, and Medical Attention Acct# 0122054-558103 \$15,000.00.

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

s/President Michael Concannon

Motion made and 2nd that the MATTER BE REFERRED TO THE COMMITTEE ON FINANCE, all in favor, 9-0.

NEW PETITIONS:

Verizon New England Inc. for grant of right in a way, to place one new four-inch (4”) conduit ± 42’ from existing conduit located on the southerly side of Montvale Avenue in a northwesterly direction onto private onto private property at 12 Montvale Avenue, in Montvale Avenue. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

ARE-MA Region No. 95, LLC for a new inflammable license, for 13,880 gallons of Class B gasoline fuel (stored in 694 vehicles), 400 gallons of Class B diesel fuel (stored in life safety generator), and 3,000 gallons of Class B diesel fuel (stored in UPS generator), at 225 Presidential Way. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

ARE-MA Region No. 95, LLC for a new inflammable license, for 15,200 gallons of Class B gasoline fuel (stored in 760 vehicles), at 235 Presidential Way. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Boston Gas dba Nationalgrid for grant of right in a way to install approximately 150 feet of 4 inch, plastic gas main in Porter Street. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

PUBLIC HEARINGS:

On the petition by NStar Electric Company, d/b/a Eversource Energy for grant of right in a way to relocate three poles, P591/38, P591/37, and P951/36, and to install one new pole, P951/37A, in Commerce Way. PUBLIC HEARING OPENED: A communication dated April 14, 2022 was received from Jacqueline A. Duff, Right of Way Agent, Eversource, 101 Linwood Street as follows:

Re: 120 Commerce Way, W.O #2264091

Members of the Woburn City Council:

NSTAR Electric Company d/b/a EVERSOURCE ENERGY respectfully requests to remove its Utility Petition dated march 31, 2021 from the hearing on April 19, 2022 for the following location:

120 Commerce Way
Per DPW, poles are going to be relocated on private property. Grant of Location not needed.

If I can be of any further assistance, please contact me at (617) 629-3204.

Very truly yours, s/Jacqueline A. Duffy, Right of Way Agent

Motion made and 2nd that any and all communications be received and made part of the permanent record and that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. City Clerk Higgins stated that reason the for request to withdraw is that the poles are moving onto private property and do not need permission from the City Council. Motion made and 2nd to close the public hearing, all in favor, 9-0. Motion made and 2nd to GRANT THE LEAVE TO WITHDRAW WITHOUT PREJUDICE, all in favor, 9-0.

On the petition by Reliable Property Management Services, LLC, 283 Salem Street, Woburn, Massachusetts 01801, for special permit pursuant to the 1985 City of Woburn Zoning Ordinance, as amended, Section 5.1, Subsection 57b for accessory storage and overnight parking of up to 40 commercial vehicles, and Subsection 43 for open or outside storage of new or used building materials or equipment, relating to the operation of a fence assembly and manufacturing business, at 211 New Boston Street. PUBLIC HEARING OPENED:

A committee report was received “ought to pass” with the following finding and conditions:

Finding: The proposed use will not create more traffic than what previously existed at the site; Conditions: 1. The project shall be developed and/or constructed and maintained as shown on the following plans: (a) Site Plan No. 8553 dated January 13, 2022 prepared by Meridian Associates as revised and dated March 25, 2022 entitled “211 New Boston Street Site Plan Located in Woburn (Middlesex County) Prepared for Reliable Fence Boston”; (b) Existing (conditions) Plan prepared by Ebbrell Architecture + Design dated January 5, 2021; (c) Proposed Plan prepared by Ebbrell Architecture + Design dated January 5, 2021; 2. The height of the garage doors shall not exceed 12 feet in height; 3. Any and all outside storage of materials shall be confined to the “Proposed Storage Area” as shown on the Site Plan (item (a) above). Outside storage of any kind shall be limited to vinyl, metal, aluminum or wood fencing; and equipment related to the Petitioner’s business operation including but not limited to augers, compressors, trailers for transfer of the equipment to job sites, digging equipment and tools, drills, and concrete, as well as equipment and materials required for the management of the property, such as snow plows/blades, ice melt and the like, and any and all equipment and material shall be stored in “designated storage area” ONLY. Reference Meridian Assoc. Site Plan No 8553 dated: Jan 13, 2022 and revised March 25, 2022. With the exception of those items listed herein, no outside storage of any kind shall be allowed outside of the “designated storage area.” Prohibition includes, but is not limited to, building, landscaping, or other material, heavy construction equipment, inventory associated with any tenant's business use, excepting those uses of the Petitioner’s business operation. Further there shall be no unregistered trailers, cars, trucks, vans of any size or capacity. There shall be no storage of recreational vehicles, boats or campers; no hazardous or non-recyclable waste of any kind to be stored on property. Any and all such waste is to be disposed of properly. Additionally, there shall be no outside storage of recyclable waste materials of any kind. All fencing waste, related to the Petitioner’s business operation, to be disposed of properly, daily. There shall be no storage of dumpsters, roll offs or compactors. There shall be no “Conex” box or steel shipping containers unless permitted by the City of Woburn and excepting the provision of condition 12 herein; 4. Vehicles parked on the Property shall be parked in designated parking spaces and all parking spaces, including handicap parking spaces, shall be maintained and clearly striped at all times; and if applicable, separate unit numbers and parking spaces associated with said units shall be marked at all times. Further, Petitioner shall submit a written operations plan for incorporation into the Special Permit decision by reference the setting forth the frequency with which parking space lines and other pavement markings will be periodically refreshed after initial installation since no resurfacing; 5. There shall be no parking or loading on any street abutting the property and further it shall be prohibited for the company, its employees, customers, or deliveries to park vehicles or trailers of any kind on abutting or nearby lots, unless such off-site parking arrangement comply with the applicable provisions of the Woburn Zoning Ordinance, as amended from time to time; 6. Any commercial vehicles used and parked by the Petitioner or other occupants of the building shall be registered in the City of Woburn; 7. The building shall contain a fire sprinkler system as required by the City of Woburn Fire Chief; and a proper turning radius for fire emergency vehicles shall be maintained at all time. Additionally, the City of Woburn Fire Department must be informed and permits must be obtained, as required by law, for any and all possible flammable or combustible materials to be stored inside building. Including any and all mechanical devises that require flammable or

combustible fuel; 8. Any dumpsters on the property shall be fenced and located in the designated areas as shown on the Site Plan (item (a) above). No dumpsters shall be emptied before 7 a.m; 9. Exterior lighting on the building and as shown on the Site Plan (item (a) above) shall be “Dark Sky Compliant” and shall not shed excessive light into any abutting property; 10. Renovation construction hours shall be limited to Monday to Friday, 7 a.m. to 6 p.m. and Saturday, 7 a.m. to 5 p.m; 11. The building shall contain “oil and gas separators” as required by law, and the design of same shall be approved by the City of Woburn Building Commissioner; 12. The use of any “outside” storage containers shall be limited to the period of renovation and reconstruction of the building; shall not be in place longer than one year or until there shall be available secure storage within the building, whichever is sooner; 13. The Petitioner shall construct and improve the site as substantially described on the Site Plan of Record which for this project shall include 1. (a),(b) and (c) herein above, 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 plans referenced herein above, the Petitioner may request a review of said plans by the City Council Special Permits Committee who shall make the 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; 14. There shall be no automobile, boat or motor vehicle repair of any kind allowed on the property; 15. Water meter to be installed upon reconnection of the building to municipal water and additional meters may be installed as required upon build-out of the building; 16. The Petitioner shall file a snow removal plan with the City of Woburn Building Department; 17. The Property will be properly landscaped and maintained year-round; and 18. The Building Dept. and the Engineer Dept. shall review any drainage issues at the time of an application for a building permit. Appearing for the petitioner, Attorney Robert Tedesco, Tedesco Law Offices, P.C., 88 Main Street, Woburn, Massachusetts, 01801, stated that as a result of the committee meeting it was sent out favorably with 17 original conditions and one additional condition, as well as a finding. Attorney Tedesco stated he is excited to proceed with the “ought to pass”. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2nd to close the public hearing, all in favor, 9-0. Motion made and 2nd to ADOPT THE FINDING AS REPORTED BY THE COMMITTEE ON SPECIAL PERMITS as follows: The proposed use will not create more traffic than what previously existed at the site., all in favor, 9-0. Motion made and 2nd ADOPT THE COMMITTEE REPORT, AND GRANT THE SPECIAL PERMIT WITH THE 18 CONDITIONS, as follows: 1. The project shall be developed and/or constructed and maintained as shown on the following plans: (a) Site Plan No. 8553 dated January 13, 2022 prepared by Meridian Associates as revised and dated March 25, 2022 entitled “211 New Boston Street Site Plan Located in Woburn (Middlesex County) Prepared for Reliable Fence Boston”; (b) Existing (conditions) Plan prepared by Ebbrell Architecture + Design dated January 5, 2021; (c) Proposed Plan prepared by Ebbrell Architecture + Design dated January 5, 2021; 2. The height of the garage doors shall not exceed 12 feet in height; 3. Any and all outside storage of materials shall be confined to the “Proposed Storage Area” as shown on the Site Plan (item (a) above). Outside storage of any

kind shall be limited to vinyl, metal, aluminum or wood fencing; and equipment related to the Petitioner's business operation including but not limited to augers, compressors, trailers for transfer of the equipment to job sites, digging equipment and tools, drills, and concrete, as well as equipment and materials required for the management of the property, such as snow plows/blades, ice melt and the like, and any and all equipment and material shall be stored in "designated storage area" ONLY. Reference Meridian Assoc. Site Plan No 8553 dated: Jan 13, 2022 and revised March 25, 2022. With the exception of those items listed herein, no outside storage of any kind shall be allowed outside of the "designated storage area." Prohibition includes, but is not limited to, building, landscaping, or other material, heavy construction equipment, inventory associated with any tenant's business use, excepting those uses of the Petitioner's business operation. Further there shall be no unregistered trailers, cars, trucks, vans of any size or capacity. There shall be no storage of recreational vehicles, boats or campers; no hazardous or non-recyclable waste of any kind to be stored on property. Any and all such waste is to be disposed of properly. Additionally, there shall be no outside storage of recyclable waste materials of any kind. All fencing waste, related to the Petitioner's business operation, to be disposed of properly, daily. There shall be no storage of dumpsters, roll offs or compactors. There shall be no "Conex" box or steel shipping containers unless permitted by the City of Woburn and excepting the provision of condition 12 herein; 4. Vehicles parked on the Property shall be parked in designated parking spaces and all parking spaces, including handicap parking spaces, shall be maintained and clearly striped at all times; and if applicable, separate unit numbers and parking spaces associated with said units shall be marked at all times. Further, Petitioner shall submit a written operations plan for incorporation into the Special Permit decision by reference the setting forth the frequency with which parking space lines and other pavement markings will be periodically refreshed after initial installation since no resurfacing; 5. There shall be no parking or loading on any street abutting the property and further it shall be prohibited for the company, its employees, customers, or deliveries to park vehicles or trailers of any kind on abutting or nearby lots, unless such off-site parking arrangement comply with the applicable provisions of the Woburn Zoning Ordinance, as amended from time to time; 6. Any commercial vehicles used and parked by the Petitioner or other occupants of the building shall be registered in the City of Woburn; 7. The building shall contain a fire sprinkler system as required by the City of Woburn Fire Chief; and a proper turning radius for fire emergency vehicles shall be maintained at all time. Additionally, the City of Woburn Fire Department must be informed and permits must be obtained, as required by law, for any and all possible flammable or combustible materials to be stored inside building. Including any and all mechanical devises that require flammable or combustible fuel; 8. Any dumpsters on the property shall be fenced and located in the designated areas as shown on the Site Plan (item (a) above). No dumpsters shall be emptied before 7a.m; 9. Exterior lighting on the building and as shown on the Site Plan (item (a) above) shall be "Dark Sky Compliant" and shall not shed excessive light into any abutting property; 10. Renovation construction hours shall be limited to Monday to Friday, 7 a.m. to 6 p.m. and Saturday, 7 a.m. to 5 p.m.; 11. The building shall contain "oil and gas separators" as required by law, and the design of same shall be approved by the City of Woburn Building Commissioner; 12. The use of any "outside" storage containers shall be limited to the period of renovation and reconstruction of the building; shall not be in place longer than one year or until there shall be available secure storage within the building, whichever is sooner; 13. The Petitioner shall construct and

improve the site as substantially described on the Site Plan of Record which for this project shall include 1. (a),(b) and (c) herein above, 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 plans referenced herein above, the Petitioner may request a review of said plans by the City Council Special Permits Committee who shall make the 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; 14. There shall be no automobile, boat or motor vehicle repair of any kind allowed on the property; 15. Water meter to be installed upon reconnection of the building to municipal water and additional meters may be installed as required upon build-out of the building; 16. The Petitioner shall file a snow removal plan with the City of Woburn Building Department; 17. The Property will be properly landscaped and maintained year-round; and 18. The Building Dept. and the Engineer Dept. shall review any drainage issues at the time of an application for a building permit., all in favor, 9-0.

On the petition by True World Foods Boston LLC, 242 Salem Street, Woburn, Massachusetts 01801, for a special permit to modify Landowner’s Decision and Notice of Special Permit dated December 28, 2020 as modified by Notice of Modification of Special Permit dated April 12, 2021, by amending Condition 5 limiting the property to twelve (12) box trucks and one (1) dumpster truck, and to modify to allow for overnight parking of the following commercial vehicles: nine (9) box trucks, fourteen (14) vans, and four (4) cars, at 242 Salem Street. PUBLIC HEARING OPENED: A committee report was received “back for action”. Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated the petitioner was seeking approval of a for a special permit to modify Landowner’s Decision and Notice of Special Permit dated December 28, 2020 as modified by Notice of Modification of Special Permit dated April 12, 2021, by amending Condition 5 limiting the property to twelve (12) box trucks and one (1) dumpster truck, and to modify to allow for overnight parking of the following commercial vehicles: nine (9) box trucks, fourteen (14) vans, and four (4) cars, at 242 Salem Street. Attorney Tarby stated the petitioner updated the request of commercial vehicles to nine (9) box trucks, twelve (12) vans, and four (4) cars. Attorney Tarby stated the petitioner met with the Committee on Special Permits on April 11, 2022 to discuss and as a result he wanted to submit proposed conditions. Motion made and 2nd to accept the proposed conditions, all in favor, 9-0. Attorney Tarby stated that he wanted to make one change to the proposed conditions adding “revised March 30, 2022” to condition one containing the plan of record. Councilor Mercer-Bruen stated to Attorney Tarby that the petitioner must make sure there are no violations. Councilor Mercer-Bruen stated that regarding Condition 3, that this is a contract with the City, and that the petitioner understands the special permit can be revoked. Attorney Tarby stated he understood. Attorney Tarby stated the last date of the plan of record was revised March 30, 2022. Motion made and 2nd that the public hearing be

opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2nd to close the public hearing, all in favor, 9-0. Motion made and 2nd to GRANT THE SPECIAL PERMIT WITH THE FOUR CONDITIONS, as amended, as follows: 1. The Petitioner shall construct and improve the Site as substantially described on the Plan of Record which for this project shall be “242 Salem Street” Sheet C-1 Site Layout Plan dated November 5, 2020, revised March 10, 2021, revised April 1, 2021, revised March 30, 2022, prepared by Allen & Major Associates, 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 shall be required to file a Special Permit Petition seeking approval to modify the Site Plan; 2. All commercial vehicles parked overnight at the site shall be registered in the City of Woburn. The property shall be limited to nine (9) box trucks, twelve (12) vans and four (4) automobiles; 3. This Special Permit shall be reviewed in six (6) months from the date of issuance; and 4. That all other conditions imposed with the Council’s Special Permit Decision dated December 28, 2020 as modified by the Special Permit Decision dated April 12, 2021 shall remain in full force and effective unless otherwise modified herein, all in favor, 9-0.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

COMMITTEE REPORTS:

ORDINANCE, CHARTER AND RULES:

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

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: (deletion in ~~strike through~~, new language in **bold**)

VII DEMAND FEES – UNPAID TAXES [~~numbered as passed~~]

3-34 Demand fees - unpaid taxes

The Treasurer/Collector shall charge a fee of \$105.00 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 **2022**, (~~added 7/17/2014~~),

and by renumbering VIII REVOLVING FUNDS,
and that all Tables of Contents be similarly amended and renumbered.

s/President Michael Concannon
Per Request of the Mayor

Motion made and 2nd that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

Presented to the Mayor: April 21, 2022

s/Scott D. Galvin April 21, 2022

PUBLIC SAFETY AND LICENSE:

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

Petitions for renewal for Livery Licenses by the following: Boston Express Livery Service Inc., 165 New Boston Street, No. 275; and Harmony Transportation Inc., 8 Conn Street (renewal for 1 vehicle, request for 1 additional vehicle).

Motion made and 2nd that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

Presented to the Mayor: April 21, 2022

s/Scott D. Galvin April 21, 2022

SPECIAL PERMITS:

A committee report was received “minor modification denied” for the following:

Petition by ECA NEMA Brightfields I, LLC and ECA NEMA Brightfields II, LLC requesting a minor modification of special permit issued on June 10, 2021 regarding the site plan and solar array layout, at the Industri-Plex site at 134 Commerce Way, 39 Atlantic Avenue, 132 Commerce Way, four parcels off New Boston Street, 30 Atlantic Avenue and 0 New Boston Street.

Further, a communication dated April 11, 2022 was received from Thomas C. Quinn Jr., Building Commissioner regarding “ECA NEMA Brightfields” as follows: “Regarding the above referenced project, the changes the applicants have requested I would consider them substantial to the working drawings as specified in WZO section 11.12 (4).”

Further, a communication dated April 12, 2022 was received from Michael Redding, ECA Solar, 282 Moody Street, Suite 202, Waltham, Massachusetts 02453 as follows:

RE: Request for Minor Modification of Special Permit, ECA NEMA Brightfields I, LLC and ECA NEMA Brightfields II, LLC, Industri-plex Operable Unit No. 1 Superfund Site

Dear Councilors:

ECA NEMA Brightfields I, LLC and ECA NEMA Brightfields II, LLC (ECA) respectfully withdraws our request for a minor modification. We plan to revise our plans based upon input received from the City Council and will resubmit in the future.

Sincerely, ECA Solar, LLC, s/Michael Redding, P.E., Director of Civil Engineering

Motion made and 2nd that any and all communications be received and made part of the permanent record, all in favor, 9-0. Councilor Mercer-Bruen stated that that if the council members want to deny the minor modification they would not grant the leave to the withdraw without prejudice. City Clerk Higgins stated that under the parameters of ordinance for minor modification, the City Council would either vote that it is a minor modification, and if not that, then vote that it is a major modification. City Clerk Higgins stated that if the City Council deems it a major modification, then essentially the special permit process would be triggered. President Concannon stated the committee report was essentially denying that it was a minor modification and that the end result presumably would be to grant the leave to withdraw without prejudice. Motion made and 2nd to GRANT THE LEAVE TO WITHDRAW WITHOUT PREJUDICE, all in favor, 9-0.

COMMUNICATIONS AND REPORTS:

A communication dated April 4, 2022 was received from Thomas C. Quinn, Jr., Building Commissioner as follows:

Re: Woburn Municipal Code Title 15 Article VIII 15-42

Dear Members of the Council:

Regarding the above referenced section of the Woburn Municipal Code, I submit the following quarterly nuisance report for the period of January, 2022 thru March 31, 2022.

8 Russell Court exterior conditions have not improved, letter has been sent to owner to clean up due to a complain received.

43-45 Church Street matter with District Court

As always if you have any questions do not hesitate to contact me.

s/Thomas C. Quinn, Jr., Building Commissioner

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

A communication dated April 12, 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 2022 to March 2022: Number of Violations Issued 158, Numbers of Violations Paid 68, Number of Violations Outstanding 88, Amount collected and submitted to Collectors Office \$14,161.40, Parking fines referred to the Handicap Commission \$2,700.00.

There is a backlog of 1589 tickets dating from January 2004 to December 2020. 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

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

APPOINTMENTS AND ELECTIONS:

A communication dated April 13, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Higgins:

In accordance with Chapter 95 of the Acts of 2021, I am appointing the following to serve a three-year term as Trustees of the Woburn Public Library, effective upon confirmation of the Woburn City Council.

- 1) Seth Libert of 9 Arlington Road, Woburn to a 3 year term; and
- 2) Tracey Jolly of 12 Day Circle, Woburn to a 3 year term; and
- 3) Laurence Rideout of 65 Arlington Road, Woburn to a 3 year term.

I am appointing the following to serve a two-year term as Trustees of the Woburn Public Library, effective upon confirmation of the Woburn City Council.

- 1) *James Juliano of 21 Watson Lane, Woburn to a 2 year term; and
- 2) Maria Soares Alves of 13 North Warren Street to a 2 year term.

I am appointing for a 1 year term to serve as a Trustee of the Woburn Public Library, effective upon confirmation of the Woburn City Council.

- 1) Richard Mahoney of 135 Salem Street, Woburn to a 1 year term.

Respectfully, s/Scott D. Galvin, Mayor

*James Juliano's current term is hereby terminated due to new legislation and his new term will become effective upon Woburn City Council approval of his new appointment term.

Motion made and 2nd that the MATTER BE REFERRED TO THE COMMITTEE ON PERSONNEL, all in favor, 9-0.

MOTIONS, ORDERS AND RESOLUTIONS:

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, by revising Article II, Water System, as follows: (additions in **bold**; ~~deletions in strikethrough~~)

Section 13.2.14 Water Meters

On all water service installations other than those solely for the purpose of fire protection, the pipe shall be equipped with such meters and meter reading devices, as the Superintendent of Public Works shall direct. All meters and meter reading devices shall be purchased by and remain the property of the Department of Public Works. For all residential units in existence as of January 1, 2013, all meters and meter reading devices shall be installed and remain the property of the Department of Public Works at no charge. ~~All meter reading devices shall be purchased by, installed and remain the property of the Department of Public Works at no charge to all commercial units in existence as of January 1, 2013.~~

For all new construction of residential ~~and commercial~~ units after January 1, 2013, the builder shall make payment with the Department of Public Works for the full cost of furnishing the water meter and meter reading unit. No such service shall be installed until payment has been received by the Department of Public Works. No abatement or refunding of the cost of the installation shall be made. The City shall not be required to make connections at its expense. The minimum meter size for all new connections shall be 1-inch.

Multi-family dwelling with six (6) or more units, including condominiums and townhouses, shall be equipped with such meter and meter reading devices, in the manner as the Superintendent of Public Works shall direct. In addition, a separate water meter and meter reading device shall be installed on all services lines for outdoor water use such as irrigation lines, pool houses, etc. in the manner as the Superintendent shall direct. “Multi-family dwelling units with six (6) or more units, including condominiums and townhouses, shall be billed at the commercial water and sewer rates for outdoor water use. Multi-family dwelling units with five (5) or less units, including condominiums and townhouses, that have a separate service line for outdoor water use, shall be billed at the residential water and sewer rates for such use. Townhouse and condominium associations with more than one building on a lot for dwelling purposes shall be billed at the commercial water and sewer rates for outdoor water use.

For all commercial units, meters and reading devices shall be supplied, installed and owned by the Department of Public Works. The cost of meters and reading devices shall be charged to the user based upon the cost of the water meter and reading devices over a 5-year period. All meter charges shall be deposited to the Water and Sewer Enterprise Account and accounted for separately, and are to be used for water meter replacement and maintenance.

s/President Michael Concannon
Per Request of the Mayor

Motion made and 2nd that the MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCE, CHARTER AND RULES, all in favor, 9-0.

Motion made and 2nd to ADJOURN, all in favor, 9-0. Meeting adjourned at 7:42 p.m.

A TRUE RECORD ATTEST:

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