

**CITY OF WOBURN
SEPTEMBER 20, 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	

The City Council had a moment of silence for Veronica Andrews, former Woburn Handicapped Commissioner and candidate for Mayor, who passed away on Tuesday, September 13, 2022.

VOTED to dispense with the reading of the previous meeting’s Journals and to APPROVE, all in favor, 9-0.

MAYOR’S COMMUNICATIONS:

A communication dated September 15, 2022, was received from His Honor the Mayor Scott D. Galvin as follows:

Members of The Woburn City Council:

I am writing with a status update on our recent test results and the actions the City of Woburn is taking to address and remove PFAS in our groundwater supply at Horn Pond. I am also requesting time at your meeting on Tuesday, October 4, 2022 to provide the City council with a further update.

“PFAS” stands for per and polyfluoroalkyl substances and can pose a public health risk. They are a group of thousands of manmade chemicals widely used since the 1950s in consumer and industrial products, including non-stick coatings and firefighting foams. Some PFAS are no longer produced in the United States, however, many household products have PFAS, such as stain and water repellent fabrics, nonstick cookware, polishes, waxes, paints, cosmetics, cleaning and other products. Because PFAS do not break down easily in soil and water, they are widely found in the environment. They often move from the environment into the food supply and drinking water. PFAS in the environment is a challenge across the entire U.S. and throughout Massachusetts. Many communities, large and small, are impacted.

The City first tested its water supply for PFAS in 2015, in accordance with U.S. Environmental Protection Agency (EPA) methods in effect at that time. 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 with a maximum contaminate level (MCL) of 20 parts per trillion (ppt.) for the sum of 6 PFAS compounds, called “PFAS6”. Over the past nearly three years of testing, the PFAS6 level in Woburn’s drinking water has averaged 17.7 ppt.

From January 1, 2022 thru June 30, 2022 (1st and 2nd quarters) the City has been in compliance with the new state standard. The individual monthly results have ranged from 11.6 to 18.0 ppt. Our July 2022 sample results were invalidated by DEP due to third party laboratory quality control reasons. We are now experiencing the typical seasonal pattern for our water with a small uptick in the August results at 20.6 ppt. In addition, we recently received the September 1st sample result showing a value of 23.9 ppt. A second September sample is scheduled for next week. The compliance status for the 3rd quarter of 2022 (July-September), will be determined after we receive the final results for the two September samples.

PFAS6 Levels above the MCL of 20 ppt. do not automatically mean there is a public health risk. The 20 ppt. is based on conservative assumptions that consider the populations that could be most affected by PFAS6. The 20 ppt. also assumes that each person is substantially exposed to PFAS6 from other sources in addition to drinking water.

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. 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.

In June 2022, the EPA issued updated Interim Drinking Water Health Advisories for 2 of the 6 PFAS compounds that are already regulated in Massachusetts. These interim Health Advisory Levels – which are non-enforceable and non-regulatory – are below levels that can actually be measured by current technology. EPA issued these interim advisories to protect public health and keep communities informed when new science becomes available. The health advisory levels were calculated to offer a margin of protection against adverse health effects and also take into account other potential sources of exposure to these PFAS beyond drinking water. **The EPA estimates that 80% of the exposure to PFAS is attributed to sources other than drinking water.**

The best way for residents and community members to reduce their potential health risks is to limit exposure to PFAS as much as possible *from all sources*. While the City is taking

action to reduce PFAS in drinking water, the best action to decrease PFAS pollution is to purchase less PFAS-containing products. For more information on reducing PFAS exposure check out EPA's website: <https://www.epa.gov/pfas/meaningful-and-achievable-steps-you-can-take-reduce-your-risk>.

The City has worked closely with the DEP to comply with new testing, reporting and public notification requirements. We provide alerts on water bills and post the individual monthly results on the City website as they become available.

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

- A free water bottle filling station is available at the Senior Center on School Street.
- For people considered in a sensitive population (see above) who must purchase bottled water, the City will issue a monthly rebate for the water bill to be issued in February 2023 for the billing period of July 1, 2022 thru December 31, 2022. The rebate will be available for those periods we are non-compliant with the DEP drinking water standard of 20 ppt.

Qualifying Residents can apply for the rebate on the City website beginning in January of 2023

- We are upgrading our water treatment plant to treat and remove PFAS6. The initial engineering studies are complete and we are now underway with the design.
- We submitted an application for funding to the Drinking Water State Revolving Fund on August 12 to subsidize the cost to construct the upgrades to our water treatment plant.

Sincerely, s/Mayor Scott Galvin

Motion made and 2nd that the communication be received and made part of the permanent record, all in favor, 9-0. Motion made and 2nd that the MATTER BE LAID ON THE TABLE, all in favor, 9-0.

NEW PETITIONS:

St. Barbara Parish for a license to conduct Beano at 138 Cambridge Road. Motion made and 2nd to suspend the rules to allow the petitioner to speak, all in favor, 9-0. Maryann Chorlton stated they are having a celebratory bingo night with Bishop Mark O'Connell as the caller. Ms. Chorlton stated the prizes have been donated, gift cards, and there will be food and coffee, and raffles. Upon inquiry from Councilor Gately, Ms. Chorlton stated this is a one-time deal and that they have never done this before but wanted to try it. Motion made and 2nd to return to the regular order of business, all in favor, 9-0. Motion made and 2nd to GRANT THE BEANO LICENSE, all in favor, 9-0.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

Woburn Friends of Hospice/VNA Care for Special Event Permit to allow road race and health walk at Horn Pond and area streets on October 2, 2022. Motion made and 2nd to APPROVE THE SPECIAL EVENT PERMIT, all in favor, 9-0.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

North Suburban YMCA for special event permit for Annual 5K Road Race at Horn Pond and area streets on November 6, 2022. Motion made and 2nd to APPROVE THE SPECIAL EVENT PERMIT, all in favor, 9-0.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

Woburn Kiwanis for a Special Event Permit to allow “Fall Fireworks Festival” at Library Field on October 1, 2022. Motion made and 2nd to APPROVE THE SPECIAL EVENT PERMIT, all in favor, 9-0.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

Friends of Mary Cummings Park for a Special Event Permit for a Memorial Lantern Walk at Horn Pond on October 9, 2022. Motion made and 2nd to APPROVE THE SPECIAL EVENT PERMIT, all in favor, 9-0.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

Musto Jewelers for renewal of Secondhand Dealers and Secondhand Collectors License at 186 Cambridge Road, #9. Motion made and 2nd that the MATTER BE REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND LICENSE, all in favor, 9-0.

Verizon New England, Inc. for a grant of right in a way to install: (1) four (4) four-inch conduits approximately 244 feet from existing manhole 204A to the DOT/City jurisdiction line at the intersection of Montvale Avenue and Hill Street; and (2) four (4) four-inch (4”) conduits approximately seven hundred six (706) feet in length with two (2) manholes on Hill Street. Starting from the DOT/City jurisdiction line at the intersection of Montvale Avenue

and Hill Street place ±60' southeasterly to proposed manhole, MH1, then an additional ±350' of conduit to proposed manhole, MH2. From MH2 place ±96' of conduit easterly to the private property line of 1 Hill Street and then an additional ±200' of conduit to be placed southeasterly to the private property line at the end of Hill Street. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

National Grid for a grant of right in a way to install approximately 1900 feet of 2-inch, plastic gas main in New Boston Street for both new and replacement mains as shown in and accordance with plans. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

National Grid for a grant of right in a way to install approximately 60 feet of 4-inch, plastic gas main in Grape Street to connect to an existing main in Albany Street as shown in and accordance with plans. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

NAI Entertainment Holdings LLC, 846 University Avenue, P.O. Box 9108, Norwood, Massachusetts 02062-9108, for a special permit pursuant to Section 7.3 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for the alteration of its existing nonconforming pylon sign by replacing said sign with a new sign having the same dimensions, at 25 Middlesex Canal Park. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Trio Community Meals LLC, 100 Valley Drive, Pearl, Mississippi 39208, for a special permit pursuant to Section 5.1(57b), Section 7.3 and Section 9 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for a modification to the Landowner's Decision and Notice of Special Permit dated May 19, 2020, to allow for an increase in the overnight parking of commercial vehicles from twenty (20) to twenty-eight (28), at 39 Olympia Avenue. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Corporate Chefs LLC, 39 Olympia Avenue, Woburn, Massachusetts 01801, for a special permit pursuant to Section 5.1(42), Section 5.1(57b), Section 7.3 and Section 9 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for: (1) a wholesale establishment, warehouse and distribution center; (2) overnight parking of seven (7) commercial motor vehicles (vans); and (3) for the continued use of the nonconforming parking and loading

docks, at 39 Olympia Avenue. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

Atlantic Power Cleaning Corp., 92 Merrimac Street, Woburn, Massachusetts 01801, for a special permit to modify the Landowner's Decision and Notice of Special Permit dated May 29, 1997 and Section 5.1(57b) of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for an increase in the indoor accessory storage of commercial vehicles from eight (8) to twelve (12), with all of said commercial vehicles being stored overnight inside an approximately 4,022 square foot addition to the existing building(s) on the Property, at 92 Merrimac 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 install 52 feet of conduit, in East Dexter Avenue [easterly from pole 60/25, approximately 485 feet west of Merrimac Street, to private property, install approximately 26 feet of conduit; and westerly from pole 60/26, approximately 395 feet west of Merrimac Street, to private property, install approximately 26 feet of conduit]. PUBLIC HEARING OPENED: A communication dated September 14, 2022, was received from Jay Duran, Superintendent, Department of Public Works as follows:

Subject: Eversource- East Dexter Avenue

I have reviewed the proposed plan by Eversource for the installation of 2 new poles to service the Seaver Construction Project at 7 East Dexter Avenue. I recommend approval of these poles under the following conditions. The poles should be field staked for evaluation by DPW. In addition, all work must be properly coordinated with the developer, his engineer and National Grid which also has made a similar request. Utilities are tight in this area and all efforts must be undertaken to not damage the City of Woburn infrastructure. The developer's engineer should clearly locate, evaluate and depict the proposed location on a design plan prior to the issuance of a permit for the pole installation. Upon installation of all utilities, an as-built should be prepared and sent to the Engineering Department and DPW for record information.

Please feel free to contact me with any questions, concerns or recommendations on this matter.

Further, a communication dated September 20, 2022, was received from Jacqueline A. Duffy Right of Way Agent as follows:

Re: 7 East Dexter Avenue
W.O. #6895850

Members of the Woburn City Council

NSTAR Electric Company d/b/a EVERSOURCE ENERGY respectfully requests to continue until the next hearing date its Utility Petition dated August 8, 2022 from the hearing on September 20, 2022 for the following location:

7 East Dexter Avenue

We are continuing this because we have just submitted the overhead petition for the two new poles that we will installed on East Dexter Avenue.

Both the overhead and the underground petitions will be heard at the same time.

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 all communications be received and made part of the permanent record, all in favor, 9-0. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. City Clerk Higgins stated that the petitioner has not yet filed the related petition and suggested continuing the hearing until the October 18, 2022, meeting. Motion made and 2nd that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON October 18, 2022, all in favor, 9-0.

On the petition by Comcast Cable Communications Management, LLC, for grant of right in a way, starting at Utility Pole No. 153/86 excavating to place (1) 4'' PVC Conduit 750' +/- and (2) proposed 5' x 10' joint use communications manholes to provide service to 1 Hill Street (aka the Vale Project). PUBLIC HEARING OPENED: A communication dated September 14, 2022, was received from Jay Duran, Superintendent, Department of Public Works as follows:

Subject: Comcast Petition – Hill Street

This memo is pursuant to the request from Comcast for the Grant of Way for the installation of underground conduits and appurtenant structures on Hill Street for service to the Vale Project. The location is clearly shown on the design plan prepared by Stantec. This project has been carefully planned out and Stantec has had constant supervision for the project. I recommend approval of this petition under the following conditions. The conduit location must be field staked for evaluation prior to excavation. In addition, a permit will be required for the excavation and DPW will evaluate to ensure proper separation is constructed and adhered to between the major City of Woburn utilities and these conduits. Generally,

the lowest utility will be constructed first. Therefore, these conduits must be installed after the installation of the water, sewer and drains which are currently under construction. It is my understanding that these same conduits are also to be used for Verizon and other utility cables as well. If this is not the case, we must revisit the design plan for clarification. This work must be installed to allow the safe passage of emergency vehicles on Hill Street and there must be a level course of pavement installed prior to the winter moratorium.

Please feel free to call me with any questions or concerns.

Motion made and 2nd that all communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Dave Flewelling, Comcast, 9 Forbes Road, stated he was here to speak in favor of the petition to place 750 feet of conduit in Hill Street for the Vale Project. 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 that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Motion made and 2nd that the GRANT OF RIGHT IN A WAY BE APPROVED SUBJECT TO THE CONDITIONS as outlined by the DPW Superintendent communication dated September 14, 2022, as follows: 1. The conduit location must be field staked for evaluation prior to excavation; 2. A permit is required for the excavation and DPW will evaluate to ensure proper separation is constructed and adhered to between the major City of Woburn utilities and these conduits; 3. These conduits must be installed after the installation of the water, sewer and drains which are currently under construction; 4. If these conduits are not to be used for Verizon and other utility cables as well, the design plan must be revisited for clarification; and 5. This work must be installed to allow the safe passage of emergency vehicles on Hill Street and there must be a level course of pavement installed prior to the winter moratorium, all in favor, 9-0.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

On the petition by John Luther Bonanno Construction Inc, 239 Salem Street, Woburn, Massachusetts 01801, for special permit pursuant to Section 5.5 of the 1985 City of Woburn Zoning Ordinance, as amended, to bring in additional fill for a retaining wall, at 11 Harvard Street Extension. PUBLIC HEARING OPENED: A communication dated August 18, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: SPECIAL PERMIT APPLICATION FOR EARTH REMOVAL AND FILL PERMIT
 FOR 11 HARVARD STREET EXTENSION / BONANNO CONSTRUCTION, INC.

Dear Council:

The Planning Department reviewed the above-referenced special permit application filed in accordance with Section 5.5 of the Woburn Zoning Ordinance. The Petition seeks permission to remove approximately 130 yards of fill from the lot at 11 Harvard St. Ext. and to import 230 yards of fill, all for the purpose of constructing a retaining wall in the side and rear yard of the

property. The lot is not in a Groundwater Protection District or within a 100-year floodplain according to the City's GIS system.

Planning staff also discussed the Petition with Building Commissioner Tom Quinn, and the following are our collective comments.

From our perspective, there are no concerns with the design of the wall or with the notion of removing and importing fill to build it. There are several concerns though relative to the existing wall, and questions regarding some aspects of the contractor's plan to build the new one, in relation to the abutting property at #9 Harvard St. Ext.

- According to the August 5, 2022 letter from Petitioner John Luther of Bonanno Construction, the existing, collapsed retaining wall is the property of the owner of #11 Harvard St. Ext. ("The existing wall has collapsed onto the neighbor's yard..."). The submitted plot plan seems to indicate the wall was physically located on the abutting lot at #9 even before it collapsed. Whether the wall was a longstanding encroachment or a recent incursion, it appears the Petitioner intends to leave the debris from the collapsed wall where it is, on the abutter's premises (the same letter says the Petitioner intends to "...make every effort not to disturb the neighbor's property but the [sic] might be some regrading required.")

Planning staff recommends the Council clarify whether or not the Petitioner plans to remove the collapsed wall material from the abutter's property and if not, impose a condition requiring it be removed unless the owner of #9 objects.

- It would seem very difficult to excavate the required fill and then construct the retaining wall all without ever needing access to the lot at #9. The August 5th letter conveys some uncertainty as to whether or not some work will have to take place on the abutting property ("...might be some regrading required").

The Council should determine if in fact the Petitioner will need to access the abutting lot in order to complete the planned work. It would also seem wise to determine now whether any re-grading will need to be done on the abutter's property and if so, the extent of that expected work. If access to, or work on, #9 will in fact be needed to complete the project, Planning staff strongly urges the Council to require the Petitioner to obtain permission for that access/work from the owner of #9 now, before a Council vote on the special permit Petition.

Please feel free to contact me if you have any questions.

Respectfully, s/Tina P. Cassidy, Planning Board Director

Further, A communication dated August 29, 2022, was received from John Luther, Bonanno Construction Inc. as follows:

RE: 11 Harvard Street Ext.

It was brought to my attention that I had the wrong information for the address. I had used 11 Harvard Ave Ext and it should have been 11 Harvard St. Ext.

Sorry for the confusion.

I have also included a letter to the owner for 9 Harvard St. Ext. better explaining the process of the construction we have been hired to perform.

If you need any additional information, please contact me at john@bonannoconstruction.com or 781-844-1423.

Thank you, s/John Luther

Motion made and 2nd that all communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, John Luther stated he has a letter from the owners of 9 Harvard St. Ext. he would like to submit. Motion made and 2nd that the communication from the homeowners of 9 Harvard St. Ext. be received and made part of the permanent record, all in favor, 9-0. Mr. Luther stated he was hired by the owner of 11 Harvard St. Ext. to build a new retaining wall. Mr. Luther stated that they obviously need to do it and want to do an interlocking block wall with crushed stone. Mr. Luther stated they will need to bring in 175 yards of fill in the process but are also taking off site 120 yards of fill as well, thus only increasing about 70 yards of fill. Mr. Luther stated he met with the owners of Mr. and Mrs. Bradshaw of Number 9, and the owners want trees removed so they all the existing trees on the hill are going to die. Mr. Luther stated he will be removing all debris. Mr. Luther stated 18 inches from the back of the lot line, to not encroach on the neighbors. Mr. Luther stated there is quite a slope. Mr. Luther stated the neighbors asked the petitioner if they could regrade the neighbor's property slightly this will keep the wall as low as possible. Mr. Luther stated a 10 foot wall looks terrible on the other side of the property. Mr. Luther stated they agreed to add trees, shrubs, and plantings. Mr. Luther stated he gave his cell phone to the neighbors and does not want to be a bad neighbor. Upon inquiry from Councilor Gately, Mr. Luther stated he agreed with the letter. Councilor Gately stated the petitioner runs a good outfit; he would be happy to have them do work on his property. Councilor Gately stated it is very easy to work with, and that the project is going to be good. Mr. Luther stated he takes pride that his name on the wall. Councilor Mercer-Bruen stated she agrees with Councilor Gately and is hopeful this can move off tonight. President Concannon stated it looks like the petitioner has read the planning board comments and took them to heart to meet with the neighbor's concerns. Mr. Luther stated he did, and the building department was involved as well. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: Jackie Miller, 3 Harvard Street, stated the wall does need to be replaced, but she was concerned with what trees are being taken down and what are to be planted. Ms. Miller stated that there is a lot of noise in the neighborhood and the house is visible. Mr. Luther stated they plan on planting arborvitaes and evergreens to fill in as they do not want to expose the neighbors and will work with the neighborhood. Mr. Luther stated there will be lilac bushes, arborvitaes, and are going to try to leave everything than can so not to replant. Mr. Luther stated the plantings

will not be high, but will in. Mr. Luther stated there will be small caliper trees. Upon inquiry from Councilor Campbell, Mr. Luther stated he will start with six (6) foot trees and allow them to grow. Mr. Luther stated eight (8) foot trees are tough to get now. Motion made and 2nd that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Motion made and 2nd that the SPECIAL PERMIT BE GRANTED SUBJECT TO THE CONDITIONS as outlined by the communication from the homeowners of 9 Harvard Street Ext. dated September 20, 2022, as follows: 1. The Petitioner shall remove and dispose all the little trees remaining from where the Petitioner previously removed all the larger trees; 2. The Petitioner shall remove and dispose the small rock wall that currently serves as the “property line”; 3. The Petitioner shall backfill with fresh topsoil the area on 9 Harvard Street Ext. so there is a natural grade away from the house on 9 Harvard Street Ext. and further minimizes the visible height of the wall; 4. The Petitioner shall plant several bushes in front of the wall in the newly laid topsoil to “hide” the wall to some degree. Such bushes are preferred to be something green so it covers the wall year round, which should be four (4) feet to six (6) feet tall; and 5. The Petitioner shall remove the small trees at the front of the wall nearest the street and replace them with a couple of junipers to act as a privacy barrier, all in favor, 9-0.

Motion made and 2nd to take the next two matters collectively, all in favor, 9-0.

On the petition by CCF New Boston Property Company LLC, 185 Dartmouth Street, Suite 402, Boston, Massachusetts 02116, for Special Permits pursuant to Section 5.1(30b); Section 5.1(41a); Section 5.1(53), Section 8.3.1, and Site Plan Review pursuant to Section 12.2.4 to allow for a two (2) story building containing approximately 133,738 sf of net floor area with the following uses: Office (approximately 39,229 sf); Manufacturing (approximately 33,514 sf); and Lab Use (approximately 58,845 sf) with accessory high hazard use and the parking of ninety-two (92) vehicles on an adjacent lot located at 225 Merrimac Street, at 216 New Boston Street. PUBLIC HEARING OPENED: Further, a communication dated September 7, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

RE: Special Permit Petitions, CCF New Boston Property Company LLC, 216 New Boston Street/225 Merrimac Street, Woburn Massachusetts

Dear Ms. Higgins:

Enclosed please find for the filing the following in connection with the above-referenced matter:

1. Two (2) copies of Drainage Report
2. Fourteen (14) copies of revised site Plan
3. Fourteen (14) copies of response letter dated September 2, 2022 by Allen & Major Associates

The response letter addresses comments/questions generated by the Planning Department in its memo dated June 2, 2022; the Board of Health in an email dated June 14, 2022; the Fire Department in an email dated June 14, 2022; Environmental Partners in a draft memo dated July 28, 2022 and Horsley Witten Group in a memo dated July 20, 2022.

Please provide a set of all of the above to Jay Corey. If you need any further information, please do not hesitate to contact me. Thank you.

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

Further, a communication dated September 14, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

RE: Special Permit Petitions, CCF New Boston Property Company LLC, 216 New Boston Street/225 Merrimac Street, Woburn Massachusetts

Dear Ms. Higgins:

I respectfully request that the public hearings on both the above matters scheduled for September 20, 2022 be continued to the City Council meeting scheduled for October 4, 2022. Allan & Major Associates and Vanasse & Associates have responded to peer reviews. However, no response has been received from the peer reviews. If you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2nd that all communications be received and made part of the permanent record, all in favor, 9-0. 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 that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON October 4, 2022, all in favor, 9-0.

On the petition by CCF New Boston Property Company LLC, 185 Dartmouth Street, Suite 402, Boston, Massachusetts 02116, for Special Permits pursuant to Section 5.1(30b); Section 5.1(41a), and Site Plan Review pursuant to Section 12.2.4 to allow for a four (4) story building containing approximately 174,812 sf of net floor area with the following uses: office (approximately 67,056 sf) and Lab Use (approximately 100,584 sf), as well as the Petitioner is proposing to construct a parking garage to accommodate approximately 451 parking spaces, at 225 Merrimac Street. PUBLIC HEARING OPENED: Further, a communication dated September 7, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

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

Motion made and 2nd that all communications be received and made part of the permanent record, all in favor, 9-0. 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 that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON October 4, 2022, all in favor, 9-0.

On the petition by U-Haul Co. of Massachusetts and Ohio, Inc., 31 Olympia Avenue, Woburn, Massachusetts 01801, for special permit pursuant to Section 7.3 and site plan review under Section 12 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for: 1. a modification of Special Permits dated September 1, 2011 and July 9, 2015; 2. the alteration of the existing nonconforming use and structure under Section 7.3 to allow for a one story addition containing approximately 19,831 gross square feet of gross floor area for the storage of U-Boxes, an increase of U-Boxes from 816 to 1200, and an increase in self-storage units from 802 to 1202; 3. Site Plan Review under Section 12 since there is an increase of gross floor area in excess of 5,000 square feet (19,831 square feet); and 4. the construction of the addition within the Flood Plain District under Section 9, at 31 Olympia Avenue. PUBLIC HEARING OPENED: A communication dated September 13, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

RE: Special Permit Petition/Modification of Special Permit Decision of U-Haul Co. of Massachusetts and Ohio, Inc., 31 Olympia Avenue, Woburn, MA

Dear Ms. Higgins:

I respectfully request that the public hearings on the above matter scheduled for September 20, 2022 be continued to the City Council meeting scheduled for October 4, 2022. My client is continuing to work with the Woburn Fire Department to address all of its questions. If you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2nd that the communication be received and made part of the permanent record, all in favor, 9-0. 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 that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON October 4, 2022, all in favor, 9-0.

On the petition by President Concannon, per request of the Mayor, to amend the 1985 Woburn Zoning Ordinances, as amended, by adding a new section, Section 32, entitled Adult Use of Marijuana; by amending Section 2, Definitions, by deleting the current definitions of Marijuana Establishment and Medical Marijuana Treatment Center, and adding a new definition of Medical Marijuana Treatment Center, also known as a Registered Marijuana Dispensary (RMD); by deleting in its entirety, Section 5.8, entitled Marijuana Establishments Forbidden; by amending Section 5.1, Table of Use Regulations, to revise line 33(d) by replacing “Marijuana Establishment” with “Marijuana Retailer” as a special permit use only in the IP-2 zoning district and by deleting reference to Note 19(c); and by deleting 19(c) from

the list of Notes to 5.1 Table of Use Regulations. PUBLIC HEARING OPENED: A committee report from the Committee on Ordinance, Charter and Rules was received “back for action”.

Further, a communication dated September 20, 2022, was received from Ellen Callahan Doucette, City Solicitor, as follows:

Re: Proposed Amendments – Pending Order – Adult Use of Marijuana

At Mayor Galvin’s suggestion, you emailed me several proposed amendments to the pending Order seeking to amend the WZO by adding a new Section 32 – Adult Use of Marijuana. You asked me to review the proposed amendments and advise if they would be allowed. A copy of your proposed amendments is attached hereto. I am also providing a copy of this memorandum to the full Council and Mayor Galvin.

Please note that Section 32 – Adult Use of Marijuana was drafted after an examination of existing ordinances and bylaws regulating the sale of adult use marijuana in the Commonwealth. G.L. c.94G, §3, “Local Control” sets out the methods municipalities may use to regulate recreational marijuana businesses. Section 3 provides in pertinent part that: “[a] city or town may adopt ordinances and by-laws that impose reasonable safeguards on the operation of marijuana establishments, provided they are not unreasonably impracticable and are not in conflict with this chapter or with regulations made pursuant to this chapter”. (emphasis supplied)

In light of c.94G, §3, my responses/comments regarding the proposed amendments, are as follows:

32.3 General Requirements

11. A priority will be given to women, minority, and/or veteran owned businesses.

For zoning purposes, it is not clear to me how this priority serves as a “reasonable safeguard” for the Marijuana Retailer use. Further, in c.94G, §3 the “regulations” referenced, and with which local ordinances and bylaws shall not conflict, are those promulgated by the Cannabis Control Commission (“CCC”) and set out in 935 CMR 500.

Under 930 CMR 500.101(5), women, minorities and veteran-owned businesses are already considered to be “Expedited Applicants” for purposes of license application review by the CCC. “Priority” applicants under 935 CMR 500.101 are those who already operate a marijuana establishment, such as a Registered Marijuana Dispensary (“RMD”) but again, only for licensing consideration.

As this amendment doesn’t serve as a “reasonable safeguard” for the use, it is not appropriate for inclusion in the Ordinance.

12. Marijuana Retailers will commit to hiring qualified local residents first.

Priority in hiring local residents is always a worthy goal, but other than administrative personnel who do not handle product, the operational requirements of 935 CMR 500.105(2) mandate training for employees in order to be certified to work at either an RMD or Marijuana Retailer. Priority in hiring cannot take precedence over training requirements.

In my opinion, this particular requirement is more appropriate as a condition attached to a permit or a provision of the Host Community Agreement. It might be rephrased as “the applicant will use its best efforts to hire eligible Woburn residents that meet all training requirements of the Cannabis Control Commission for employment at a Marijuana Retailer”.

32.4 Operation Standards for Municipal Retailers

11. The Marijuana Retailer shall provide information about steps in which will be taken (sic) to prevent diversion to minors.

This proposed amendment is already addressed in part, in Section 32.5 of the proposed Order which establishes buffer zones from school districts and other areas where children may congregate; and by the filing of an Operation and Logistics Plan as required by Section 32.6.1.

Also, as referenced above, 935 CMR 500.105 requires employee training which includes, how to check customer identification. Also, 935 CMR 500.110 requires that security plans be submitted to the CCC for approval. All of the aforementioned is intended in part, to keep marijuana from being sold to minors.

12. The Marijuana Retailer shall provide information as to how they plan to positively (sic) the community?

This requirement, in my opinion, will be met by the employee training, the Operation and Logistics Plan and security plans, which are not required of other businesses including, those that sell alcoholic beverages. These additional requirements operate for the benefit the community, as does the additional tax revenue generated should the Council adopt the provisions of G.L. c.64N, §3. Therefore, this amendment may be redundant.

13. The Marijuana Retailer shall provide information to demonstrate that the location will not constitute a nuisance.

My response to proposed amendment Section 32.4.11 above, applies equally to this amendment.

14. The Marijuana Retailer will use their best effort to utilize local businesses for services.

This amendment too serves a worthy cause, but I’m not sure what services or goods offered by other local businesses could be used by a Marijuana Retailer. As with the effort to hire

Woburn residents, perhaps this too would work better as a condition or as part of the Host Community Agreement.

32.9 No City Liability/Indemnification (New)

I have two comments regarding this proposal. First, it is more appropriate for inclusion in a Host Community Agreement. Second, in my opinion it isn't necessary. Should the Council enact Section 32 Adult Use of Marijuana, authorization for a Marijuana Retailer business would be granted pursuant to a special permit.

Under G.L. c.258, §10(e) of the Massachusetts Tort Claims Act, municipalities are exempt from liability for personal injuries and property damage arising out of “ (e) any claim based upon the issuance, denial, suspension or revocation or failure or refusal to issue, deny, suspend or revoke any permit, license, certificate, approval, order or similar authorization”. Otherwise, I can't think of any other claim at law or in equity, that could be asserted against the City simply because it authorized a legal business within its borders.

Thank you for your attention to the above. Please contact me if you have any questions or wish to discuss this matter further.

Sincerely, s/Ellen Callahan Doucette

Motion made and 2nd that all communications be received and made part of the permanent record, all in favor, 9-0. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: Mayor Galvin stated he would be happy to answer any questions after the public has spoken. Brian Bilowz, 8 Crawford Drive, stated he has been a resident for 20 years. Mr. Bilowz stated in the office a coworker spent the night in the hospital with son as he is an addict. Mr. Bilowz stated young children are impressionable and he wants to protect the youngest precious ones. Mr. Bilowz stated marijuana is an easy way to get into drug use. Mr. Bilowz stated when you bring such facilities into the community it legitimizes them, and drugs are an epidemic and marijuana enters people into drug use. Mr. Bilowz stated having such facilities is a race to the bottom and opens up all types of problems and issues. Mr. Bilowz stated this will be in a place where people go shopping on a regular basis. Mr. Bilowz stated children will open up to other drugs such as heroin. Mr. Bilowz stated we need to take a stand that we do not want it here. Mr. Bilowz stated people are lighting up in vehicles, in parking lots. Mr. Bilowz stated it is necessary to protect life, even if it is just one child. Jackie Miller, 3 Harvard Street, stated she works in Somerville and drives through Somerville and Cambridge and can tell that people are stoned when driving. Ms. Miller stated she does not see the point of having a store in Woburn and supports what the last gentleman stated. Emily Crowley, 6 Loves Lane, stated she also opposes the sale of marijuana in Woburn as the city expressed in the ballot question. Ms. Crowley stated that is what the majority of the people wanted. Ms. Crowley stated we need to protect our children. Ms. Crowley stated having a corner store is sending out a message to a very lucrative industry. Ms. Crowley stated she is concerned with putting the drugs in lollipops and gummy bears as they are trying to get to children. Ms. Crowley stated

this will lead to more addiction and driving aggressively. Ms. Crowley stated babies will be affected, students will be dropping out, and there will be workplace injuries. Ms. Crowley stated that psychotic breaks are linked to longtime usage of marijuana, and that people and children will be in emergency rooms. Ms. Crowley stated she prays all the city councilors will vote no because the people do not want this. Ms. Crowley stated the wellbeing of citizens deserve better and there is no tax revenue worth it. Ms. Crowley stated she prays the city councilors vote no. John Heslin, 36 Clinton Street, stated he spoke last month, and this is the second city council meeting he has attended. Mr. Heslin stated he is in favor of this, and marijuana is not evil, he is not in the minority, and it is not all Cheech and Chong. Mr. Heslin stated he uses it as it helps with his bad hip until he can have surgery. Mr. Heslin stated he the industry uses edibles because it is easier to manufacture and infuse the times with the product. Mr. Heslin stated the ballot question in 2016 was not whether you could sell marijuana. Mr. Heslin stated that the state legislature Bill 3818 allowed city council to ban sales because Woburn voted no for the legalization of it. Mr. Heslin stated the City Council had the authority then and has it now, so there is no need for a ballot question. Mr. Heslin stated a no vote inconveniences people and shop owners. Mr. Heslin stated no children are allowed in the store. Mr. Heslin stated not having recreational marijuana stores disadvantages Woburn and enriches other communities. Mr. Heslin stated he is still going to buy in Billerica and use in Woburn, which gives the taxes to the other communities. Mr. Heslin stated he understood the wait and see approach, but the city has waited long enough. Mayor Galvin stated he wanted to clarify and reiterate. Mayor Galvin stated the ballot question six or seven years ago was whether to legalize recreational marijuana or not. Mayor Galvin stated now that it is legal in the state, we want to allow recreational marijuana stores. Mayor Galvin stated 37 states have now legalized marijuana. Mayor Galvin stated the city took a wait and see approach when it first was legalized, which was prudent to see what would happen. Mayor Galvin stated there have been very few complaints from other cities and towns that have stores. Mayor Galvin stated only two will be allowed based on the number of liquor licenses. Mayor Galvin stated the locations will not be downtown, there will not be four locations. Mayor Galvin stated based on the proposed zoning it will be located in the IP-2 Zoning district which is up by Commerce Way and Presidential Way. Mayor Galvin stated there is already a medicinal marijuana shop there now. Mayor Galvin stated you must be 21 years old to enter the store. Mayor Galvin stated Councilor Viola had visited the store and has shown that it is very regulated. Mayor Galvin stated the product is much safer than the fentanyl on the street. Mayor Galvin stated the tax benefit will be $\frac{3}{4}$ of a million dollars. Mayor Galvin stated the city council was prudent at first, and now is the right time to act. Upon inquiry from Councilor Mercer-Bruen, Mayor Galvin stated the number of marijuana stores is based on the number of liquor licenses and population, and the proposed zoning limits that amount to two. Mayor Galvin stated that the number is based on the 10% of the number of liquor licenses and could go up. Mayor Galvin stated there could be more stores if the city chose to, but that the proposed ordinance limits it to two. Councilor Dillon stated he would like to hear from Police Chief Rufo as his opinion is a compelling argument. Chief Rufo stated he would reiterate what he stated before. Chief Rufo stated since the inception, the industry has made over \$4 billion. Chief Rufo stated within a 10 mile radius of Woburn there are 19 stores, and within a 15 mile radius there are 39 stores. Chief Rufo stated by not having a store is not preventing people from getting it. Chief Rufo stated the benefits of buying from a store are that the products are track from seed to sale and you do not have to

worry about it being laced with other drugs like PCP or fentanyl. Chief Rufo stated it is legal to have six plants per person and 12 plants per household. Chief Rufo stated it is an inconvenience for residents, but it is not stopping residents from purchasing recreational marijuana. Chief Rufo stated you must be 21 years old to even enter the facility, it is very regulated, and approval of the proposed zoning will remove illicit sales from the streets. Councilor DiMambro stated retail sales of marijuana are safer than purchasing it on the streets. Councilor DiMambro stated the drug dealer is there to upsell you with giving you options of other drugs. Councilor DiMambro stated with legal retail, you are getting just what you want and it is regulated from seed to sale. Upon inquiry from Councilor Mercer-Bruen, Chief Rufo stated that a 15 year old can go into a liquor store to buy chips and sundries, but the 15 year old could not go into a recreational marijuana facility if they are under 12 years old. Councilor Campbell stated that the number of marijuana stores could change legislation from 10% and two stores if the city is allowed more liquor licenses. Mayor Galvin stated the state allows cities to go lower than the 10%, which the proposed ordinance caps at two stores. Mayor Galvin stated the city council does not have to grant the special permit. Mayor Galvin stated with the IP-2 zone and the required distance of 1,000 feet between stores, it is a stretch even to get two stores in the city. Councilor Campbell stated she is not sure why the city cannot just put two stores allowed, and how the legislation came down to the state. Mayor Galvin stated only up to two will be allowed. Councilor Campbell stated that there are 1,000 units going in that will up the population exponentially. Councilor Ferullo stated the city would need to get to 80,000 population for that to occur. Mayor Galvin stated that there is no change in population for 10 years. Councilor Demers stated he agreed with Councilor Ferullo, that in order to get two more licenses, the city would have to reach 65,000 people and then 80,000 people. Councilor Demers stated what he believes has been lost is the fact that in the adult entertainment district, the zone is so small, it is almost impossible for competing businesses because of the size of the zone itself. Councilor Demers stated he does not foresee issuing more than two. Councilor Demers stated in order for that to happen they would need a population boom similar to China. Councilor Ferullo stated he does not believe the city will have the ability to issue more than two. Councilor Campbell stated that the legislation is giving over the city council records to shape legislation. President Concannon stated the city council does have the authority to shape the legislation by determining the locations the stores can go and other limits. Councilor Mercer-Bruen stated she is not sure she would have brought up the discussion if she knew how close and how restrictive it is. Councilor Mercer-Bruen stated it will be in the same area as the adult entertainment where we had to put it. Mayor Galvin stated the city council still has control at the special permit level. Mayor Galvin stated he appreciated the mathematical astuteness of Councilor Ferullo and Councilor Demers. Councilor Gately stated he buried his son in July. Councilor Gately stated his son was addicted to marijuana and the night he died he was smoking marijuana laced with amphetamines that killed him. Councilor Gately stated he never smoked it, nor did he have the desire to do it. Councilor Gately stated people in the city that are good hardworking people get into marijuana, drugs, and alcohol. Councilor Gately stated I failed and did not play by the rules, and it cost him his son. Councilor Gately stated he has the change to make it right. Councilor Gately stated marijuana is still a drug that you can chew, smoke, and shoot it and people are addicted to it. Councilor Gately stated he is a three time cancer survivor, and he never took marijuana. Councilor Gately stated he has no issue with medical marijuana, but recreational marijuana in the city is a big mistake. Councilor Gately

stated he will never vote for it. Mayor Galvin stated he was sorry for Councilor Gately's loss and appreciate his input. Councilor Gately stated people can crash. Councilor Viola read the following statement into the record from Matt Herlihy, 10 Fortune Road, as follows: "My name is Matt Herlihy. I live at 10 Fortune Rd. in Woburn. I'm contacting you to express my opposition to the proposed zoning changes to allow retail marijuana sales in Woburn. I feel this is a serious matter which should not be taken lightly and at a minimum, the residents of Woburn should be allowed to vote on. In short, allowing retail pot sales in Woburn expands access. The more access, the easier it will be to make its way to under age youth. I've been to the recent city council meetings, where some fine sounding arguments have been made in favor of it. However, as someone who grew up in the 70s, I know marijuana is not a harmless recreational drug. It can be a dangerous, destructive drug that absolutely can be an open door to further experimentation. Why do we need it in Woburn? If it's allowed in certain areas, then it will be easier to amend zoning laws down the road to allow even more access. Why not raise the bar for the city? Please consider what you're doing carefully as it's your responsibility. Sincerely, Matt Herlihy". Councilor Viola then read the following statement: "This is one of the hardest votes that I have had to weigh in upon so far as a City Councilor. I don't take this vote lightly and can assure the residents of Woburn and Ward 7 that I have done a considerable amount of research, spoke with individuals who were incarcerated on drug offenses, have reached out to colleagues in other Cities who already allow recreational marijuana, and have toured a marijuana dispensary. I respect everyone on the Councils decision and opinions. Working in law enforcement and in a correctional facility I have a unique perspective on marijuana. Out of all the incarcerated individuals I spoke with, 80% percent of didn't use marijuana as a gateway drug. Most started by misusing prescribed opioid medication which was prescribed to them by doctors. Those individuals then went on to use harder drugs such as heroin or fentanyl when it became hard to get the prescribed medications. Furthermore, the number of individuals in my facility with marijuana related crimes is zero. During the past two years the use of opioids has reached an all-time high and overdoses have surpassed previous years. This is due to the fact that all drugs are now being laced with fentanyl, carfentanyl, and other strong drugs. Currently the majority of all marijuana bought illegally on the black market are laced with any of the following to produce a psychoactive effect: PCP, Heroin, Embalming fluid, laundry detergent, LSD, Methamphetamine, Ketamine or Cocaine. Legally purchased recreational marijuana is regulated from seed to sale and it is known what you are ingesting or inhaling. At the beginning when this recreational marijuana legislation came before the City Council, I was completely against it. I have received phone calls, texts and emails from residents both for and against recreational marijuana. I want to thank each and every person who has contacted me regarding this proposed zoning change. I took everything you said or wrote to me to heart and had a hard time deciding as to which way I am voting. The vast majority of residents who contacted me are in favor of recreational marijuana and the zoning change. We need to remember that what is not in front of the Council is a vote as to whether marijuana should be legalized in the city or encouraging others who don't use it currently to use it. Under Massachusetts state law, marijuana has been legalized, so it is still going to be used within the city even if this legislation fails. By allowing this change in zoning, we can safely make sure that individuals are not receiving marijuana laced with other drugs or chemicals, which could kill them or cause harm, by allowing it to be purchased from a reputable establishment.

The City of Woburn will see tax revenue from the recreational marijuana sales. However, that is not why I am voting the way in which I am. I am voting for the safety and wellbeing of our residents as a whole. I was going to request that a certain percentage of the excise tax we receive from the Recreational Marijuana sales be used for two different things; however the Department of Revenue will only allow these funds go to the General Funds. The first item I was going to request was that 5 % of all gross excise revenue resulting from adult use marijuana, marijuana products, and marijuana edibles shall go to the Woburn Police Department in a separate account to fund Drug Recognition Experts. Woburn currently has one Drug Recognition Expert, who is the Chief of Police, when in fact we should have more. This funding could be used to send more officers for the training and to keep them certified as Drug Recognition Experts. This funding could also be used for training of officers for what to look for when dealing with an impaired person. The second item I would have requested was that 5 % of all gross excise revenue resulting from adult use marijuana, marijuana products, and marijuana edibles shall go to the Woburn Police Department in a separate account in order to fund comfort support dog (K9) and all expenses associated with them. A comfort support dog (K9) shall only be trained as a comfort support animal and have no other police training such as bite work or search and rescue. This dog (K9) will be an outreach component of the Woburn Police Department and bring forth a positive Community Policing aspect. A comfort support dog (K9) would be useful in the Woburn Public Schools, Woburn Senior Center, and in the community, to help with social and emotional support and wellbeing. More and more cities and towns have allowed these (K9s) to be used and have helped in a varying number of situations when a person is in crisis. I plan to work with the Mayor and see if next year these two items can be added into the Woburn Police Departments budget. After consulting with the City Solicitor, I found out that my proposed amendments that I was going to be bringing forth tonight would be better suited as conditions of a special permit or part of the host agreement. So I will withhold my amendments until such time arises.” Councilor Demers stated throughout this long process he appreciated the concerns of residents. Councilor Demers stated he did not come to his decision lightly. Councilor Demers stated most importantly he wants to say that his decision tonight does not in any way discount the personal struggle and tragedies that his fellow councilors and his constituent’s family members or friends may have experienced with substance use. Councilor Demers stated the mayor and city solicitor did a lot of work and considered other ordinances and state guidance when considering this proposal. Councilor Demers stated after almost 5 years of implementation to learn from mistakes, new best practices, local oversight methods, and zoning law language. Councilor Demers stated there have been a lot of comments about and reference to gateway drugs. Councilor Demers stated the potential gateway drug is alcohol. Councilor Demers stated he knows people make bad decision when under the influence, and he does not see anyone changing these laws to make them less available to children. Councilor Demers stated the Woburn License Commission has limited the expansion of additional requests, which is local oversight. Councilor Demers stated also sale of alcohol is not construed as utilizing children’s backs. Councilor Demers stated there is a misnomer argument about reefer madness. Councilor Demers stated that previous folks had mentioned Alex Berensen’s book about marijuana. Councilor Demers stated that the study Mr. Berensen based his whole thesis on, the research director for that study stated that Mr. Berensen misused and misinterpreted the data. Councilor Demers stated in actuality the study showed that those with schizophrenia used marijuana more. Councilor Demers stated some

have alleged that with the cannabis reform bill marijuana would be rampant in schools, however, it just allowed a study on allowing controlled use for those who are prescribed medical marijuana. Councilor Demers stated that the National Highway Traffic Safety Administration conducted a study that they found no significant increased crash risk attributable to cannabis after controlling for drivers' age, gender, race, and presence of alcohol. Councilor Demers stated that marijuana DUI rates in both Massachusetts and Woburn are down. Councilor Demers stated the city council has taken their time and done the research and it is time to move forward. Councilor Demers stated he does not like the argument to follow suit, but that the city did wait and see what happened. Councilor Demers stated he will be voting in favor. Councilor Campbell thanked President Concannon. Councilor Campbell then stated over the past few months, she has stated she is against this zoning change, and she has given her reasons why and will not get into all of them now. Councilor Campbell stated that she would like to encourage her fellow councilors, one last time, to not allow this zoning change to take place and to not allow recreational marijuana to be sold in stores. Councilor Campbell stated now I realize there will only be two stores in the IP-2 zoning district. Councilor Campbell stated she wrote the legislation in 2016 that limited the location in the restricted area, and it is at least relegated to that area. Councilor Campbell stated it is in her opinion a gateway drug though people have differing opinions on this. Councilor Campbell stated along with possible overdoses from marijuana gummy bears and other marijuana candies as they are told it is just candy. Councilor Campbell stated we should be making it harder for parents to buy to protect the childing in Woburn. Councilor Campbell stated that the city council in 2016 got it right by only allowing medical marijuana facilities in the IP-2 zone and no recreational marijuana sales. Councilor Campbell stated she is grateful for that. Councilor Campbell stated her hope was to convince my fellow council members to place this issue on next year's municipal ballot and to allow the residents of Woburn to vote on whether to allow recreational marijuana sales in Woburn or not, as it was done in 2016 when it was voted down. Councilor Campbell stated from the comments that she has heard from last week's committee meeting, she does not sense that there is support for this. Councilor Campbell stated she just asks what the is the rush to change the zoning law? Councilor Campbell stated let us bring this questions to the residents of Woburn and let them decide on whether to have recreational marijuana sales in Woburn or not. Councilor Campbell stated there is a significant issue that will affect their children and grandchildren and only they should decide. Councilor Campbell stated the mayor stated that the revenue will be $\frac{3}{4}$ of a million dollars. Councilor Campbell stated she does not want to make money on the back of our children. Councilor Campbell stated and by using that \$750,000, we will be. Councilor Dillon stated he and Councilor Gately shared same club with the loss of sons within 24 hours, and he has great respect for Councilor Gately. Councilor Dillon stated he very rarely goes against Councilor Gately. Councilor Dillon stated he is a student of history and when prohibition happened, people died from bad alcohol. Councilor Dillon stated when prohibition ended there was safer alcohol. Councilor Dillon stated he is hoping with education from taxes and public knowledge, the city can keep an eye on this and any type of drugs. Councilor Dillon stated he wanted to read from the minutes of the September 12, 2022 committee meeting that he stated wraps everything up. Councilor Dillon read the following: "President Concannon said he respects everyone's opinion. He said this is a significant issue and he understands there are councilors who are wrestling with it. He said it is fair to let everyone share their opinions. He said the crux of the debate is not about whether marijuana

is good for you or the city of Woburn. He said what is before the council is a zoning change. He said this type of business is legal in Massachusetts. He said the council is basically talking about allowing an adult use business. He said the council is talking about implementing in the city of Woburn what has been allowed in other communities for the past six years. He said he thinks city officials have taken a cautious approach. He said city officials wanted to see how other communities handled it. He said they heard from Chief Rufo that marijuana shops have no impact on law enforcement. He said the council has data and enough information to make an informed decision, and he said it is appropriate to proceed with a vote on this matter. He said what is not in front of the council is the question of legalizing marijuana or encouraging the use of marijuana by those who are not currently using marijuana. He said this is not about encouraging the use of marijuana by children or saying it's a good thing. He said the debate is really about whether the council is going to allow a legal business in a small section of the city. He said a no vote means current Woburnites who are using marijuana will still use marijuana but will have to travel farther to get it. He said it will mean a loss of tax revenue. He said a yes vote does not mean anyone who does not currently use marijuana will start using marijuana. He said he believes a yes vote would strengthen regulations and lessen the possibility people in the city will be using marijuana that is laced with illegal substances. He said he thinks that's a good thing. He said he believes regulating it is a positive. He said a yes vote would increase tax revenue. He said revenue sources do not just appear. He said the council has to think very carefully. He said he understands this is a bit of a moral conundrum. He said when government starts to wade into whether something is good or bad, it's dangerous. He said he believes in the notion of small government." Councilor Dillon stated he personally spoke with Lowell City Councilors about this issues, like he does from time to time. Councilor Dillon stated the responses he received were there are no negative impacts, as it is well regulated, well screened, and has security unlike liquor stores. Councilor Dillon stated this was a tough issue that kept him up at night, and all the city councilors vote worrying about Woburn and the betterment of Woburn. Councilor Dillon stated every September he listens to the list of those who have overdosed on drugs, and with this proposal, regulations, oversight, and education, there will be less names on that list. Councilor Ferullo stated he embraced the comments that Councilor Viola, Councilor Demers, and Councilor Dillon stated. Councilor Ferullo stated he has spent 38 years fighting drugs and was a found of a drug task force. Councilor Ferullo stated there is also a national drug task force member here in Woburn, Chief Rufo. Councilor Ferullo stated we have lost the fight with marijuana, the courts will not even take a citation, they throw it out. Councilor Ferullo stated we need to move forward. Councilor Ferullo stated Councilor Gately's son had marijuana that was laced with drugs. Councilor Ferullo stated he does not want recreational marijuana, or if the police chief said no, he would be a no. Councilor Ferullo stated the fight to legalize marijuana has been lost, and we all need to move forward. Councilor Ferullo stated it reminds him of the times when people would have to drive to Salem, New Hampshire on Sundays to get alcohol. Councilor Ferullo stated he found himself listening to people. Councilor Ferullo stated he is going to vote for it. Councilor Mercer-Bruen stated she has been on the city council for a longtime and has had some really difficult votes where the room was packed, and it got contentious. Councilor Mercer-Bruen stated this is the hardest vote she will be taking. Councilor Mercer-Bruen stated she took the time to listen to others, users of marijuana, teachers, and older people. Councilor Mercer-Bruen stated she had one email from a person adamantly opposed, and one phone call from a person

adamantly opposed. Councilor Mercer-Bruen stated this is a hard one, but at the end of the day they sat up and listened. Councilor Mercer-Bruen stated she does not believe Chief Rufo would say or do anything to put people in harms way. Councilor Mercer-Bruen stated today she heard more concerns with recreational stores than that of liquor stores. Councilor Mercer-Bruen stated children got gummy bears, but the same thing can happen with a liquor cabinet. Councilor Mercer-Bruen stated if you are parent and are going to use it, lock it up. Councilor Mercer-Bruen stated she will be supporting this tonight. President Concannon stated he shared his thought process on this in committee the other night. President Concannon stated he does appreciate that this has been a thoughtful, courteous, and respectful exchange of ideas. Eddie Tedesco, 1 Tedesco Drive, stated he is in favor of this, and does not envy the city council for having to vote on this and do the research. Mr. Tedesco stated he did watch the last public hearing, and based on what the police chief said, he does trust the police chief, and does not believe he would put anyone in harms way. Mr. Tedesco stated there are a handful of communities that do have recreational marijuana stores, but there are over 60% of communities that do allow for such stores through their zoning laws. Mr. Tedesco stated the question whether recreational marijuana is legal or not has been settled, and Woburn should try to collect the revenues from it. Mr. Tedesco stated with COVID and companies going hybrid and/or remote the hotel/occupancy receipts are going to be down. Mr. Tedesco stated the Fed is also raising interest rates, and inflation will have an impact. Mr. Tedesco stated you need to look at other financial benefits. Mr. Tedesco stated he is in favor. Mr. Tedesco then thanked the city council. Mr. Bilowz stated that people use heroin because they were prescribed oxycontin, which is much cheaper. Mr. Bilowz stated marijuana dispensaries cost of product is more costly than on if bought on the street, having fifty to twenty-five cents on the dollar. Mr. Bilowz stated people are not going to want to pay the taxes. Mr. Bilowz stated the cost in the stores are \$100 to \$200 when on the street you can get it for \$25. Paul Girard, 49 Arlington Road, stated originally there was medical marijuana, and no recreational. Mr. Girard stated now it has progressed and now there will be two recreational shops. Mr. Girard stated the city council should take two more weeks and slow down and put some extended thought on this. Mr. Girard stated this is a terrible idea. Mr. Girard stated a nearby town has self-storage facilities, and just because the state allows does not mean they cannot restrict it. Mr. Girard stated he did not want the city council to approve tonight. Councilor Ferullo stated this can be a slippery slope. Councilor Ferullo stated recreational marijuana is limited to a zone, limited the percentage, the front doors need to be 1,000 feet apart, and will only have two. Councilor Ferullo stated one of the recreational licenses will go to the medical marijuana store and the closest store after that would have to be on Cabot Road near Ranger. Motion made and 2nd that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Motion made and 2nd that the ZONING AMENDMENTS BE ADOPTED, ROLL CALL: Campbell - No; Demers - Yes; Dillon - Yes; DiMambro - Yes; Ferullo - Yes; Gately - No; Mercer-Bruen - Yes; Viola - Yes; Concannon - Yes; MOTION PASSES.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

Motion made and 2nd to suspend the rules and take the following from the Committee on Ordinance, Charter and Rules, all in favor, 9-0.

ORDERED Be it Ordained by the City Council of the City of Woburn that the provisions of M.G.L. c. 64N, §3 be and are hereby accepted, and in accordance with such acceptance, a local sales tax shall be imposed upon the sale of adult use marijuana originating within the City by a vendor at a rate of 3% of the gross receipts of the vendor from the sale of adult use marijuana, marijuana products, and marijuana edibles. Such excise shall take effect on the first day of the calendar quarter commencing at least thirty days after such vote of this City Council and approval by the Mayor.

s/President Michael Concannon
Per Request of the Mayor

Motion made and 2nd that the ORDER BE ADOPTED, all in favor, 7-2 (Campbell and Gately Opposed).

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

Motion made and 2nd to return to the regular order of business, all in favor, 9-0.

TDC Development Group, LLC, 125 High Street, Boston, Massachusetts 02110, to amend the 1985 City of Woburn Zoning Ordinance, as amended, to add new Section 32 Life Sciences and Business Overlay District (LBOD) located at Woburn Assessors' Map 29, Block 01, Lot 2; Map 29, Block 01, Lot 3; Map 29, Block 01, Lot 4; and Map 29, Block 01, Lot 5; and to amend the zoning map for the four parcels of land known as Middlesex Canal Park (29-01-02), Middlesex Canal Park (29-01-03), 25 Middlesex Canal Park (29-01-04), 15 Middlesex Canal Park (29-01-05), together containing approximately 32.96 acres of land as shown on a plan entitled "Zoning Amendment Plan" dated July 6, 2022 from the B-I zoning district to Life Sciences and Business Overlay District (LBOD) proposed zoning district. PUBLIC HEARING OPENED: A communication dated September 14, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: **ZONING AMENDMENT TO CREATE A LIFE SCIENCES AND BUSINESS OVERLAY DISTRICT AND OVERLAY THE NEW DISTRICT ON SEVERAL LOTS ON MIDDLESEX CANAL PARK DRIVE / TD DEVELOPMENT GROUP LLC**

Dear Ms. Higgins:

At a meeting of the Woburn Planning Board held on Tuesday, September 13, 2022, members of the Board voted unanimously to continue the public hearing on the above-referenced filing.

The public hearing will recommence at 7:00 p.m. on Tuesday, September 27, 2022.

Respectfully, s/Tina P. Cassidy, Planning Board Director

Further, a communication dated September 14, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

RE: Zoning Amendment Petition and Zoning Map Petition of TDC Development Group LLC

Dear Ms. Higgins:

I respectfully request that the public hearing on the above matters scheduled for September 20, 2022 be continued to the City Council meeting scheduled for October 4, 2022. If you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2nd that all communications be received and made part of the permanent record, all in favor, 9-0. 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 that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON October 4, 2022, all in favor, 9-0.

UNFINISHED BUSINESS OF PRECEDING MEETING:

Motion made and 2nd to suspend the rules for the purposes of taking the next matter from the table, all in favor, 9-0.

ORDERED Be it Ordained by the City Council of the City of Woburn, that the Woburn Municipal Code, as amended, be further amended by revising Title 2, Article XVIII, Compensation of Officers and Employees as follows (deletion in ~~strikethrough~~, revision in **bold**):

2-180 Base Salaries

School Traffic Guardsper hour ~~\$16.00~~ **\$24.00**

and that such increase be effective September 6, 2022.

s/President Michael P. Concannon
Per Request of the Mayor

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

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

Motion made and 2nd to return to the regular order of business, all in favor, 9-0.

COMMITTEE REPORTS:

FINANCE:

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

ORDERED That the sum of \$5,000.00 be and is hereby transferred as so stated:

From:	Traffic Safety and Infrastructure	\$5,000.00
To:	Acct# 360058-588350	
	Traffic Detail Town Fair Tire	\$5,000.00

Local Bottleneck Reduction Program
City Share for police Details – Mass DOT

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

s/President Michael P. Concannon

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

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

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

ORDERED That the City of Woburn appropriates the sum of One Million Four Hundred Thousand Dollars (\$1,400,000) to pay for the costs of acquiring a ladder truck, including the payment of costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of

issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

I hereby recommend the above: s/Scott D. Galvin, Mayor
Dated: 8/11/2022

Motion made and 2nd that the COMMITTEE REPORT BE ADOPTED, ROLL CALL:
Campbell - Yes; Demers - Yes; Dillon - Yes; DiMambro - Yes; Ferullo - Yes; Gately - Yes;
Mercer-Bruen - Yes; Viola - Yes; Concannon - Yes; MOTION PASSES.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

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

ORDERED That the sum of \$12,000.00 be and is hereby transferred as so stated

From: Traffic Safety and Infrastructure \$12,000.00

To: Acct# 360058-588190
 Traffic Controls & Equipment \$12,000.00

Installation of Flashing Speed Sign at Washington Circle,
Washington Street, and Mill Street.

I hereby recommend the above: s/Michael P. Concannon, Acting Mayor
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/Councilor Darlene Mercer-Bruen

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

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

PUBLIC SAFETY AND LICENSE:

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

Petition by Jeraism Services Inc., 111 Locust Street, Town House 21, Woburn,
Massachusetts, 01801 for a New Livery License for 1 vehicle. Motion made and 2nd that the
COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

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

Ultra Intelligence & Communications relative to Inflammable License and removal of tank at 10 Sonar Drive. Motion made and 2nd that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

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

Petition by Woburn Bowladrome Inc., 32 Montvale Avenue, Woburn, Massachusetts 01801 for renewal of Bowling Alley License. Motion made and 2nd that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

Presented to the Mayor: September 22, 2022 s/Scott D. Galvin September 22, 2022

SPECIAL PERMITS:

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

A communication dated August 10, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, regarding “Request for Minor Modification to Landowner’s Decision and Notice of Special Permit dated September 2, 2021/FRH Realty LLC, 316 New Boston Street, Woburn, Massachusetts (the “Decision”). Motion made and 2nd that the COMMITTEE REPORT BE ADOPTED AND THE MINOR MODIFCATION BE GRANTED, all in favor, 9-0.

CITIZEN’S PARTICIPATION: None.

COMMUNICATIONS AND REPORTS

A communication dated August 17, 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 July 2022: Number of Violations Issued 306, Numbers of Violations Paid 160, Number of Violations Outstanding 133, Amount collected and submitted to Collectors Office \$27,795.20, Parking fines referred to the Handicap Commission \$6,900.00.

There is a backlog of 1579 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.

A communication dated August 8, 2022, was received from Timothy Donovan, Treasurer/Collector as follows:

City Council President Concannon and City Council Members:

In accordance with the City of Woburn Investment Policy Statement (IPS), I wish to provide to you the Fiscal Year 2022 Annual Report of the City's cash and invested funds statement balances as of June 30, 2022 (attached).

All funds have been invested and monitored in compliance with the City's Investment Policy guidelines. For all City bank accounts, we have taken careful attention to the safety of the funds by ensuring our funds are invested by utilizing a high degree of FDIC, DIF and collateralization insurance options. Additionally, investments not eligible for these types of insurance have been invested in government backed bonds/treasury bills and other equities that are in accordance with the MA Legal List.

Per consultation with our City Investments Financial Advisor's, the following is a brief summary of the Fiscal year 2022 market analysis review:

Equity Markets - Review

The first half of fiscal 2022 was a continuation of the last half of fiscal 2021 as the world continue to recover from the harsh effects of the pandemic. The equity markets were showing strong returns based on strong economic data and corporate earnings.

In late 2021 however, the Federal Reserve adopted a much more aggressive interest rate forecast than expected in their effort to contain signs of inflation. This policy change resulted

in a spike in stock market volatility as investor's braced for rising interest rates and 40-year high inflation. In addition, the conflict in Ukraine in February 2022 caused even greater uncertainty about interest rates and future economic expectations.

Over the Fiscal Year, the Legal List equities performed significantly better, on average, than the broader S&P 500 benchmark, returning **7.32%** versus **(10.62%)**.

Fixed Income – Review

As with Equity markets, Fixed Income markets were focused on the Federal Reserve's shift in interest rate policy and rising inflationary pressures.

On 6/30/21 the 2-Year Treasury yield was 0.25%. By the end of Fiscal Year 2022, the rate on the 2-Year Treasury had risen to 2.92% (while hitting an annual high of 3.45% mid-June).

This historically sharp rise in interest rates coincided with three interest rate increases by the Federal Reserve (0.25%, 0.50%, 0.75%), with a market expectation for future increase in early FY 2023.

Strategy Outlook

As interest rates and inflation continue to rise, the strategy has been to reinvest into bonds with much higher yields than we have seen in the past two years.

Diversified portfolios continue focus on Principal Protection and Liquidity, while staying within the guidelines of the MA List of Legal Investments.

The City's Fixed Income allocation is exclusively invested with U.S. Treasury and Government Agency securities.

For the Legal List equity holdings, we continue to evenly weight all 21 stocks, with periodic portfolio rebalancing.

Investment Policy Statement Monitoring

During fiscal year 2022, we maintained contact by way of quarterly and annual review meetings with our investment advisors at Morgan Stanley. We continue to monitor the economic markets and rebalance our portfolio in order to achieve solid returns while maintaining the safety of our funds.

If you should have any questions, please feel free to contact me at your convenience.

Sincerely, s/Timothy Donovan, Treasurer/Collector

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

A communication dated September 14, 2022, was received from Jay Duran, Superintendent, Department of Public Works as follows:

Subject: Verizon – 12 Montvale Avenue

This memo shall serve as an update for the petition from Verizon for a Grant of Right in a Way on Montvale Avenue and the associated conditions on Warren Avenue. In my opinion, Verizon has made substantial progress to raise and tighten up their infrastructure in front of the Woburn Housing Authority. They have also worked with the other utility companies including Eversource, Comcast and RCN to raise and tighten their associated infrastructure in this section as well. Based upon the foregoing, I believe that that the Grant of Location should be approved on this particular matter to serve in the best interest of the property owner at 12 Montvale Avenue. The other prior conditions listed in my prior memo including raising curbs, replacing sidewalk panels and hours for construction etc. should all remain part of the approval.

On a separate but related matter, I do believe that the City Council should have a formal collaborative discussion with all of the utility companies present with pertinent representatives from each company who are familiar with and work within the City of Woburn. The number of double and triple poles across the City is simply out of control and it clearly needs drastic improvement. In general, we have a good working relationship with each of the utility companies. However, the system is non-functional when it comes to them working together to eliminate these expanding issues described herein. I believe that each company should perform a comprehensive evaluation of their entire infrastructure as well as their policies and procedures to better serve the residents of the City of Woburn.

Please feel free to call me with any questions or concerns on this matter.

President Concannon stated this is in relation to the condition about Warren Avenue. President Concannon stated that Jay Duran, the DPW Superintendent, stated this condition has been satisfied, and that the City Council concurs, and he is free to issue the permit. Motion made and 2nd that the communication be received and made part of the permanent record, all in favor, 9-0.

APPOINTMENTS AND ELECTIONS:

A communication dated September 15, 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 Meg Ann Meaney, 3 Dearborn Terrace, Woburn, MA, to the Board of Trustees for the Woburn Public Library, subject to the approval of the City Council, with a term to expire on April 13, 2024.

Respectfully, s/Scott D. Galvin, Mayor

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

A communication dated September 15, 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 James A. Juliano, 21 Watson Lane, to the Board of Trustees for the Woburn Public Library, subject to the approval of the City Council, with a term to expire on April 13, 2024.

Respectfully, s/Scott D. Galvin, Mayor

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 pursuant to the Woburn Municipal Code, as amended, Title 3, Article I, Section 3-6, the Fire Chief is hereby authorized to dispose of the following vehicles and equipment which the Fire Chief has determined is of no value to the department and which no other department has expressed an interest in obtaining.

<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>
2007	Ford Taurus	1FAFP53U87A133472

s/President Michael P. Concannon

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

Presented to the Mayor: September 22, 2022 **s/Scott D. Galvin September 22, 2022**

ORDERED That the Committee on Personnel take the necessary steps to fill the vacancy in the City Council appointment on the Woburn Recreation Commission.

s/President Michael P. Concannon

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

ORDERED That Paul Tobin of 10 Stevin Drive be reappointed as a Member of the Woburn Recreation Commission for a term expiring September 1, 2027.

s/President Michael P. Concannon

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

Motion made and 2nd to ADJOURN, all in favor, 9-0. Meeting adjourned at 8:55 p.m.

A TRUE RECORD ATTEST:

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