

**CITY OF WOBURN
MAY 21, 2013 - 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
DiTucci	Haggerty
Drapeau	Mercer-Bruen
Gaffney	Raymond
Denaro	

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

MAYOR'S COMMUNICATIONS:

ORDERED That the sum of \$9,500.00 be and is hereby transferred as so stated from Payroll Fees Acct #0113852-525800 \$9,500.00 to Treasurer/Bill Printing Acct #0113852-539003 \$9,500.00.

I hereby approve the above: s/Timothy Donovan, Treasurer/Collector
I have reviewed the above: s/Gerald W. Surette, City Auditor
I hereby recommend the above: s/Scott D. Galvin, Mayor

s/Alderman _____

ORDERED That the sum of \$3,540.01 be and is hereby transferred as so stated from COA/Senior Van Acct #0154158-585190 \$3,540.01 to COA/Misc. Expenses Acct #0154157-578908 \$3,540.01 – Purpose: Senior Center Security System Upgrade.

I hereby approve the above: s/Joanne Collins, COA Director
I have reviewed the above: s/Gerald W. Surette, City Auditor
I hereby recommend the above: s/Scott D. Galvin, Mayor

s/Alderman _____

ORDERED That the sum of \$950,000.00 be and is hereby appropriated as so stated from Sale of Cemetery Lots Acct #391-359000 \$950,000.00 to Cemetery

Paving Acct #391058-589700 \$950,000.00 – Purpose: Pavement for Woodbrook Cemetery

I hereby approve the above: s/Scott D. Galvin, Mayor
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/Alderman Anderson

ORDERED That the Woburn City Council hereby authorizes the Office of the Mayor to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E½. The Office of the Mayor may spend funds received for cable television and telecommunications franchise fees as required under the CATV operator license agreement with the City of Woburn without further appropriation during Fiscal Year 2014 for the purpose of paying the expenses of the M.I.S. Director, excluding salaries. The “Cable Television and Telecommunications Revolving Fund”, is to be credited with all fees and charges up to \$80,000.00 received during Fiscal Year 2014. Any remaining balance at June 30, 2014 is to revert to the General Fund, unless the fund is re-established. The “Cable Television and Telecommunications Revolving Fund”, under M.G.L. Chap. 44, Sec. 53E½ must be re-established on a year-to-year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

I hereby recommend the above. s/Scott D. Galvin, Mayor

s/Alderman _____

ORDERED That the Woburn City Council hereby authorizes the Office of the Mayor to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E½. The Office of the Mayor may spend funds received without further appropriation during Fiscal Year 2014 with the purpose of unanticipated special education costs for out of district tuition and transportation. The Special Education Departmental Revolving Fund is to be credited with Medicaid revenue not to exceed \$300,000.00 received during Fiscal Year 2014. Any remaining balance at June 30, 2014 is to revert to the General Fund, unless the fund is re-established. The “Special Education Department Revolving Fund”, under M.G.L. Chap. 44, Sec. 53E½ must be re-established on a year-to-year basis. The City Council, upon recommendation of the Mayor, must have an annual

vote prior to the start of the Fiscal Year. This authorization makes the approved Departmental Revolving Fund effective for the ensuing Fiscal Year only.

I hereby recommend the above. s/Scott D. Galvin, Mayor

s/Alderman _____

PUBLIC HEARINGS:

On the petition by Alderman Anderson concerning the structure or structures located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 18-20 Campbell Street, Woburn, Massachusetts, for the purposes of determining whether said structure or structures are a public nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED.

On the petition by Stephanie Almeida, 24 Grace Road, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.5 of the 1985 Woburn Zoning Ordinances, as amended to allow filling of yard at 24 Grace Road. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “ought to pass, as amended with the amendment as follows: 1. That the plan of record shall be the plan entitled “Topographic Site Plan of Land, 24 Grace Road, Woburn, Mass. (Middlesex County)” prepared by Medford Engineering & Survey dated May 6, 2013.

CITIZEN’S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Order to transfer the sum of \$132,500.00 from BLS Receipts Account to Ambulance Salaries Account, Ambulance Maintenance Salaries Account, Apparatus Maintenance Account and Medical Attention Account, committee report was received “ought to pass”.

On the Order to transfer the sum of \$10,000.00 from Police Roof Account to Police Stairs Account, committee report was received “ought to pass”.

On the Order to transfer the sum of \$56,826.36 from Police Roof Account to Stabilization Fund Account, committee report was received “ought to pass”.

ORDINANCES:

On the Order to authorize the Mayor pursuant to M.G.L. c.40, §4A to enter into an Intermunicipal Agreement with the Towns of Winchester and Lexington for the appointment of a Municipal Hearing Officer in accordance with M.G.L. c.148A, §2, committee report was received “ought to pass, as amended with the amendment that a communication be forwarded to the City Auditor for information to establish a revolving fund with respect to this matter.”

INFRASTRUCTURE AND PUBLIC LANDS:

On the request by the Veterans Agent for authorization to the Friends of Woburn Veterans to make improvements to the Horn Pond flag pole by Foley Beach, the restoration of the housing of the USS Maine cowl on Woburn Common and the restoration on the Dallin monument at Woodbrook Cemetery, committee report was received “to allow the Friends of Woburn Veterans to enter upon city land for action on the requested projects”.

PUBLIC SAFETY AND LICENSES:

On the petition by American Classic Limousine, Inc. for renewal of Livery Licenses for thirteen (13) livery vehicles, committee report was received “ought to pass”.

On the petition by Woburn Cab Company Inc. for renewal of Taxi Cab Licenses for twelve taxi cab vehicles, committee report was received “that the license be approved for three (3) registered taxi cab vehicles and that the applicant may reapply for additional licenses with registered taxi cab vehicles.”

NEW PETITIONS:

Petition by Check Cab of Woburn Inc., 289R Salem Street for a new Taxi Cab License for three (3) taxi cab vehicles.

Petition by Dave & Busters of Massachusetts, Inc., 2481 Manana Drive, Dallas, Texas 75220 for a special permits pursuant to the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Sections 5.1.72 and 8.3.2 to allow for its parking requirements to be met on a separate lot from the use to be served by allowing 104 parking spaces at Lot B, 275 Mishawum Road, 2. Section 5.1 Note 16 to allow for hours of operation consistent

with the hours of operation approved by the Woburn License Commission 11:00 a.m. to 1:00 a.m. seven days per week, and 3. Section 5.1 Note 22 to allow for two hundred (200) con operated, recreational, or entertainment machines, all at Lot A, 275 Mishawum Road.

COMMUNICATIONS AND REPORTS:

A communication dated May 13, 2013 was received from Joanne Collins, Director, Woburn Council on Aging along with a copy of the Director’s Report and the minutes of the Council on Aging for the month of April 2013.

A report was received from the City Auditor in response to the City Council resolution adopted May 7, 2013 requesting information related to snow plowing related costs for the last three fiscal years.

A communication dated May 9, 2013 was received from Veterans Agent Larry Guisepppe and Commander of United V0eterans Council George Poole inviting the Alderman and residents of the city to participate in the annual Memorial Day parade and ceremonies to be held on Monday, May 27, 2013.

UNFINISHED BUSINESS OF PRECEDING MEETING:

A notice of intent to move for reconsideration was filed by Alderman Drapeau on May 8, 2013 at 12:17 p.m. on the vote made on May 7, 2013 in support of the motion to deny the proposed amendment of the Woburn Zoning Ordinances by Woburn Armory LLC to amend the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. By revising Section 11.11 entitled “Affordable Housing Requirement” by adding a new Paragraph 8 to Section 11.11 as follows: “8. The City Council by majority vote, may waive the requirements of this Section 11.11 if the development includes dwelling units in a building deemed “Significant” by the Woburn Historical Commission.”, and 2. By revising Section 18.8.2 “Waivers” by adding the following language to the end of Paragraph 18.8.2 as follows: The “period” after “site” shall be deleted and the following language added: “or the renovation, rehabilitation or redevelopment of a building deemed “Significant” by the Woburn Historical Commission.”

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

RESOLVED That His Honor the Mayor or his designee provide a presentation to the City Council Committee on Liaison relative to the status, progress and operation of the CityStat program.

s/President Denaro

RESOLVED That during the month of August 2013 a representative of MassHighway appear before the City Council or an appropriate committee thereof for the purposes of providing an update concerning the I-93/I-95/128 interchange project.

s/Alderman Mercer-Bruen

Motion made and 2nd to ADJOURN.