

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN
January 12, 2009

The meeting of the Board of Selectmen was called to order at 6:30pm by Chairman Rollins with all Selectmen present. Selectman Gianino moved the Board adjourn to executive session to discuss collective bargaining. Seconded by Selectman Fay with Selectman Zenkin voting aye, Selectman Fay voting aye, Selectman Rollins voting aye, Selectman Patuto voting aye and Selectmen Gianino voting aye. The time estimated was 30 minutes. The Board stated they would reconvene in public session.

The Board reconvened in public session at 7:10pm.

Senator Donnelly was in attendance and spoke about the condition of the economy. He said he would like to come more often.

CITIZENS' TIME:

No one spoke at Citizen's Time.

370: APPROVAL: Street Opening and Trench Regulations

DPW Superintendent John Sanchez and Town Engineer Tom Hayes came before the Board requesting approval for revisions to the Town's Street Opening/Utility Connection Rules & Regulations to comply with the new law which incorporates trench permits. Selectman Fay moved to approve the Street Opening and Trench Regulations. Seconded by Selectman Gianino and unanimously voted. (5-0)

371: DISCUSSION: Sump Pump/Illicit Connection Amnesty Program

DPW Superintendent John Sanchez, Town Engineer Tom Hayes and Assistant Town Engineer Brian White came before the Board to discuss an amnesty program for residents with illicit sump pump connections. This program will encourage residents to contact the Town and be put on a list to be disconnected from the sewer system and be redirected to catch basins and man holes at no charge. The illicit pumps overload the sewer system when storm water is deposited into it.

372: APPROVAL: Snow and Ice Deficit

DPW Superintendent John Sanchez told the Board that we have had six storms this season and as of last Friday we were just about out of money. Last weekend's storm cost about \$75,000. He requested an additional \$500,000 for the deficit. This cost will include street sweeping and replacing stock at the end of the year. Selectman Patuto moved to approve \$500,000 for the Snow and Ice Deficit. Seconded by Selectman Fay and unanimously voted. (5-0)

373: APPROVAL: Disability Access Committee
Use of Handicapped Funds

Bob Hogan of the Disability Access Commission came before the Board requesting to use handicapped funds to cover the cost of Alden Security & Door Controls to fix the automatic doors at the Human Services Building. Selectman Gianino moved to approve the Disability Access Committee/Use of Handicapped Funds. Seconded by Selectman Patuto and unanimously voted. (5-0)

374: DISCUSSION: Police Department/Nuance Presentation

Representatives from Nuance Communications, Inc. came before the BOS offering to donate their professional version of the Dragon Naturally Speaking product to the Police Department. The software

allows a computer user to interact with their workstation through voice commands. There is no cost involved. They are only asking for feedback on the pilot program and to use our experience as a case study that other law enforcement agencies can reference. Selectman Zenkin said that this was very exciting. Selectman Gianino is concerned about this costing the Town addition money. Selectman Fay expressed concern about security. Selectman Zenkin moved to accept the donation. Seconded by Selectman Patuto and unanimously voted. (5-0)

375: APPOINTMENT: Complete Count Committee/Census

The Metropolitan Area Planning Council is asking us to participate in the U.S. Census count 2010. Town Clerk Jane Chew would like a Selectman to head such an effort. The BOS will discuss this and an appointment will be at a later date.

376: APPROVAL: Minutes/December 8 and 22, 2008

Selectman Fay moved to approve the Minutes of December 8, 2009. Seconded by Selectman Gianino with Selectman Rollins, Selectman Fay and Selectman Gianino voting in favor. (3-0-1)

Selectman Fay moved to approve the Minutes of December 22, 2008. Seconded by Selectman Gianino with Selectman Zenkin, Selectman Fay, Selectman Rollins and Selectman Gianino voting in favor. (4-0)

377: DISCUSSION: Revised Budget Projections for FY 2010

Town Administrator Mercier informed the BOS that the local receipts are decreasing and we are expecting a 10% decrease in State Aid. He said we show a \$1,323,612 deficit going into FY 2010. He also suspects that the third and fourth quarter payments for this FY from the State will be decreased. The Town and the School will be calling in all the unions to speak to them.

378: APPROVAL: January Warrant Articles

Article #2 Simonds Trust

Selectman Gianino moved to accept \$25,000 from the Simonds Trust. Seconded by Selectman Fay and unanimously voted. (5-0)

Article #3 Recreation Planner/Wildwood Site

This item is on hold.

Article #6 Funding for Burlington Police Patrolmen's Association Contract

They have collectively decided to move onto arbitration.

Article #8 Home Rule Petition/Fire Station Construction

Selectman Gianino moved to approve the Home Rule Petition/Fire Station Construction with an amendment to change it from Fire Station Construction to Public Safety Building Construction. Seconded by Selectman Fay and unanimously voted. (5-0)

Article #9 Collaborative Disposal Five-Year Municipal Solid Waste Contract

Selectman Fay moved to approve the Collaborative Disposal Five-Year Municipal Solid Waste Contract. Seconded by Selectman Patuto and unanimously voted. (5-0)

Article #10 Transfer of Funds/Water Treatment Facilities Chemicals

Selectman Fay moved to approve the Transfer of Funds/Water Treatment Facilities Chemicals in the amount of \$264,000. Seconded by Selectman Zenkin and unanimously voted. (5-0)

Article #11 Transfer of Funds/Ice Palace Doors and Frames

Selectman Fay moved to approve the Transfer of Funds/Ice Palace Doors and Frames in the amount of \$27,000. Seconded by Selectman Patuto and unanimously voted. (5-0)

Article #12 Purchase of Mini-Bus

Selectman Patuto moved to approve the Purchase of a Mini-Bus for the amount of \$55,000 from free cash. Seconded by Selectman Fay and unanimously voted. (5-0)

Article #13 Amend Oracle TIF Agreement

Selectman Patuto moved to Amend the Oracle TIF Agreement. Seconded by Selectman Zenkin and unanimously voted. (5-0)

Article #14 Transfer of Free Cash to Reserve Fund

Selectman Fay moved to Transfer \$100,000 from Free Cash to Reserve Fund. Seconded by Selectman Patuto and unanimously voted. (5-0)

Article #15 Transfer of Free Cash to Stabilization Fund

Selectman Zenkin moved to Transfer \$750,000 from Free Cash to the Stabilization Fund. Seconded by Selectman Patuto and unanimously voted. (5-0)

379: SUBCOMMITTEE'S REPORTS:

Selectman Fay said the DPW responded to two storms on December 31st and January 1st. DPW crews pretreated the roads with sand and salt and cleared sidewalks. The Food Pantry is in dire need for donations, they are at an all time low. He said this is the highest year we have had for donations for the Town Common tree lighting. The decorated trees around the gazebo worked out well. Former Selectman Dick Wilde is recuperating in the hospital and asked Selectman Fay to thank everyone for the cards he has received. He expects to be back home by Wednesday.

Selectman Zenkin said we received twelve responses for the Grandview Farms. There were not any responses on the South Bedford Street lot. The Hanscom Conference Center meeting was cancelled last week due to the weather and will meet on the 21st.

Selectman Patuto said the newly created Massachusetts Energy Facility City Commission will help expedite and streamline the application for alternative process.

Selectman Gianino said the Fire Department received a \$2,500 donation from Millipore that will be used for training and resources. The Fire Chief cautioned residents to stay away from what appears to be frozen ice. He asked residents to please maintain the fire hydrants and sidewalks in front of their homes. The DAC had a meeting last Tuesday and talked about increasing fees to \$200. The Francis Wyman playground grant has been cut. Improvement continues for access to the playground. Members of DAC from Winchester came for information on operations of the DAC in Burlington and the successful policing of handicapped parking. Firefighter Paul Kadilak was at the Tsongas Arena in October and noticed someone in distress. He assisted a Lexington firefighter to resuscitate a person. The Town would like to thank Firefighter Kadilak for his response in trying to help a person in distress.

380: TOWN ADMINISTRATOR'S REPORT:

T.A. Mercier received a report from the energy consultant used to bid out utility costs. The assessment of the evaluation for 2008 costs shows we are saving \$9,500 a month with our contract. We continue to receive checks on settlements. We received an addition \$4,000 from Irving Oil and Exxon is still in negotiations. He received a notice from the Police Chief that there was another compliance check and there were two failures. He will schedule those hearings for the first meeting in February. Assistant T.A. Tom Hickey said the repairs to the backup system to the elevator at the Human Services Building have been completed. The State will be in to re-inspect the elevator.

381: CHAIRMAN'S REPORT:

The meeting for the Wildwood School site is on the January 14th at the Murray-Kelley Wing. The meeting is to discuss options for the site and no vote will be taken. The new BLINE routes have been in effect for a full wee; it was fiscally responsible to make the changes. Chairman Rollins said she is pleased with the outcome of the initial bids for Grandview Farms. There is a Grandview Committee meeting tomorrow evening. The Library is moving along with the Burlington Reads program. Some of the events will be published early spring. The book is called Vegetable, Miracle. Chairman Rollins said she wants to try to pull together elected bodies to discuss combined services.

382: APPROVAL: Entertainment Permit
Lester's Roadside Bar-B-Q/376 Cambridge Street

Lester's Roadside Bar-B-Q is requesting an entertainment permit for Saturday, February 7th from 7:00pm-9:00pm and on Sunday, February 8th from 1:00pm-4:00pm. Selectman Fay moved to approve the Entertainment Permit/Lester's Roadside Bar-B-Q/376 Cambridge Street subject to the removal of the free standing signs. Seconded by Selectman Gianino and unanimously voted. (5-0)

Selectman Fay moved the Board adjourn the meeting at 8:55pm. Seconded by Selectman Patuto and unanimously voted. (5-0)

Respectfully submitted,

Laura Nichols
Recording Secretary