

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN

March 8, 2010

The meeting of the Board of Selectmen was called to order at 7:03pm by Chairman Patuto with all Selectman present.

Chairman Patuto held a moment of silence for the armed forces and for the service men and women who have made the ultimate sacrifice.

CITIZENS' TIME:

Burlington resident Gregory Smith came before the Board asking when the yard waste pick up would begin. Selectman DiTucci informed him that they are not in spring mode yet but believes it will be in the beginning of April. He also wished former Police Chief Fran Hart a happy retirement. He also said that there are still double poles in Town and asked Selectman DiTucci if he has heard anything more about them. Selectman DiTucci informed him that they are waiting for the good weather.

Town Meeting Member Pat Angelo asked who would be having discussions with Lahey Clinic. T.A. Mercier said Chairman Patuto, Selectman Gianino and himself. She asked if they could address the parking fees.

043: APPROVAL: Appointments/Personnel:
Jodie Wennemer/Conservation Assistant
Appointments/Committees:
Community Life Center
Linda Collins
Christine MacKay
Officer Kevin Doherty

Town Administrator Mercier put forth the name of Jodie Wennemer to Conservation Assistant. Selectman Gianino moved to waive the 15 day waiting period. Seconded by Selectman Rollins and unanimously voted. (5-0)

Town Administrator Mercier put forth the names of Linda Collins, Christine MacKay and Sergeant Kevin Doherty to the Community Life Center Committee. Selectman Rollins moved to waive the 15 day waiting period. Seconded by Selectman Zenkin and unanimously voted. (5-0)

044: APPROVAL: Continued Hearing/All Alcohol License/Alter of Premise
Cheng's Wok @ 184R Cambridge Street

Attorney Thomas Murphy was present representing Cheng's Wok. Attorney Murphy informed the Board that the barrier was constructed between the dining area and the lounge area as requested by the Board. The back patio will have lights and cameras installed in the near future. Selectman DiTucci requested that the Do Not Enter and Deliveries Only signage be updated behind the building to deter people from driving back there. There was some confusion about an email from the Building Department on the height of the wall from 7 feet to 4.5 feet. Selectman Rollins moved to approve the All Alcohol License/Alter of Premise/Cheng's Wok @ 184 R Cambridge Street with the 7 foot wall dividers with further clarification from the Building Department. Seconded by Selectman Zenkin and unanimously voted. (5-0)

045: DISCUSSION: Green Communities Initiative

T.A. Mercier said the Green Communities Initiative has five criteria. Burlington has met four. The fifth is the BBRS Stretch Code. Assistant T.A. Tom Hickey said he spoke with Building Inspector Clancy last week concerning stretch initiative. The current building code includes the 2003 International Energy Conservation Code;

that is what the initiative is based on. The difference between the International Energy Conservation Code currently in the book is only 20% from what is being offered under the Green Communities guidelines. The building inspector states that if we were to jump ahead we would be facing an unfair burden on builders and home owners. It would cost \$8,100 to \$10,000 more for a homeowner. Since we have energy conservation measures built in, it was felt by the Building Inspector and by the Administration that to jump ahead 20 % for the sake of two years, places an unfair burden to residential and commercial building as well. Selectman Gianino said he does not see the benefit of putting the burden on the homeowners given the economic situation. Chairman Patuto agreed and suggested we look into what other Towns around Burlington are doing.

046: VOTE: Signatory Authority/Town Administrator
FLO TV Ground License Agreement

Selectman Rollins moved to authorize the Town Administrator to sign the FLO TV Ground License Agreement on behalf of the Board for the right to use a portion of the Town's property at 27 Blanchard Road for the telecommunications purposes. Seconded by Selectman Gianino and unanimously voted. (5-0)

047: APPROVAL: Budgets:
Board of Appeals
Building
Burlington Community Life Center
Council on Aging
Department of Public Works

Selectman Gianino moved to approve the Board of Appeals budget at \$14,526 with a .52% decrease. Seconded by Selectman Zenkin and unanimously voted. (5-0)

Selectman Rollins moved to approve the Building Department budget at \$458,325 with a 2.27% increase. Seconded by Selectman DiTucci and unanimously voted. (5-0)

Selectman Zenkin moved to approve the Burlington Community Life Center budget at \$429,841 with a 1.85% increase. Seconded by Selectman DiTucci and unanimously voted. (5-0)

Selectman Rollins moved to approve the Council on Aging budget at \$242,640 with a 7.56% increase. Seconded by Selectman Zenkin and unanimously voted. (5-0)

Selectman DiTucci moved to approve the Department of Public Works budget at \$8,930,712 with a decrease of 1.09%. Seconded by Selectman Zenkin and unanimously voted. (5-0)

048: APPROVAL: Minutes
December 14, 2009 (Executive Session)
December 14, 2009 (General Session)

Selectman Zenkin moved to approve the December 14, 2009 Executive Session Minutes. Seconded by Selectman DiTucci and unanimously voted. (5-0)

Selectman Zenkin moved to approve the December 14, 2009 General Session Minutes. Seconded by Selectman DiTucci and unanimously voted. (5-0)

049: SUBCOMMITTEE REPORTS:

Selectman Rollins commended the Burlington Area Chamber of Commerce for working with the community concerning Economic Development. We are viewed as a community with many amenities and with a lot to offer. There is some work to be done if we are in fact interested in the life science programs. The Memorial School is underway. The School Building Oversight Committee met last week and authorized Dr. Conti and Craig Robinson to sign the final contracts. The Grandview Farm Advisory Meeting is this Wednesday at 7:00 in the Town Hall Annex. The 3A Subcommittee will meet at 8:30am tomorrow morning at the Town Hall. She thanked Francis Wyman for hosting Dr. Seuss Day.

Selectman Gianino will attend the DAC monthly meeting tomorrow and will discuss the Francis Wyman and Simons Park updates. He did meet this past week about the public safety building and is looking into some scenarios. He hopes to have a full report and updates by the next meeting. Selectman Gianino said he had before him this evening a request for a temporary beer and wine license for St. Malachy's for March 20th. Selectman Gianino moved to approve a temporary license on March 20th for beer and wine only and to waive the fee. Seconded by Selectman DiTucci and unanimously voted. (5-0)

Selectman DiTucci requested that when residents receive the letter in mail that the contractor for the new water meter is in your neighborhood, please respond as quickly as possible. Street cleaning and the cemetery sprucing up will be done in April. There will be a posting in the newspaper some time around the first of April for the yard waste collection dates.

Selectman Zenkin said the Sign By-law Committee met last week and approved the updated Sign By-law to present to the Planning Board for review for the May Town Meeting Warrant. The BEF is hosting a movie trivia on May 9th. The Exercise for Life road race will be held on May 23rd; for more information got to www.burlingtonedfoundation.org. The new Police Chief official swearing in will take place on Monday, May 15th at 5:00pm at the Main Town Hall; all are invited and light refreshments will be served

050: TOWN ADMINISTRATOR'S REPORT:

The Economic Development Sub-committee have been meeting and have met with the owners of the former Burlington Dodge site to discuss options. The MMA legislative breakfast was hosted here last week. The focus was very particular about health insurance. Chairman Murphy cautioned about expectations for State aid. The biotech conference was beneficial to Burlington. The good news is that Burlington was recognized as a place that has everything. The problems are the restrictions in place.

051: CHAIRMAN'S REPORT:

Concerning the MMA breakfast health insurance topic, Burlington is so far ahead with our health deductions of 70%/30%. The Burlington Senior Olympics will be held June 8th-11th. Events include basketball, bocce, tennis, bowling, golf, chess, cribbage, darts and pool. Rita Shah held a very successful Indian luncheon.

Assistant T.A. Hickey updated the Board on the advertising for bid documents for the Barn at Grandview. The plans will be available this Friday and will be available for six weeks.

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T.A. Mercier said the Mass. Appeals court ruled on Friday that Middleborough must immediately stop plowing private roads. No plowing is allowed if the Town has not adopted M.G.L. Chapter 40 Sections 6C&D. This is something that the Town has to look into.

Selectman Rollins moved the Board adjourn the meeting at 8:45pm. Seconded by Selectman DiTucci and unanimously voted. (5-0)

Respectfully submitted,

Laura Nichols

Recording Secretary