

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN
March 10, 2008

The meeting of the Board of Selectmen was called to order at 6:45pm by Chairman Fay with all Selectmen present. Selectman Rollins moved the Board adjourn to executive session to discuss litigation. Seconded by Selectman Gianino 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 15 minutes. The Board stated they would reconvene in public session.

The Board reconvened in public session at 7:06pm.

CITIZENS' TIME:

Resident Gregory Smith came before the Board of Selectmen with concerns of flooding in his neighborhood. He asked if the street sweeping contract has been secured.

153: ACCREDITATION:

Presented by Town Administrator Mercier, Chief Hart received a letter from the Massachusetts Police Accreditation Commission awarding State Accreditation to the Burlington Police Department. Chief Hart acknowledged Captain Boutwell's work as the accreditation manager. The BOS congratulated Chief Hart and Captain Boutwell.

154: APPROVAL: Curb Cut/59 Francis Wyman Road

Selectman Patuto had concerns with the clarity of the driveway measurements. He requested this item be put on hold until March 24th and the BOS agreed.

155: PUBLIC HEARING: All Alcohol License/Alter of Premise Application
L'Andana Grill/86 Cambridge Street

Selectman Gianino had attended an event at the L'Andana Grill one week ago and excused himself from this item. A public hearing was held on the All Alcohol License/Alter of Premise Application L'Andana Grill/86 Cambridge Street. There was no one opposed to the presentation. Attorney Mark Vaughn was present representing L'Andana Grill along with Patrick Sharkey and Mark Dellasandro. They came before the BOS with some minor modifications of the interior floor plan. They are requesting to relocate the coat closet which will reduce seating in the main area by 14 seats, reduce the seating in the café area by three seats, and increase seating at the food counter by four seats with an overall reduction of 17 seats. Selectman Patuto moved to close the public hearing. Seconded by Selectman Rollins with Selectman Zenkin, Selectman Fay, Selectman Patuto and Selectman Rollins voting in favor. (4-0-0) Selectman Patuto moved to approve the alterations as specified. Seconded by Selectman Rollins with

Selectman Zenkin, Selectman Patuto, Selectman Fay and Selectman Rollins voting in favor. (4-0-0)

156: PUBLIC HEARING: Grant of Location/Joint-Verizon & NSTAR
Pole Installation/Muller Road

A public hearing was held on the Grant of Location/Joint-Verizon & NSTAR/Pole Installation/Muller Road. Dan Fitzgibbon was present representing Verizon. There was no one present opposed to the presentation. Selectman Gianino asked how many double poles had been removed and during the month of February and was told there was an increase in double poles being installed. Dan Fitzgibbon said often times it is beyond Verizon's control since there are other parties involved. Selectman Fay requested a meeting with RCN, COMCAST, Verizon and NSTAR next week to discuss the issue. Selectman Gianino moved to continue the public hearing until March 24th. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

157: PUBLIC HEARING Application Transaction/All Alcohol License
CONTINUED: Change of Name & Transfer Ownership Interest
Common Victualler & Innholder Licenses
Hilton Garden Inn/5 Wheeler Road

A public hearing was continued for the Application Transaction/All Alcohol License/Change of Name & Transfer Ownership Interest/Common Victualler & Innholder Licenses/Hilton Garden Inn/5 Wheeler Road. Attorney Joseph Devlin was present representing Hilton Garden. There was no one present opposed to the presentation. Attorney Devlin stated that this is a merger and there will be no change of manager, general manager, or location. Selectman Patuto said he would like the manager to contact the Selectmen's Office for a copy of the Alcohol Rules and Regulations. Selectman Patuto moved to close the public hearing. Seconded by Selectman Zenkin and unanimously voted. (5-0-0) Selectman Patuto moved to approve the Application Transaction/All Alcohol License/Change of Name & Transfer Ownership Interest/Common Victualler & Innholder Licenses/Hilton Garden Inn/5 Wheeler Road. Seconded by Selectman Zenkin and unanimously voted. (5-0-0)

158: APPROVAL: Common Victualler License
The Pizza Works/222 Cambridge Street

Kenneth Agahigian came before the BOS. He is in the process of filing the appropriate applications for the purchase of The Pizza Works. Selectman Gianino moved to approve the Common Victualler License/The Pizza Works/222 Cambridge Street. Seconded by Selectman Zenkin with Selectman Fay, Selectman Patuto, Selectman Gianino, and Selectman Zenkin voting in favor. (4-0-0)

159: APPROVAL: DPW/Allied Waste/Contract for Services

T.A. Mercier and DPW Superintendent Sanchez presented to the BOS an initiative to engage the Town of Burlington into a collaborative effort with three neighboring communities a trash collection and disposal contract. Both Sanchez and Mercier recommend the BOS support and sponsor a warrant article for the May 2008 Town Meeting seeking approval from the Town Meeting to enter into a five year contractual agreement with our vendor. The savings shall be used to offer additional yard waste pick up and holiday pick up as well as additional recycling services. Selectman Rollins moved to approve the DPW/Allied Waste/Contract for Services. Seconded by Selectman Gianino and unanimously voted. (5-0-0)

160: APPROVAL: DPW/Snow and Ice (deficit expenditures)

Selectman Rollins moved to approve an additional \$300,000 for snow and ice operations for the remaining of the season. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

161: DISCUSSION: American Cancer Society/Relay for Life of Burlington High School Athletic Field

Marge McDonald came before the BOS to discuss the Relay for Life to be held at the Burlington High School track on June 13 and June 14. It is an overnight community event in which teams of 8 to 15 people take turns walking around the track for 12 to 24 hours. Funds raised benefit the Society's programs of research, education, advocacy, and patient services.

162: DISCUSSION: Trade Center Park/200 West Cummings Park, Woburn

The BOS discussed traffic improvements and concerns on Winn and Beacon Streets. The MEPA process did not show a significant need for improvements at Winn and Beacon Streets; even though Cummings Properties is willing to fund the improvements. The BOS stated they will continue to work on this.

163: APPROVAL: BCAT Contract

Assistant T.A. Hickey reviewed the terms and conditions for a five year contract between the Town and BCAT. Selectman Patuto moved to approve the BCAT Contract. Seconded by Selectman Rollins and unanimously voted. (5-0-0)

164: APPROVAL: Budgets:
 Burlington Community Life Center
 Conservation
 Central Administration
 Police

Selectman Rollins moved to approve the Burlington Community Life Center budget at \$401,619 with a 0.69% increase. Seconded by Selectman Zenkin and unanimously voted. (5-0-0)

Selectman Gianino moved to approve the Conservation Budget at \$179,251 with a 2.34% increase. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

Selectman Gianino moved to approve the Central Administration budget at \$10,985,886 with a 2.73% increase. Seconded by Selectman Rollins and unanimously voted. (5-0-0)

Selectman Gianino moved to approve the Police Department budget at \$6,212,318 with a 3% increase. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

165: SUB-COMMITTEES' REPORTS:

Presented by Selectman Patuto, Senator Marzilli will come to the COA to speak with the seniors about their concerns. On April 15th, the COA will feature a one man show starring Richard Clark. Fuel assistance is still available. The BOH rabies clinic is scheduled for March 29th from 8am-12pm at the DPW Garage on Meadow Road.

Presented by Selectman Rollins, the BLINE Committee is continually meeting with the Government Affairs. The Chamber of Commerce Planning Committee is working on a Taste of Burlington for September at the BHS. There are 15 restaurants participating so far.

Presented by Selectman Zenkin, the tower truck should be delivered to Burlington next week. Fire Captain Nolan is retiring and the Department will be calling for the list. The Easter Egg Hunt on the Common is scheduled for March 20th. He requested a sub-committee be formed on wind power.

Presented by Selectman Gianino, he attended Francis Wyman Elementary School and read to the students. He thanked the principal and staff. Governor Patrick visited FWES.

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166: TOWN ADMINISTRATOR'S REPORT:

The Alma Road and Ray Ave projects are moving ahead. TA Mercier is trying to schedule a meeting at the Murray-Kelly for April 17th pertaining to the Wildwood School with our engineering firm in attendance. The ballot question is at the printer. TA Mercier and Human Resources Director Joanne Faust will be attending a labor relations meeting in Boston tomorrow. Mt. Hope wants to do test pit borings in the back of the school.

167: CHAIRMAN'S REPORT:

None

168: OLD BUSINESS/NEW BUSINESS:

Selectman Gianino welcomed Mr. Conti, the new Superintendent of Schools. He also congratulated and thanked the School Committee and HR Director Joanne Faust.

Selectman Rollins moved the Board adjourn the meeting at 9:20pm. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

Respectfully submitted,

Laura Nichols
Recording Secretary