

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN  
APRIL 9, 2007

The meeting of the Board of Selectmen was called to order at 7:08pm by Chairman Gianino with all Selectmen present.

CITIZENS TIME:

Chief Hart presented Selectman McKelvey with an Award of Excellence plaque and a Chief's challenge coin. He thanked Selectman McKelvey for his great support of the Police Department during his years as Selectman.

State Representative Charlie Murphy thanked Selectman McKelvey for his nine years of service and dedication. He presented Selectman McKelvey with commendations from the State House and the Senate.

077. APPROVAL: Alcohol License/Change of Manager  
Legal Sea Foods, Burlington Mall

Selectman Fay moved to approve the Alcohol License/Change of Manager. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

078. APPROVAL: Statement of Support for the National Guard and Reserve

Selectman McKelvey moved to approve the Employer Statement of Support for the National Guard and Reserve employees of the Town. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

079: APPROVAL: Use of Handicapped Parking Funds  
Disability Access Committee

This item has been withdrawn.

080: APPROVAL: Parade Permit/4<sup>th</sup> of July

Selectman Patuto moved to approve the Parade Permit/4<sup>th</sup> of July and reinstate the July 4<sup>th</sup> parade. Seconded by Selectman Rollins with Selectman Patuto, Selectman Gianino, and Selectman Fay voting in favor and Selectman McKelvey abstaining. (4-0-1)

081: DISCUSSION: Drug and Alcohol Awareness Week

Selectman McKelvey read the Town of Burlington Proclamation of the Drug and Alcohol Awareness week. Charlie Franich has been gathering with a coalition of leaders in the

Boston area that meet quarterly. They have been very curious of what Burlington does and how many segments of the community have taken the effort seriously, especially the development of the Alcohol Rules and Regulations. He is grateful to the Selectman for being so proactive on this issue. There was a parent's education forum on March 7<sup>th</sup> about gateway drugs. The 4<sup>th</sup> annual alcohol free weekend will kick off on May 4<sup>th</sup> with pizza, celebration and music. Mr. Franich especially thanked Selectman McKelvey for the excellent leadership he provided on this.

082: APPROVAL: Request for Proposal/Consultant/Town Operations

The Board of Selectman discussed the need for an outside consultant to evaluate the current delivery of services the community provides. The BOS would like to form a task force, which will include members of other Boards and residents, before moving forward.

Selectman Fay moved to postpone the Request for Proposal/Consultant/Town Operations from the May Warrant. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

083: APPROVAL: Perpetual Care for Cemetery

Selectman Fay moved to approve the transfer of \$15,000 from the Perpetual Care account to the Cemetery Part-time account. Seconded by Selectman Rollins and unanimously voted. (5-0-0)

084: DISCUSSION: Financial Discussion/FY08

Presented by Town Administrator Mercier, the local receipts figure has increased \$400,000 with the proposed water and sewer rate increase. The Chapter 70 figure has increased. The Shawsheen allocation was reduced so the assessment for the Town has increased. After the changes are made, there is a deficit of \$827,000 going into FY08. This figure does not include the School Committee approved budget. The special warrant articles are a real problem. The Town is not committing enough resources for the infrastructure of this community. The health insurance increased 8.6%. The Shawsheen assessment, Fica, BLine, SPED, and rubbish have all increased. There is a need to increase recycling. Town Meeting member John Cormier, Precinct 6 expressed his concern on the cost of health insurance. He believes the health care costs and property tax should be looked at on an annual basis.

085: APPROVAL: Special Education Agreement

Katie Spinos, Cath Estep, Craig Robinson, and Christine Monaco requested to include the Integrated Pre-School into the Accommodated Account. They see an education

advantage over time and will have more flexibility. They believe it will slow down the rate of increase and they will have better control of the program.

Town Meeting Member Shari Ellis, Precinct 3, does not see a significant savings. She is concerned about maintaining the same level of service. Tuitions have already had a substantial increase of 25%. She believes this is not the time to do this and it needs to be looked into more.

Selectman Patuto moved to move the Integrated Pre-School to the Accommodated Account for a three year period. Seconded by Selectman McKelvey and unanimously voted.  
(5-0-0)

086: APPROVAL: Budget Review  
COA  
Accommodated Line Items

Selectman Fay moved to approve the COA budget at \$190,905. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

Selectman Patuto moved to approve the Middlesex Retirement Assessment at \$5,311,677. Seconded by Selectman McKelvey and unanimously voted. (5-0-0)

Selectman Rollins moved to approve the Debt Obligation for \$2,786,364 in principal and \$1,352,000 in interest for FY 08. Seconded by Selectman Patuto and unanimously voted.  
(5-0-0)

087: Preliminary Discussion: May Town Meeting Article Review

Presented by Town Administrator Mercier there are requests for over \$3,000,000 in warrant articles. Mercier suggested he and BOS get together prior to the next meeting to narrow down the list.

088: APPROVAL: Minutes (03/26/07)

Selectman Patuto moved to approve the Executive Session Minutes of March 26, 2007. Seconded by Selectman McKelvey and unanimously voted. (5-0-0)

Selectman Patuto moved to approve the Minutes of March 26, 2007. Seconded by Selectman McKelvey and unanimously voted. (5-0-0)

089: SUB-COMMITTEES' REPORTS:

Selectman Rollins had met with the BLine this past Thursday morning and they are continuing to work on the routes to make them more effective. Please be patient and call the BLine office if you do not see a bus. The 3A subcommittee is meeting and is discussing issues and sign regulations within the Town center.

Selectman Patuto said the COA Council meeting had met on Monday at 10:00am. They are moving forward with hiring a part-time clerk and the installation of tracking software at the senior center. The Cable Access Committee is meeting with Comcast on Wednesday. The Alcohol Rules and Regulation meeting is also on Wednesday. Selectman Patuto thanked Selectman McKelvey for his efforts and learning experience.

Selectman McKelvey noted the Drug and Alcohol Awareness Week Kickoff is on May 4<sup>th</sup>. He also noted the newest trendy drink called Spykes that is hitting the market and comes in 2 oz. bottles. The Marion Tavern meeting was held on Tuesday. SEA Consultants will look at the specs and look at phase 1 of the program and get back to the Town in early May. The concentration is on the main house, not the barn. They are focused on what the Town can do with the \$800,000 on hand for the Tavern. The project is still in process and he hopes that the Tavern will be something everyone will enjoy.

Selectman Fay reported the leaf and yard waste collection begins the week of April 23<sup>rd</sup> and runs through May 25<sup>th</sup>. The winter storm dropped 2/12 inches of wet snow; private contractors were not called in. The Town met with Metcalf and Eddy and representatives from Woburn about issues that some neighbors had. Most of the issues have been taken care of.

090: TOWN ADMINISTRATOR'S REPORT:

Town Administrator Mercier thanked Selectman Fay for his help in working with Woburn on the neighborhood issues stemming from the Mill Pond renovation. There may be a tentative agreement with the BMEA union. There are many drainage issues in Town and money may have to be dedicated to take care of them.

091: CHAIRMAN'S REPORT:

The BOS completed the Town Administrator's review and look forward to a continued contract with the Town. The new contract term is from July 1, 2007 through June 30, 2011. Town Administrator Mercier said he has a passion for this job and for this Town and he couldn't be happier. Chairman Gianino congratulated BHS for their production of Les Miserables.

Board of Selectmen  
April 9, 2007  
Page 5

Selectman Patuto moved to approve the Town Administrator's new contract. Seconded by Selectman McKelvey and unanimously voted. (5-0-0)

This being Selectman McKelvey's last Selectman's meeting, the BOS presented him with a picture of the BOS, Town Hall, and Marion Tavern. They also presented a wooden desk chair engraved with the Town of Burlington seal. The BOS all thanked him for his years of dedication and professionalism.

Selectman McKelvey thanked the residents for electing him three times and said it has been an honor. He said he has enjoyed working with the BOS, Department Heads, Town employees, and Bob Mercier, who is one of the best Town Administrators around. He plans to remain involved in the community and Town Government. He said it has been a privilege to be a member of this team.

092: OLD BUSINESS/NEW BUSINESS:

Selectman McKelvey requested an update on the NSTAR outages. Town Administrator Mercier said each incident is handled on an individual basis. NSTAR has a Website with phone numbers listed for problems. The Selectmen's Office has the numbers also.

Selectman McKelvey moved the Board adjourn the meeting at 9:45pm. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

Respectfully submitted,

Laura Nichols  
Recording Secretary