

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN
June 8, 2009

The meeting of the Board of Selectmen was called to order at 7:00pm by Vice Chairman Zenkin with Selectman Rollins, Selectman Gianino, Selectman DiTucci and Selectman Zenkin present. Chairman Patuto was not in attendance.

Vice Chairman Zenkin invited Sophie Zenkin, Emma Richard, and Mackenzie Fine to lead the Selectmen in the Pledge of Allegiance. He also held a moment of silence for the Armed Forces.

480: CITIZENS' TIME:

Burlington resident Greg Smith came before the Board asking if the street sweeping program has been completed. He also inquired about the DPW garage relocation. Dan Dunn asked for the full support of the Board to adopt a soliciting by law. Bob Roberto requested the Board have more dialogue on the landlocked parcel and to keep the public up to date. Selectman Rollins agreed that more dialogue is needed and suggested it be an agenda item. Tom Killilea, Joan Hastings, Andy Valente and Christine Warren also spoke for and against the sale/development of the landlocked parcel. Selectman Gianino said the BOS is the guardian of the property. The landlocked parcel is not valued in full as long as there is an option on it. The commercial sector is getting tired. The Town is turning backs on other developers who need to redevelop. To say NEEP has to be filled before more development is constructed is wrong. He suggested a summit with the Planning Board to discuss a plan for Burlington for 2010.

Pat Angelo asked if the Board had voted on the resolution on insurance for elected officials. T.A. Mercier said Chairman Patuto will put it on the agenda for a future meeting.

481: APPROVAL: Disability Access Committee
Use of Handicapped Funds

Selectman Gianino moved to approve \$1,920.00 from the Disability Access Committee/Use of Handicapped Funds for handicapped access to the bleachers at the Ice Palace. Seconded by Selectman Rollins and unanimously voted. (4-0)

482: PUBLIC HEARING: Grant of Location/Verizon and NSTAR
Fairfax Street

A public hearing was held on the Grant of Location/Verizon and NSTAR/Fairfax Street to install a new pole, placement of an anchor guy to straighten a pole, and raise overhead cables. A representative of Verizon was present. There was no one opposed to the presentation. Selectman Rollins moved to close the public hearing. Seconded by Selectman Gianino and unanimously voted. (4-0) Selectman Rollins moved to approve the Grant of Location/Verizon and NSTAR/Fairfax Street. Seconded by Selectman Gianino and unanimously voted. (4-0)

483: DISCUSSION: FY2009 Audit Report/Powers and Sullivan

Dick Sullivan of our auditing firm Powers and Sullivan came before the BOS. He said expenses came in as expected because of prudent budgeting. We have low debt services and we are 5-6 points below what financial people in municipal finance think is a really good level of debt service. Debt services are related to asset base. Raising debt will help meet the needs of infrastructure. There were no serious matters as far as internal control or financial reporting.

The Management Letter stated there were nine comments that have either been resolved or are in the process. There are three new comments, better controls over the vendor account reconciliation, the month end closing schedule and reconciliation of receivables. There was nothing in the letter of significant risk. They suggest the Treasurers office adopt the recommendations from the Management Letter.

484: DISCUSSION: FY 2010 State Aid

Town Administrator Mercier updated the Board on the FY 2010 State Aid and where he thinks we are headed. The budget is balanced by using some reserves, making some concessions and adjusting some significant budget items. The House version and the final Senate version both result in less State Aid than anticipated. It is 10% less than last year. He presented an MMA analysis detailing the last version of the Senate budget that dramatically alters local aid to communities in Additional Assistance, Lottery and Quinn Bill reimbursement. He also spoke about the CIP factor, the adoption of meals/hotel taxes, and maintaining level service. Selectman Rollins suggested putting this on the agenda and discuss it line by line to keep residents informed on the projections of aid assessments and the CIP factor. Selectman DiTucci said we need to see if residents want to pay user fees instead of higher taxes. T.A. Mercier said we may look further into consolidating services. Selectman Gianino said we are falling behind because we don't have diversity in our commercial stock. We have lost business to Bedford, Billerica and Woburn. We are not the premier office area anymore. Selectman Zenkin disagrees. Selectman Rollins said other towns around us have caught onto how we do business and are benefiting from it.

485: APPROVAL: Sewer Allocation/Riemer and Braunstein
Not Your Average Joe's/2 Wayside Commons

Attorney Mark Vaughn was present representing Not Your Average Joe's. The request is for a sewer allocation of \$14,962.50, for a previously approved alter of premise, and for a 38 seat expansion of a patio dining area. Selectman Gianino moved to approve \$14,962.50 for Sewer Allocation/Riemer and Braunstein/Not Your Average Joe's/2 Wayside Commons. Seconded by Selectman DiTucci and unanimously voted. (4-0)

486: APPROVAL: Sewer Allocation/Santullo
114 Cambridge Street

Anthony and Michael Santullo were present before the Board requesting a sewer allocation for \$14,850 for the town houses to be built at 114 Cambridge Street. Selectman Rollins moved to approve \$14,850 for Sewer Allocation/Santullo/114 Cambridge Street. Seconded Selectman DiTucci and unanimously voted. (4-0)

487: APPROVAL: Street Opening Permit/J&J Construction Services Corp.
Sandybrook Road

Michael DeVincent of J&J Construction Services, Corp. was present requesting a street opening permit for a five bedroom addition at 3 Sandybrook Road. Selectman DiTucci moved to approve the Street Opening Permit/J&J Construction Services Corp./Sandybrook Road. Seconded by Selectman Rollins and unanimously voted. (4-0)

488: APPROVAL: Curbcut/250 Middlesex Turnpike

Rocky Arsenault of 250 Middlesex Turnpike came before the Board requesting a curbcut to relocate his driveway from the intersection of Bedford Street and Middlesex Turnpike to a safe location on Middlesex Turnpike. The old garage will be torn down and a new one constructed along Middlesex Turnpike. Selectman Gianino moved to approve the Curbcut/250 Middlesex Turnpike. Seconded by Selectman DiTucci and unanimously voted. (4-0)

489: APPROVAL: Second Parish Minutemen/July 4th Parade
Town Common

Captain Bill Hitchcock came before the Board requesting permission to set up his camping equipment on the Town Common on July 3rd and stay overnight with his gear. He wants to set up ahead of time to encourage membership. Selectman Gianino suggested setting up on the Town Common and sleeping on the Meadow next to Grandview Farm. Selectman Rollins said it would be setting a precedent to allow him to sleep on the common. She suggested he reach out to the Rotary for help setting up. Selectman Gianino suggested he scale down his display. Selectman Rollins moved the request to the June 22nd BOS meeting. Seconded by Selectman DiTucci and unanimously voted. (4-0)

490: APPROVAL: Block Party/Greenwood Road

Selectman Gianino moved to approve the Block Party/Greenwood Road on Saturday, September 12th rain date Sunday, September 13th. Seconded by Selectman Rollins and unanimously voted. (4-0)

491: APPROVAL: AMC Movie Presentation/Midnight Showtime

General Manager Tricia MacDonald came before the BOS to request midnight showings on Tuesday, June 23rd and July 14th for Transformers and Harry Potter. She has contacted Officer James Tigges for a detail officer. Selectman Rollins moved to approve AMC Movie Presentation/Midnight Showtime on Tuesday, June 23rd and July 14th. Seconded by Selectman Gianino and unanimously voted. (4-0)

492: DISCUSSION: Police/Fire Chief Replacement Time Line

Town Administrator Mercier said he will work with the sub-committee representatives of the Board and the HR Director as he goes through the process to find the best candidates for the Town of Burlington. The HR Director is currently working to develop a comprehensive advertisement and the expected professional criteria for each position, with the goal of submitting this document for advertising in the Mass Municipal Association Beacon by July 3rd for publication in the combined July/august edition of this publication. The Administration is preparing an RFP for a professional assessment organization to assist in the evaluations of the final candidates and submit this document to the MMA for advertising in the July/August edition. The Administration and HR Director will prepare a notice for direct solicitation to the various professional associations within both Police and Fire Departments locally and nationally in August and September. The Administration will be seeking responses for the Police Chief's position by September 30, 2009 and October 30, 2009 for the Fire Chief. There will be 5-8 semi finalists. They will be submitted to the assessment team. It is the hope of the Administration to select a candidate for appointment to the Police Chief by January 2010 and Fire Chief April/May 2010. The finalists will be made public.

493: APPROVAL: MAPC/NW Multi-Hazard Mitigation Plan

Selectman Rollins moved to vote to formally adopt the Metro Boston Hazard Mitigation Plan, Annex for the Town of Burlington and to authorize the Town Administrator to send a letter to the MAPC acknowledging the action. Seconded by Selectman DiTucci and unanimously voted. (4-0)

494: No Agenda Item for 494

495: MINUTES:
April 13, 2009
April 27, 2009
May 11, 2009

Selectman Rollins moved to approve the Minutes of April 13, 2009. Seconded by Selectman DiTucci and unanimously voted. (4-0)

Selectman Rollins moved to approve the Minutes of April 27, 2009. Seconded by Selectman Gianino and unanimously voted. (4-0)

Selectman Rollins moved to approve the Minutes of May, 11, 2009. Seconded by Selectman DiTucci with Selectman Zenkin, Selectman Rollins and Selectman DiTucci voting in favor and Selectman Gianino abstaining. (3-0-1)

496: Subcommittee Reports

Presented by Selectman DiTucci the automatic trash container delivery will begin midweek. Rain barrels are available for \$62.00 by calling 1-877-977-3135. Street line painting begins the week of June 8th. There were two water main breaks on Paul and Long Streets. The paving by Keating, street sweeping and hydrant flushing are ongoing. The yard waste collection has been completed for the season.

Presented by Selectman Gianino the DAC will meet tomorrow. There was a meeting regarding the RFP for the safety complex last week. There is \$210,000,000 available for fire station construction grants. Last week the Fire Department joined in Mass Decontamination with Lahey Clinic for the Departments ability to decontaminate people before they enter the emergency room. They will begin interviewing candidates to fill the vacancy of Donald MacDonald. They will be candidates that have been laid off from other communities. Congratulations to the Class of 2009.

Presented by Selectman Rollins, the committee for the all night party did a great job. The Economic Development subcommittee met last week. The Memorial School committee met with the oversight committee a couple of weeks ago. Dr. Conti's blog, via the school website, shows the colors that were picked out for Memorial School. The next meeting is on June 18th. The 8th graders that came before us to do a walk-a-thon raised an excess of \$7,000 last weekend. Between that and the money raised from the lollipops they are pushing \$10,000. BLINE awarded the contract to a new company, M & L Transit, beginning July 1st. Grandview Farm is well on its way. The Grandview Farm Committee is continuing the brick program.

497: Town Administrator's Report

T.A. Mercier received notice from Marge McDonald that the COA van is being delivered next week. There is a resignation on the Library Board of Trustees. There will be a vote for a new trustee on June 22nd. There have been conference calls with our legal, Bedford's legal, DPW Superintendents and Mitre's legal. We are still scheduled to get funding for the Mitre Link. The advertising date is August 1st. The tenants of the Carpenter house are looking into extending their lease.

Assistant T.A. Hickey said the Grandview Farm is half complete. The deconstruction is 100% complete. They found a tremendous amount of decay and rot. It should be completed by the middle of August. The Expenditures for Phase I is expected to be around \$1 million dollars and is well within the estimates we had.

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498: Chairman's Report

The summer meeting schedule will be June 22nd, July 12th and August 18th. Project Bread Walk for Hunger had over 44,000 walkers and raised \$3.8 million dollars. Ruthann Covino is resigning from the COA Board but will continue to volunteer for Shine on Tuesdays. The first annual Rotary Road Race to benefit Minuteman Senior Services Meals on Wheels will be held on June 14th with an 8:00am check in and 9:00am start.

Selectman Rollins moved the Board adjourn the meeting at 9:55pm. Seconded by Selectman Gianino and unanimously voted. (4-0)

Respectfully submitted,

Laura Nichols
Recording Secretary