

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN
June 22, 2009

The meeting of the Board of Selectmen was called to order at 6:45pm by Chairman Patuto with all Selectmen present. Selectman DiTucci moved the Board adjourn to executive session to discuss contract negotiations, grievance and arbitration matters. Seconded by Selectman Rollins with Selectman Zenkin voting aye, Selectman DiTucci voting aye, Selectman Rollins voting aye, Selectman Patuto voting aye and Selectman Gianino voting aye. The time estimated was forty five minutes. The Board stated they would reconvene in public session.

The Board reconvened in public session at 7:05pm.

Resident Gregory Smith inquired about the gas line on Francis Wyman Road. T.A. Mercier informed him it has been completed. Mr. Smith informed the Board that there are pieces of asphalt that have been left behind. He also informed them about the street light outage on Network Drive and unfinished details from the Route 3 project.

Planning Board member Paul Raymond said he did not agree with a comment made by Selectman Gianino at last week's meeting about the commercial real estate in Town is tired, developers we have turned our backs on and Burlington not being business friendly. He said the Planning Board tries to treat every one fairly and make the process move as quickly as possible; In this economy they do not turn anyone away. He would like to continue this discussion at another time. Selectman Gianino said he will stand by what he said and it is his opinion.

502: APPOINTMENT: Firefighter Appointment

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

503: JOINT APPOINTMENT: Library Board of Trustees

Chair of the Library Board of Trustees Eileen Sickler put for the name of Robert Thys to the Library Board of Trustees with Ellen Ferguson voting aye, Steve Wasserman Voting aye and Eileen Sickler voting aye. Selectman Zenkin moved to appoint Robert Thys to the Board. Seconded by Selectman Gianino and unanimously voted. (5-0)

504: APPOINTMENT: Sign Bylaw Committee
Disability Access Committee
Route 3A Subcommittee
Route 3 Corridor Committee

T. A. Mericer put forth the name of Ruth Ann Covino as a new member to the Disability Access Committee and to reappoint the current members. Selectman Gianino moved to waive the 15 day waiting period. Seconded by Selectman Zenkin and unanimously voted. (5-0)

T.A. Mercier put forth the names of Tony Fields, Jayne Hyde, Joseph Impemba, John Clancy, and John Sullivan to the Sign Bylaw Committee. Selectman Zenkin moved to waive the 15 day waiting period. Seconded by Selectman Rollins and unanimously voted. (5-0)

T.A. Mercier put forth the names of the Route 3A Committee. Selectman Rollins moved to waive the 15 day waiting period for the Route 3A Committee. Seconded by Selectman Zenkin and unanimously voted. (5-0)

T.A. Mercier put forth the names of the Route 3 Corridor Committee. Selectman Rollins moved to waive the 15 day waiting period for the Route 3 Corridor Committee. Seconded by Selectman Zenkin and unanimously voted. (5-0)

505: APPROVAL: End of Fiscal Year 2009 Transfers

Town Accountant Paul Sagarino, Jr. respectfully requested that the Board of Selectmen vote to authorize year end transfers of appropriations as per MGL Chapter 44 Section 33B. This law allows us to transfer unexpended funds from one appropriation to another to alleviate shortfalls or deficits in another appropriation. These transfers do not represent any additional spending but rather a reallocation of unspent funds. Selectman Gianino moved to approve the End of Fiscal Year 2009 Transfers. Seconded by Selectman Zenkin and unanimously voted. (5-0)

506: PUBLIC HEARING: Grant of Location/Verizon
Pole Anchor and Conduit/Blanchard Road

A public hearing was held on the Grant of Location/Verizon/Pole Anchor and Conduit/Blanchard Road. Paul DeBole was present representing Verizon who is requesting to place three underground conduits for the purpose of providing service to #'s 76, 68, and 80 and requests permission to place, lay and maintain a new Pole Anchor. There was no one present opposed to the public hearing. Selectman Rollins moved to close the public hearing. Seconded by Selectman Zenkin and unanimously voted. (5-0) Selectman Zenkin moved to approve the Grant of Location/Verizon/Pole Anchor and Conduit/Blanchard Road. Seconded by Selectman DiTucci and unanimously voted. (5-0)

507: DISCUSSION: Insurance Services Organization/Fire Department

Fire Chief Lee Callahan came before the Board to discuss the ISO Fire Protection Rating. It is a rating service insurance companies use for fire suppression capabilities of the Town based on water flow by

the DPW and Fire Departments. In 2008 Burlington came out with a Class 4 rating which put us in the top 15%. After analyzing the data that the ISO used in 2008 the BFD staff believed that we could qualify for a lower rating based on the incomplete or inaccurate records that ISO used. After a complete re-evaluation by ISO during the winter and spring of 2009, ISO has given Burlington a Class 3 which puts us in the top 5%.

508: DISCUSSION: Friends of the Pantry Fundraiser

Janet Fitzgerald and members of the Friends came before the Board requesting permission to have a fundraising walk from St. Malachy's Church to the Town Common and a cook out on the Town Common on Saturday August 30th to benefit a fundraiser for People Helping People. Selectman Zenkin moved to approve the Friends of the Pantry Fundraiser. Seconded by Selectman DiTucci and unanimously voted. (5-0)

509: DISCUSSION: Town Meeting Health Insurance Resolution

Pat Angelo, Gene Rossi, John Cormier and Paul Valleli came before the Board to discuss the Resolution. Town Administrator Mercier said that Town Counsel said the Board cannot act on this resolution as written. Paul Valleli said he supports modifications to the Resolution. He said we should take it on an annual basis for the next few years. Selectman Gianino suggested to offer elected officials insurance after six years of service.

510: APPROVAL: Common Victuallar License
Grill @ Oasis/Middlesex Turnpike

Hany Bandar was present representing Oasis. Selectman Gianino moved to approve the Common Victuallar License. Seconded by Selectman Zenkin and unanimously voted. (5-0)

511: APPROVAL: 5k/2k Fun Run/Walk
BAE Systems/New England Executive Park

Selectman Zenkin moved to approve the 5k/2k Fun Run/Walk/BAE Systems/New England Executive Park. Seconded by Selectman DiTucci with Selectman Rollins, Selectman Patuto, Selectman Zenkin and Selectman DiTucci voting in favor. (4-0)

512: DISCUSSION: Recreation Commission/Wildwood/Park Land
Acquisitions and Renovation for Community
Grant Program (PARC)

Christine Brown, Don Lorinovich, Paul Raymond and Jack Ferren came before the Board. They plan on Phase I – baseball/softball fields at Wildwood by next spring. They pulled their warrant article

in May because of the financial burden on the town. They would like to apply for the PARC grant. The PARC grant is a reimbursement grant and is due by July 15th. The community and regional grants are based on daytime population that must be 35,000. They believe the daytime population exceeds that. Selectman Zenkin said he is glad they are moving forward. Selectman Rollins is concerned about the daytime population numbers. John Cormier said that the BOS should engage in discussion on perpetuity of the land. Selectman Gianino moved to approve to place a temporary field at Wildwood. Seconded by Selectman Zenkin and unanimously voted. (5-0)

Ernie Zabalotny said the grant requires Ralph Patuto's signature. Charley Murphy and Ken Donnolly are providing a letter of support and the Board should also sign a letter. He said we need a warrant article on the perpetuity and money issue for the January Town Meeting. T.A. Mercier said the Mitre field reconstruction will probably cost around \$750,000 and it is part of our obligation in the signed MOU. He wants to advertise early spring/late fall for the construction. Selectman DiTucci said we will be losing fields at Memorial and this project needs to get started as soon as possible.

513: Subcommittee Reports

Selectman Gianino did not have a subcommittee report this evening.

Presented by Selectman Rollins on behalf of the Burlington Historical Commission the fall fair will be held on September 26th. Phase I of the Grandview Farm will be completed in September. Recycling will be weekly beginning with the new trash service. The BLINE is switching to a new company. They are working on a new look. The Traffic Oversight Committee needs to meet because of the increased traffic with a larger Memorial school and how to tie in Winn and Center Streets.

Presented by Selectman Zenkin, former Board of Health Employee Jane Richard passed away over the weekend. There are four finalists for the flag contest. Grandview Farm is coming along nicely. The windows will be installed shortly. Phase 2 will begin in September. Dare Day was fantastic. The 5k road race for Meals on Wheels was a success. T.A. Mercier, Assistant T.A. Hickey and Selectman Zenkin are meeting with alternative energy consultants and are looking at six buildings in the community to see what they can do. The land locked parcel held two programs through the Recreation Department, BHS held a \$800 fundraiser, a play was performed there and four girl scout troops went hiking there in June.

Presented by Selectman DiTucci the new trash barrels will be ready to use on July 2nd. Recycling will be every week. Over the summer P.J. Keating will be doing road work. There will not be any traffic interruptions. He spoke with Todd Smith of NEEP and they are aggressively trying to keep tenants.

514: Town Administrator's Report

Senator Donnelly testified on our behalf on the Home Rule Petition. Tomorrow at 11:00am Brian Curtin, Paul Sagarino, Jr., Tom Hickey, Russ Washburn and T.A. Mercier will be meeting with Standard and Poors on a bond issue that will be going out. We are AA+ and he believes we will maintain it. The Conference Committee budget that was reported last Friday provides us with less state aid than we built into the FY 2010 budget. They have provided the local option for .75% meals tax and additional 2% on hotel/motel tax. The preliminary analysis shows the meals tax can generate \$500,000 and the hotel/motel tax another \$500,000. They closed the telecom loop hole which can generate \$325,000 for Burlington. Chapter 70 funds have been reduced and the Quinn Bill has been seriously cut. He is evaluating what this means to the employees and what action should be taken. The Police Contract states that the Town is not responsible for the State share. The next meeting is scheduled for July 20th.

515: Chairman's Report

On behalf of the BOS he thanked Jack Gulde and Ruthann Covino for serving on the COA. Ruthann will continue volunteering for SHINE. The new COA van has been delivered. The parking lot is being prepared for paving on June 24th. Chairman Patuto wished everyone a Happy Fourth of July!

Selectman Gianino moved to adjourn the meeting at 9:50pm. Seconded by Selectman Rollins and unanimously voted. (5-0)

Respectfully submitted,

Laura Nichols
Recording Secretary