

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN
OCTOBER 1, 2007

The meeting of the Board of Selectmen was called to order at 7:00pm by Chairman Fay with all Selectmen present.

203: APPROVAL: Common Victualler License
Corporate Chefs, Inc./1 Van de Graaff Dr.

District Manager Greg Coy was present representing Corporate Chefs, Inc. Selectman Rollins moved to approve the Common Victualler License for Corporate Chefs, Inc., 1 Van de Graaff Drive. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

204: PUBLIC HEARING: Fuel Storage License
(Continued) Mobil Mart//173 Cambridge Street

A public hearing was held on Fuel Storage at the Mobil Mart, 173 Cambridge Street. Anthony Guba was present representing Exxon. The public hearing was continued pending approvals from the Planning Board and Conservation Committee. Both were favorable. There was no one present opposed to the presentation. Selectman Rollins moved to close the public hearing. Seconded by Selectman Patuto and unanimously voted. (5-0-0) Selectman Rollins moved to approve a 40,000 gallon fuel storage tank at Mobil Mart, 173 Cambridge Street. Seconded by Selectman Zenkin and unanimously voted. (5-0-0)

205: PUBLIC HEARING: Violation of Alcohol Rules and Regulations
The Fish House/Cambridge Street

A public hearing was held on the Violation of Alcohol Rules and Regulations for The Fish House, Cambridge Street. Officer Kevin Cooney was present representing the Burlington Police Department. On August 16, 2007 the BPD conducted a compliance check and The Fish House served alcohol to a minor. Michael Scola was present representing The Fish House. He apologized and will be attending the next alcohol compliance meeting in November. There was no one present opposed to the public hearing. Selectman Patuto moved to close the public hearing. Seconded by Selectman Rollins and unanimously voted. (5-0-0) Selectman Patuto moved to suspend the alcohol license for one day on Monday, October 8, 2007. Seconded by Selectman Rollins and unanimously voted. (5-0-0)

206: PRESENTATION: Historic Commission

This item has been withdrawn.

207: APPROVAL: Sewer Allocation/Woodland Farm Circle

Selectman Rollins moved to approve the Sewer Allocation/Woodland Farm Circle for \$29,700. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

208: PUBLIC HEARING: COMCAST

Selectman Patuto moved the purpose of the public hearing is to determine whether Comcast is and has been during all or part of the term of its current license in breach of sections 3.2, 6.5 and 6.7 of the license. However, due to a scheduling oversight, the Administration and Comcast respectfully request that the hearing be opened and adjourned to a time certain, that being Monday, October 15, 2007. There was no one present to testify. Seconded by Selectman Gianino and unanimously voted. (5-0-0)

209: APPROVAL: Sewer Policy Regulations

Presented by DPW Superintendent John Sanchez, there are five main changes to the policy. Selectman Patuto requested the verbiage be changed defining a tear down and the current rate is applied. Selectman Gianino suggested that if there is an application for I/I and it is not used for three years, the current rate be applied. He would like the verbiage changed so the applicable rate is paid when the work is done. Selectman Patuto moved to approve the rates. Seconded by Selectman Rollins and unanimously voted. (5-0-0)

210: APPROVAL: Street Acceptance

Presented by Town Engineer Tom Hayes, the list represents 132 streets which include 20 miles. Unaccepted streets are paved with Town money. As soon as these streets are accepted, they roll into Chapter 90 and increase the allocation for the Town. The City of Boston hosted the 9th annual Intercity Snow Plow rally on September 20th and the Town of Burlington came in third place. Selectman Rollins moved to approve the Street Acceptance. Seconded by Selectman Gianino and unanimously voted. (5-0-0)

211: APPROVAL: Remove Pole Relocation Moratorium

Presented by Town Administrator Robert Mercier, activity has picked up and he is requesting the BOS relax the moratorium temporarily since residents may be impacted.

Selectman Gianino moved to relax the moratorium for one month. Seconded by Selectman Rollins and unanimously voted. (5-0-0)

212: APPROVAL: BCAT/Operating Expenses (PEG)

Selectman Patuto moved per the contract between the Town and RCN, the BOS, as Issuing Authority, annually receives monies derived from a negotiated 5% of RCN's annual revenue. The monies are to be used for the annual operational and capital funding for the Town's Public, Educational and Government (PEG) Access channel(s). The BOS, as Issuing Authority, has, at its discretion, the right to award this funding to the Local Cable Access Television Provider or to an alternative community access provider designated by the BOS. To that end, the Administration recommends that the BOS award the sum of \$85,514.56 to the Burlington Cable Access Television. Seconded by Selectman Gianino and unanimously voted. (5-0-0) Selectman Patuto moved to amend the amount allocated to BCAT by \$5,000 to \$90,514.56. Seconded by Selectman Gianino and unanimously voted. (5-0-0)

213: SUB-COMMITTEE'S REPORTS:

Presented by Selectman Patuto, the COA roof repair is about to commence. The alleged breach of contract has not held up negotiations with Comcast. He is working with BCAT on a policy procedure for funds. Larry Rice of the Burlington Detachment Corps League informed the Board of Selectmen that they will be having a celebration of 50 years of contributing to the Town. The event will be held at the Billerica Elks on 10/13/07. Selectman Patuto requested the Town present a proclamation to the league. The Beatification Committee planted mums around Town.

Presented by Selectman Rollins, sections of the Mall Road have been paved at night to minimize traffic delays. The Highway division paved Mueller road. The Engineering Department is in the process of new crack sealing in fall. New granite curbing has been installed at Chestnut Hill Cemetery. A new fence at Pine Haven Cemetery has been installed. There was extended water shut down for the Burlington/Billerica water interconnect on September 19th; it was completed by noon on September 20th. The DPW apologizes for any inconvenience. The County Road/Cambridge Street water main is scheduled for Wednesday night or Thursday morning. Residents will be notified of the water shut down. The BEF spelling bee is scheduled for November 1st. The BLINE is working on sponsorship. Gutierrez donated another \$5,000/year for the next five years for the BLINE. Selectman Rollins thanked Cambridge Savings Bank for selling recycling bins during hours and thanked Selectman Gianino for helping set this up.

Selectman Zenkin read a letter forwarded to Chief Callahan about the Fire and Police Departments by a visiting nurse who has a business in the Merrimack Valley area. She stated that by far Burlington is the best in caring for her patients when called for an emergency.

Presented by Selectman Gianino, the Burlington Police Department has assigned Charles Ferguson as the senior citizen liaison officer. Oracle has donated \$3,500 for the acquisition of a speed monitoring sign at one of our elementary school zones. Millipore donated \$350 for one of our youth programs. The BPD will sponsor advanced driving training for 1st and 2nd year drivers on November 3rd on site of the former naval air station in Wrentham. The cost is \$75.00. Safety insurance is offering a 5% discount to students who complete the program. Register online at www.wedriveincongrol.com/bpd. The Domestic Violence Program has been awarded \$287,000. The Town received a grant to install remote video monitoring at the Mall. Last week Selectmen Zenkin and Gianino took part in the freedom awareness day. They experienced what people with difficulties go thru on a day to day basis. With the help of John Clancy, they have come up with suggestions for off street parking at the Town common, a continued walkway around the common and traffic light signals that countdown and make a chirping noise.

214: TOWN ADMINISTRATOR'S REPORT:

Town Administrator Mercier suggested available dates for the next strategic planning meeting. He spoke with Brian Curtin about the health insurance renewals. They are a little better than in the past, probably not double digit increases which is the trend nationally. He asked the Chairman to speak with him about sub-committees and where the BOS want to go with budget guidelines. On Friday, the administration is preparing a report for the BOS on the infrastructure needs with the West Burlington development initiatives.

215: CHAIRMAN'S REPORT:

The 10th Annual Scholarship Telethon was held on Wednesday, October 10th at 6:00pm. A golf tournament benefit is being held for former Assistant Town Administrator Tony Troiano on Saturday, October 6th in Connecticut. On October 4th, at 10:00am there is a dedication ceremony scheduled for Lance Corporal Marine Greg MacDonald on the Board of Selectmen

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Town Common following a 9:00am mass. Chairman Fay attended the Ice Palace meeting and the ice is fantastic. Chairman Fay felt that Town Meeting went well and everything was accomplished in one night.

216: OLD BUSINESS/NEW BUSINESS:

Selectman Gianino raised concern about proper signage and signage pollution. He would like to petition the State to remove the mile markers on Cambridge Street. He and Selectman Patuto spoke about signs identifying where the Police and Fire Stations are and a warning light on Cambridge Street for Olympia Way for the Fire Trucks.

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217: CITIZENS TIME

Greg Smith raised several issues including the buzzing light outside of the Town Hall. He has called in several street light outages to the new electrical contractor. He informed the BOS that the month of October is national school bus month. He is concerned about asbestos at the Wildwood School. He inquired about mosquito spraying and street sweeping.

Selectman Gianino moved the Board adjourn the meeting at 8:40pm. Seconded by Selectman Patuto and unanimously voted. (5-0-0)

Respectfully submitted,

Laura Nichols
Recording Secretary