

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN

October 19, 2009

The meeting of the Board of Selectmen was called to order at 6:35pm by Chairman Patuto with all Selectmen Present. Selectman Gianino moved the Board adjourn to executive session to discuss collective bargaining. 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 thirty minutes. The Board stated they would reconvene in public session.

The Board reconvened in public session at 7:10.

CITIZENS' TIME:

No one spoke at Citizens' Time

567: APPROVAL: Council on Aging/New Appointment  
Committees/FY 2010 Reappointments

Town Administrator Mercier put forth the name of Christopher Hartling to the Council on Aging Board. Selectman Rollins moved to waive the 15 day waiting period. Seconded by Selectman Zenkin and unanimously voted. (5-0)

T.A. requested the 15 day waiting period be waived on the FY 2010 reappointments and to change the name of the Grandview Farm Use to Grandview Advisory Committee. Selectman Rollins moved to waive the 15 days for the FY 2010 Reappointments. Seconded by Selectman Zenkin and unanimously voted. (5-0)

568: APPROVAL: Disability Access Commission  
Use of Handicapped Funds

Veterans Director Bob Hogan came before the Board with a request for use of handicapped funds for some additional work that was needed to be done on the Human Services Center second floor handicapped door. Selectman Gianino moved to approve \$534.00 for the Disability Access Commission/Use of Handicapped Funds. Seconded by Selectman Rollins and unanimously voted. (5-0)

569: PUBLIC HEARING: Grant of Location  
Verizon/NSTAR @ Center Street

A public hearing was held on the Grant of Location/Verizon/NSTAR @ Center Street. Paul DiBole was present representing Verizon who is requesting to place a new pole on Town owned property to service Grandview Farm. There was no one present opposed to the public hearing. Selectman Zenkin moved to close the public hearing. Seconded by Selectman Gianino and unanimously voted. (5-0) Selectman Zenkin moved to approve the Grant of Location/Verizon/NSTAR @ Center Street. Seconded by Selectman DiTucci and unanimously voted. (5-0)

570: PUBLIC HEARING: Grant of Location  
Verizon/NSTAR @ Derryfield Ave.

A public hearing was held on the Grant of Location/Verizon/NSTAR @ Derryfield Ave. Paul DiBole was present representing Verizon who is requesting to place a joint owned side walk anchor and guy (SWAG) to prevent a pole from leaning. There was no one present opposed to the public hearing. Selectman Zenkin moved to close the public hearing. Seconded by Selectman Gianino and unanimously voted. (5-0) ) Selectman Zenkin moved to

approve the SWAG/Grant of Location/Verizon/NSTAR @ Derryfield Ave. Seconded by Selectman DiTucci and unanimously voted. (5-0)

571: APPROVAL: Alcohol License/Change of Manager  
Papa Razzi @ 2 Wall Street

Corporate Licensing Manager Christine McCarthy of Backbay Restaurant Group, Inc. was present representing Papa Razzi. Selectman DiTucci moved to approve the Alcohol Licence/Change of Manager/Papa Razzi @ 2 Wall Street. Seconded by Selectman Zenkin and unanimously voted. (5-0)

572: APPROVAL: One Day Alcohol License/Fishworks ENT LLC  
The Atlantis Playmakers @ 380 Cambridge Street

Emil Kreymer came before the Board requesting a One Day Alcohol License on October 29<sup>th</sup>, 30<sup>th</sup> and November 1<sup>st</sup>, serving only beer and wine, for a theatre production. Selectman Zenkin moved to approve a One Day Alcohol License/Fishworks ENT LLC/The Atlantic Playmakers @ 380 Cambridge Street on October 29<sup>th</sup> from 7:00pm-8:30pm subject to proof of insurance and TIPS Certification. Seconded by Selectman DiTucci and unanimously voted. Selectman Zenkin moved to approve a One Day Alcohol License/Fishworks ENT LLC/The Atlantic Playmakers @ 380 Cambridge Street on October 30<sup>th</sup> from 7:00pm-8:30pm subject to proof of insurance and TIPS Certification. Seconded by Selectman DiTucci and unanimously voted. Selectman Zenkin moved to approve a One Day Alcohol License/Fishworks ENT LLC/The Atlantic Playmakers @ 380 Cambridge Street on November 1<sup>st</sup> from 6:00pm-7:30pm subject to proof of insurance and TIPS Certification. Seconded by Selectman DiTucci and unanimously voted. (5-0)

573: APPROVAL: Common Victuallar License  
Unidine Corporation @ 25 Corporate Drive

District Manager Matt Strauss came before the Board representing Unidine Corporation requesting a Common Victuallar License. Selectman Zenkin moved to approve the Common Victuallar License/Unidine Corporation @ 25 Corporate Drive. Seconded by Selectman DiTucci and unanimously voted. (5-0)

574: APPROVAL: Common Victuallar License  
True North Coffee @ 204 Cambridge Street

Paula Salvucci was present representing True North Coffee requesting a common victuallar license. Selectman Zenkin moved to approve the Common Victuallar License/True North Coffee @ 204 Cambridge Street. Seconded by Selectman Rollins and unanimously voted. (5-0)

575: APPROVAL: Common Victuallar License  
ShotCakes @ Burlington Mall

Anthony Feola was present representing Small Shots Burlington, LLC. Selectman Rollins moved to approve the Common Victuallar License/ShotCakes @ Burlington Mall. Seconded by Selectman Gianino and unanimously voted. (5-0)

576: APPROVAL: Common Victuallar License  
Pizzeria Villafranca @ 5 Center Street

Dana Sacca was present representing Pizzeria Villafranca requesting a common victuallar license. Selectman Gianino moved to approve the Common Victuallar License/Pizzeria Villafranca @ 5 Center Street pending receipt of the Serve Safe Certification. Seconded by Selectman Rollins and unanimously voted. (5-0)

577: APPROVAL: Curbcut/Nordbloom

Attorney Robert Buckley was present representing Nordbloom requesting approval for a curb cut to permit access from the property known as Network Drive at Northwest Park to North Avenue. Selectman Rollins moved to approve the Curbcut/Nordbloom. Seconded by Selectman DiTucci and unanimously voted. (5-0)

578: VOTE: Snow Plow Rates

T.A. Mercier presented a recommendation for the Snow Plow Rates for DPW Superintendent Sanchez. The 6 Wheel/Dump increasing to \$82/hr and the Loader increasing to \$112/hr. Superintendent Sanchez is trying to remain competitive. T.A. Mercier recommends the BOS approval. Selectman DiTucci moved to approve the Snow Plow Rates. Seconded by Selectman Zenkin and unanimously voted. (5-0)

579: DISCUSSION: Preliminary Review of FY2011  
Budget Scenarios

T.A. Mercier presented budget planning projections for FY2011 taking into consideration revenues built around 3%, 4% and 5% levy increases, level state aid and local receipts and expenses that include 6% increases in the accommodated accounts and scenarios that reflect a 1% through 4% operating budget increase. He said the economy has made an impact on local receipts. Administration does not suggest a 5% levy increase this year. Russ Washburn has been involved in the discussions. There has been decreasing values across the board in residential and commercial values. Town Accountant Paul Sagarino, Jr. said these scenarios are made only three months into the fiscal year. Every 1% tax levy increase generates approximately \$780k in additional revenue. Every 1% Town/School operating budget increase adds approximately \$640k in additional expenses. He said he would take a very conservative approach. He added that a meals tax increase would generate \$770k annually. Selectman Patuto thanked the members of the Ways and Means for attending the meeting. He also said he thought a 5% decrease in State aid was a little low. Selectman Rollins said she is in favor at looking at the 5% decrease in State aid scenario. She said it was a good assumption to predict that State aid will be less. Selectman DiTucci said he has more confidence in level local receipts than state aid. Selectman Gianino said it is going to be a difficult year.

580: DISCUSSION: State Ethics/Appointment of Municipal Liaison

T.A. Mercier informed the BOS of the updated revisions to the conflict of interest statutes. There continues to be serious debate amongst communities about these requirements and the MMA is contesting these new rules as potentially "unfunded liabilities" on individual communities. He said there is an obligation for the Selectmen to appoint a "municipal liaison" to coordinate some of the new mandates by December of this year. He recommends the Board appoint Town Clerk Jane Chew and Human Resources Director Joanne Faust to be our contact staff with the State. Selectman Gianino thinks it is a good idea and long over due. T.A. Mercier and Selectman Rollins think this may be difficult to manage where it includes vendors, volunteers and anyone that has contact with the



Selectman Zenkin said that Police Chief Hart is retiring in March. There were 67 applicants for the position; they have narrowed them down to 13 and one dropped out. They will be interviewing 12 and will send them to an independent assessment company. Grandview Farm is beginning Phase II. They are currently working with Shawsheen and SEA. A 1749 British coin, a half pence, was found in the floor boards. The Town Flag is available for \$40.00. Mary Cummings Park is holding a second annual painting and drawing contest. The contest entries are anything wildlife, nature, or people having fun. Visit [www.cummingspark.org](http://www.cummingspark.org).

584: TOWN ADMINISTRATOR'S REPORT:

T.A. Mercier wrote a letter to Hayes Morrison, Transportation Improvement Program Manager, to express his enthusiasm for the Middlesex Turnpike Transportation Improvement Project. It will provide critical roadway infrastructure improvements and will support the EOHED newly created Middlesex Turnpike Growth District. A petition was submitted on the Land Locked Parcel, he will discuss it at the next BOS meeting. He is trying to get the unaccepted subdivisions in Town on schedule. The Administration and Officer Schipelliti is taking another look at the Do Not Enter signs Town wide. They will come back with suggestions.

585: CHAIRMAN'S REPORT:

Chairman Patuto informed the residents on the passing of Detective Charles Chicarello. The COA parking lot has been resurfaced and it looks beautiful. The landscaping will be done next week. Comcast said there will be some adjustments made between 10/20/09-11/18/09. Customers will need to have digital adaptors for TV's without a cable box.

Selectman Gianino moved the Board adjourn the meeting at 9:25pm. Seconded by Selectman Rollins and unanimously voted. (5-0)

Respectfully submitted,

Laura Nichols  
Recording Secretary