

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN

November 09, 2009

The meeting of the Board of Selectmen was called to order at 6:20pm by Chairman Patuto with all Selectmen present. Selectman Rollins moved the Board adjourn to executive session to discuss Collective Bargaining and Police Contracts. Seconded by Selectman Gianino 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 minutes. The Board stated they would reconvene in public session.

The Board reconvened in public session at 7:00pm.

CITIZENS' TIME

Resident Gregory Smith expressed concern about commercial and speeding vehicles using College Road as a through way. He also said he is pleased with the DPW and the street sweeping.

587: APPROVAL:

Appointments:

Sign Bylaw

Bill Gaffney/Board of Appeals Representative

Council on Aging

Joanna Kinchla/alternate (one year)

DPW

Michael Quinones/Cemetery Special

Equipment Operator

Town Administrator Mercier put forth the names of Bill Gaffney to the Board of Appeals, Joanne Kinchla as a one year alternate to the Council on Aging and current DPW employee Michael Quinones to Cemetery Special Equipment Operator. Selectman Rollins moved to waive the 15 day waiting period. Seconded by Selectman Zenkin and unanimously voted. (5-0)

588: DISCUSSION:

Landlocked Parcel Petition

T.A. Mercier said the petition was presented to the Town a few weeks ago and the Board was asked for their approval to put it on the ballot. Tom Killilea came before the Board and said he signed the petition because he wants the Town to move forward with talks about the land and to let the residents have a say on what they would like done with the property. Selectman DiTucci said that dialogue is needed with Patriot Properties. In September 2008 the Board voted that they were not ready to sell or develop the land. Selectman Rollins said the issue being discussed is whether or not this should be a ballot question, not about the development of the land. Resident Larry Cohen advised the Board to do a study on the aquifer and water supply before the land is sold. He requested that his letter to the BOS be entered on record. Martha Simon said she does not support the referendum. She said the proposal read tonight is a replay of Patriot Properties last year. Phil Gallagher said it is a question of whether the Board wants to sell the property. Selectman Gianino and Selectman Rollins requested the discussion be about the referendum question and not about the development of the land. Selectman Gianino said he was ready to support the referendum question tonight. Selectman Zenkin said that he disagrees with Selectmen Rollins and Gianino and will vote on what he thinks is best for the Town. Selectman Zenkin moved to defeat the non-binding referendum question. Seconded by Selectman DiTucci with Selectman Patuto, Selectman Zenkin and Selectman DiTucci voting in favor and Selectman Rollins and Selectman Gianino voting against. (3-2) Chairman Patuto said there were good comments and ideas and agrees that the Board should listen to the residents and they should come back with 1600 signatures on the petition.

589: DISCUSSION: Veterans Day Ceremony

Director of Veterans Services Robert Hogan came before the Board requesting use of the Town Common for the Veterans Day Ceremony. Selectman Gianino moved to approve the use of the Town Common for the Veterans Day Ceremony. Seconded by Selectman Zenkin and unanimously voted. (5-0)

590: APPROVAL: Disability Access/Use of Handicapped Funds

Selectman Gianino moved to approve \$4,550 from the Disability Access/Use of Handicapped Funds for the hand railings at the Francis Wyman playground. Seconded by Selectman Zenkin and unanimously approved. (5-0)

591: PRESENTATION: National Hospice Month/Affinity Hospice of Life

Chairman Patuto read aloud a proclamation declaring November 2009 as National Hospice Month. The COA with Affinity Hospice of Life will celebrate National Hospice Month by hosting a continuing education unit event on November 10, 2009 at the Burlington Council of Aging.

592: PUBLIC HEARING: Grant of Location/Verizon/Winn Street

A public hearing was held on the Grant of Location/Verizon/Winn Street. Dick Burgio was present representing Verizon who is requesting to place 50' of 4" PVC conduit to the new Memorial School. There was no one opposed to the presentation. Selectman Rollins moved to close the public hearing. Seconded by Selectman Gianino and unanimously voted. (5-0) Selectman Rollins moved to approve the Grant of Location/Verizon/Winn Street. Seconded by Selectman Gianino and unanimously voted. (5-0)

593: VOTE: Health Insurance Rate Setting

Town Treasurer/Collector Brian Curtin, Benefits Administrator Jayne Hyde and T.D. Banknorth Consultant Louis Ricci presented the Board with the recommendation of an 8% increase in the health insurance rates. The Insurance Advisory Committee voted unanimously on the 8% increase at the November 4th meeting. Consultant Louis Ricci said the initial intention was to raise it by 10%. Selectman Rollins moved to approve the rate change at 8% as recommended by the Treasurer. Seconded by Selectman Zenkin and unanimously voted. (5-0)

Louis Ricci said the current dental provider is Delta Dental. An RFP was sent out and they elected to choose a new provider, Guardian. The benefits and rates are better and there will be a 13% savings the first year. Selectman Rollins moved to authorize to enter into negotiations with Guardian for calendar year 2010 as stated by the Treasurer. Seconded by Selectman Zenkin and unanimously voted. (5-0)

594: DISCUSSION: New Water & Sewer Regulations Draft

DPW Superintendent John Sanchez proposed Water Rules and Regulations incorporating all current practices. Chairman Patuto requested T.A. Mercier get the opinion of Town Counsel before the final draft. T.A. Mercier said he would contact Town Counsel and check whether or not a public notice of the regulations is needed.

595: VOTE: Statements of Interest/School Projects

Selectman Rollins moved to approve Item #1 as printed and attached to record the BHS elevator and for the Town Administrator to sign off on. Seconded by Selectman Zenkin and unanimously voted. (5-0)

Selectman Rollins moved to approve Item #2 as printed and attached to record the Burlington High School roof replacement and for the Town Administrator to sign off on. Seconded by Selectman Zenkin and unanimously voted. (5-0)

Selectman Rollins moved to approve Item #3 as printed and attached to record the Marshall Simonds Middle School addition/renovation and for the Town Administrator to sign off on. Seconded by Selectman Zenkin and unanimously voted. (5-0)

596: APPROVAL: Burlington Garden Club Plant Sale

Selectman Gianino moved to approve the Burlington Garden Club Plant Sale at the Grandview Farm meadow or an acceptable place determined by the Town Administrator on May 22, 2010. Seconded by Selectman Zenkin and unanimously voted. (5-0)

597: SIGNATURES: Warrant for Special State Primary/December 8, 2009

Selectman Gianino moved to approve to sign the Warrant for Special State Primary/December 8, 2009. Seconded by Selectman Rollins and unanimously voted. (5-0)

598: ANNOUNCEMENT: Closing Date for January 25, 2010 Town Meeting
Friday, December 11, 2009

Town Administrator Mercier announced that the closing date for the January 25, 2010 Town Meeting will be Friday, December 11, 2009.

599: APPROVAL: Minutes:
September 14, 2009/Executive and General Sessions

Selectman Rollins moved to approve the General Session Minutes of September 14, 2009. Seconded by Selectman DiTucci and unanimously voted. (5-0)

The Executive Session Minutes were put on hold.

600: SUBCOMMITTEE REPORTS:

Presented by Selectman Gianino the DAC meeting scheduled for tomorrow has been postponed until next month. On behalf of the Fire Department, as we approach the snow season, please be aware of snow blocking fire hydrants and sidewalks and keep both front and back steps free from snow.

Presented by Selectman DiTucci we received the fluoridation award. Yard waste pick up runs through November 23rd and follows original trash dates. Call 781-270-1670 for information. The automatic water

meter program is moving forward. Mall Road paving is underway. The Ice Palace walkway is almost completed, the snack bar is being installed this week and the lights are on again in the parking lot.

Presented by Selectman Rollins the BLINE Committee thanked the Burlington Mall for funding Saturdays through Christmas beginning November 20th. The Town 3A Subcommittee meeting is on November 12th at 8:30am at the Town Hall Annex. There will be a Grandview Farm Phase I ribbon cutting on Saturday at 10:30. The sidewalk has been installed, free of charge, by Brian Wickworks. Bricks are still available.

Presented by Selectman Zenkin the Board of Health is holding a season flu and H1N1 clinic at the BHS gym on November 14th from 11am-2pm. R.S.V.P. by November 13th by calling 781-270-1955. The Town received 67 applications for the Police Chief position. The applicants have been narrowed down to five. The assessment center will narrow the applicants down to three. The Sign By-law Committee has been meeting every other week. Shawsheen Tech has made some designs for the Grandview Farm. There should be some activity in the next few weeks.

601: TOWN ADMINISTRATOR'S REPORT:

The house on the corner of Cambridge Street and Anna Road has been razed. The site is under full remediation per order of the DEP. The MWRA Advisory Board recommended a 0% increase. Discussion has begun on the budget guidelines. He received the resignation of Environmental Engineer Heidi Porter; she is leaving to become the Director of Public Health in Everett. We are second in the queue for the energy grant. The Town took part in an energy audit with NSTAR and private energy companies.

602: CHAIRMAN'S REPORT:

BCAT is offering an outreach program for our military forces overseas. They will provide residents an opportunity to send greetings to loved ones overseas who are in the service of our country. Call 781-273-5922 or email linder@bcattv.org for more information. Chairman Patuto congratulated Woburn Mayor elect Scott Galvin.

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

Respectfully submitted,

Laura Nichols
Recording Secretary