

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN

November 23, 2009

CITIZENS' TIME:

Resident Greg Smith came before the Board to say he was glad that the yard waste collection time was expanded.

A resident from Woodside Lane asked T.A. Mercier who holds the title to the land where the high tension wires are. T.A. Mercier told him it belonged to the utility company. He asked if it is feasible to use that land for cemetery space. Selectman DiTucci advised him to come to the December 14th Selectmen's meeting when the DPW will be presenting on cemetery space.

Resident Jim Whiffin, 43 Skelton Road, came with an issue of a stream behind his house; his home gets flooded and is at risk. Chairman Patuto recommended he meet with T.A. Mercier, Dan DiTucci and Tom Hayes.

603: APPOINTMENTS: Council on Aging Committee
MariGrace Silva (three year term)

Town Administrator Mercier put forth the name of MariGrace Silva as a member of the Council on Aging Committee to fill the vacant term of three years. Selectman Rollins moved to waive the 15 day waiting period. Seconded by Selectman Zenkin and unanimously voted. (5-0)

604: APPROVAL: Reserve Fund Transfer/Police Department

Police Chief Fran Hart came before the Board requesting a Reserve Fund Transfer to replace a 2008 cruiser that was totaled during a traffic stop. Selectman DiTucci moved to approve the Reserve Fund Transfer/Police Department for \$7,852. Seconded by Selectman Zenkin and unanimously voted. (5-0)

605: PUBLIC HEARING: Tax Classification Hearing/FY2010

A public hearing was held on the Tax Classification Hearing/FY2010. Chairman Patuto read the public notice; The Board of Selectmen will hold a public hearing on the determination of the percentages of the local tax levy to be borne by each class of real property for Fiscal Year 2010 and the fiscal effect of the available alternatives. The Public Hearing will be held on Monday, November 23, 2009 at 7:15pm in Town Hall Main Hearing Room, Town Hall, 29 Center Street, Burlington, MA. Town Treasurer/Collector Brian Curtin and Assessor Russ Washburn were present. There was no one present opposed to the public hearing. T.A. Mercier said the financial team has evaluated all options available to the Board and felt the best, most financially prudent course of action is to select the option presented as option #2. Selectman Rollins moved to close the public hearing. Seconded by Selectman DiTucci and unanimously voted. (5-0) Selectman Rollins moved to approve the Fiscal Year 2010 tax rate as recommended by the Towns financial team with a residential rate of \$10.90 and CIP rate of \$29.70. Seconded by Selectman DiTucci and unanimously voted. (5-0)

606: APPROVAL: All Alcohol License/Change of Manager
Not Your Average Joes/Wayside Commons

Alan Kusch was present representing Not Your Average Joes. Selectman Rollins moved to approve the All Alcohol License/Change of Manager/Not Your Average Joes/Wayside Commons. Seconded by Selectman DiTucci and unanimously voted. (5-0)

607: APPROVAL: Sewer Allocation/258 Cambridge Street (SUBWAY)

Attorney Tom Murphy was present representing Three Star Food Corp. d/b/a Subway. Selectman DiTucci moved to approve the Sewer Allocation/258 Cambridge Street (SUBWAY). Seconded by Selectman Zenkin and unanimously voted. (5-0)

608: APPROVAL: Street Opening/Fairlawn Avenue

Resident Jim Patterson of 5 Hancock Street came before the Board requesting a street opening for a new home he is building. Selectmen Gianino moved to approve the Street Opening/Fairlawn Avenue. Seconded by Selectman Zenkin and unanimously voted. (5-0)

609: DISCUSSION: Drug and Alcohol Task Force
Town – Host Bylaw

Charlie Franich and Marilyn Belmonte of the Drug & Alcohol Task Force would like to propose a new Host Bylaw. They have a number of models they are looking at. They will hold a forum in early February and would like to discuss the comments with the community. The Task Force meets every other month at the high school during lunch in the principal's conference room.

610: DISCUSSION: Recreation/Wildwood Park Grant

Kristine Brown, Jack Ferren, Don Lorinovich and Paul Raymond came before the Board. T.A. Mercier congratulated the Commission on receiving the Park Grant. The Board congratulated the Commission on receiving the grant. Chairman Patuto also congratulated Ernie Zabalotny for the work he has done on the grant. Selectman Zenkin asked for a timeline by the next meeting. Kristine Brown asked to work with Town Counsel on the perpetuity issue before Town Meeting. On behalf of the Commission she thanked the Board for all of their support.

611: APPROVAL: Minutes/September 30, 2009 General Session

Selectman Rollins moved to approve the General Session Minutes of September 30, 2009. Seconded by Selectman DiTucci and unanimously voted. (5-0)

612: SUBCOMMITTEE REPORTS:

Presented by Selectman Rollins, the ribbon cutting for Grandview Farm was on November 14th. There were around 30 people in attendance. She thanked Representative Murphy and the BOS for their support. Saturday hours for the BLINE have begun. She thanked Simon Properties for the funding. The BLINE schedule is on the website www.burlington.org and there is also a transportation survey online. The Town Center will meet the first week in December and will begin discussions about signage on Cambridge Street.

Presented by Selectman Gianino, Fire Chief Callahan informed him that Fire Fighter David Banville transferred back to Fall River. The RFP for the ambulance billing service contract will be open publicly on December 16th. He would like to get an RFP for the Public Service Building out next week. He is scheduling a meeting with Mt. Hope on Tuesday about improvements.

Presented by Selectman DiTucci, the DPW yard waste ends the week of November 23rd. The automated meter reader data collectors are being installed this December; full installation will take a year. There was a Maple Street water break. The DPW is going into winter mode setting up contractors for snow removal.

Presented by Selectman Zenkin the Grandview Committee had a meeting about a grant for a coach or housing for a coach for decoration at Grandview. The Police Chief selection process has narrowed 67 candidates down to five. The top five will attend an assessment center where they will simulate they are the Chief and see how they respond to situations. They candidates should be narrowed down to three in a month.

613: TOWN ADMINISTRATOR'S REPORT:

The Department of Revenue has certified free cash at \$3,299,406.00. The sewer enterprise account is building back at \$612,000.00. Environment Engineer Heidi Porter has resigned. He attended the MPO meeting in Boston with Dan and John. The MPO made decisions on stimulus money. He was alerted that a company is looking into locating in Burlington that could offer 100 jobs.

614: CHAIRMAN'S REPORT:

Chairman Patuto offered condolences to Captain Devlin and his family for the loss of his mother Audrey. He wished all a Happy Thanksgiving.

Selectman Rollins moved the Board adjourn the meeting at 8:45pm. Seconded by Selectman DiTucci and unanimously voted. (5-0)

Respectfully submitted,

Laura Nichols
Recording Secretary