

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN
April 12, 2010

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 litigation. Seconded by Selectman DiTucci with Selectman Zenkin voting aye, Selectman DiTucci voting aye, Selectman Hogan 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 7:08pm.

Reorganization of the Board of Selectmen

Selectman Zenkin moved to nominate Selectman Patuto to Chairman. Seconded by Selectman DiTucci with Selectman Hogan, Selectman Patuto, Selectman Zenkin voting in favor and Selectman Gianino voting against. (4-1-0)

Selectman DiTucci moved to nominate Selectman Zenkin to Vice-Chair. Seconded by Selectman Hogan and unanimously voted. (5-0)

Chairman Patuto congratulated Selectmen Hogan and Zenkin. Selectman Hogan thanked the voters for giving him the opportunity to serve in this capacity. Selectman Zenkin thanked his wife and children and Dan Raske.

Moment of Reflection in Honor of Our Service Men and Women

Chairman Patuto held a moment of silence for the armed forces and for the service men and women who have made the ultimate sacrifice.

CITIZENS' TIME:

Burlington resident Greg Smith came before the Board to congratulate Selectmen Hogan and Zenkin. He also mentioned the drainage issues at his home at 36 College Road and his neighbor's home at 34 College Road.

High School teacher Phil Vachon and members of the High School Robotics team came before the board. They won an award and are one of the first robotics mentor based programs.

067: APPROVAL: Common Victualler's License
Rebecca's Café/One Wayside Road

Vice President of Business Development for Rebecca's Café Greg Bradley was present representing Rebecca's Café. They are planning to open on May 3, 2010. Selectman Gianino moved to approve the Common Victualler's License/Rebecca's Café/One Wayside Road. Seconded by Selectman DiTucci and unanimously voted. (5-0)

068: APPROVAL: Easement Reduction/Thornton Drive

Burlington resident Mike Hardy came before the Board requesting an easement reduction on his property. Town Engineer Tom Hayes said he has two easements on his property and the standard 20 foot easement is all that is needed. Mike Hardy would like the Board to support the abandonment if the DPW doesn't need the right of way. T.A. Mercier said it may need Town Meeting approval. Selectman DiTucci moved to support the Easement Reduction/Thornton Drive abandonment. Seconded by Selectman Zenkin and unanimously voted. (5-0)

069: RECOGNITION: Sons of Italy/High School Exchange Program

Pat Moreno of the Sons of Italy, High School teachers Pat DeBellis and Ivana Gentile and two teachers from Italy came before the Board. Pat Moreno said they have been doing the student exchange program for three years now. Selectman DiTucci read aloud a proclamation stating April 11, 2010 – April 17, 2010 is the Week of Recognition and Cultural Awareness. The Board signed the proclamation. Resident Shari Ellis is a host to the exchange students and said this is a great program.

070: PUBLIC HEARING: New All Alcohol License/90 Middlesex Turnpike

A public hearing was held on the New All Alcohol License/90 Middlesex Turnpike. Present at the public hearing was Attorney Bob Buckley and Attorney Andrew Upton and Regional Director Patrick Fitzgerald who were representing Dave & Buster's. There was no one opposed to the presentation. Dave & Buster's propose to open a 35,000 square foot restaurant and entertainment midway employing 150 full time employees with preference to Burlington residents. Selectman Zenkin moved to continue the public hearing to the first meeting in June. Seconded by Selectman DiTucci and unanimously voted. (5-0)

071: APPROVAL: Sewer Allocation Request/90 Middlesex Turnpike

This item will be voted on at another meeting. Attorney Bob Buckley requested that this remain on the agenda because of State regulations.

072: DISCUSSION: 128 Corridor Study

Town Administrator Mercier said there is a meeting on Friday at 9:00am. He said it is important to listen and see what other communities are doing.

073: RECOGNITION: Landscaping of Town Areas/Local Businesses

Chairman Patuto thanked local businesses in Town for their support and hard work in the beautification of Burlington. The following have agreed to continue supporting the landscaping of various areas throughout the Town for the 2010 season: Ron Given-Burlington Landscaping, John Marlowe-Gulde Insurance, Dan Dellanno-Lawnmaster, Jerry McCarthy-Mac's Landscaping, Steve Marchese-Sprinkler Repair Service, James Martin-James A. Martin Company, Martin Merva-Merva Landscape, Davis Prato-Prato Associates, Robert Castelluccio-Sal & Robert's Landscaping, Kevin Sullivan-Edward V. Sullivan Funeral Home and Ryan Wickman-Wickworks.

074: VOTE: May 10th Town Meeting Warrant

ARTICLE #2 Fund Revolving Accounts

Selectman Zenkin moved to Fund Revolving Accounts. Seconded by Selectman DiTucci and unanimously voted. (5-0)

ARTICLE #3 Transfer of Funds FY 2010
This item is on hold. Various Accounts

ARTICLE #4 Fund FY 2011 Operating Budget
This item is on hold.

ARTICLE #5 Council on Aging Kitchen Renovation
This item is on hold.

ARTICLE #6 Fund FY 2011 Capital Budget

11-1 DPW Paint Filter Room \$18,000

Selectman DiTucci moved to support \$18,000 for the Paint Filter Room. Seconded by Selectman Hogan and unanimously voted. (5-0)

11-2 DPW Two-Way Communication \$75,000
Radio Upgrade

Selectman DiTucci moved to postpone the Two-Way Communication Radio Upgrade. Seconded by Selectman Zenkin and unanimously voted. (5-0)

11-3 DPW Sander for Highway Truck \$40,000

Selectman DiTucci moved to support \$40,000 for the Sander for Highway truck. Seconded by Selectman Hogan and unanimously voted. (5-0)

11-4 DPW Water Utility Truck with Crane \$55,000

Selectman DiTucci moved to postpone the Water Utility Truck with Crane. Seconded by Selectman Zenkin and unanimously voted. (5-0)

11-5 DPW Highway One-ton Truck and Sander \$60,000

Selectman DiTucci moved to support \$60,000 for the Highway One-ton Truck and Sander. Seconded by Selectman Hogan and unanimously voted. (5-0)

11-8 Fire Zimek System \$50,000

Selectman DiTucci moved to postpone the Zimek System. Seconded by Selectman Hogan and unanimously voted. (5-0)

11-9 Fire Command Car \$35,000

Selectman Hogan moved to postpone the Command Car. Seconded by Selectman Zenkin and unanimously voted. (5-0)

11-10 Fire Fire Alarm Radio Box \$65,000

Selectman Gianino moved to support \$60,000 for the Fire Alarm Radio Box. Seconded by Selectman DiTucci and unanimously voted. (5-0)

11-19 DPW Corrosion/Odor Control \$20,000

Selectman Hogan moved to support \$20,000 for the Corrosion/Odor Control. Seconded by Selectman Zenkin and unanimously voted. (5-0)

ARTICLE #16 Sewer Services Enterprise Fund \$4,542,510

Selectman DiTucci moved to support \$4,542,510 for Sewer Services Enterprise Fund. Seconded by Selectman Hogan and unanimously voted. (5-0)

ARTICLE #17 Water Treatment-SCADA \$114,000

Selectman DiTucci moved to support \$114,000 for Water Treatment-SCADA . Seconded by Selectman Hogan and unanimously voted. (5-0)

ARTICLE #18 Drug and Alcohol Task Force \$2,500

Selectman Gianino moved to support \$2,500 for the Drug and Alcohol Task Force. Seconded by Selectman DiTucci and unanimously voted. (5-0)

ARTICLE #19 Fund the Administrative & Professional
This item is on hold. Compensation Plan

ARTICLE #21 Fund the Part-time Compensation Plan
This item is on hold.

ARTICLE #23 Chapter 90
This item is on hold.

ARTICLE #24 Ice Palace Debt Service \$135,692

Selectman Gianino moved to support \$135,692 for the Ice Palace Debt Service. Seconded by Selectman DiTucci and unanimously voted. (5-0)

ARTICLE #25 Health Actuarial Study \$20,000

Selectman Gianino moved to support \$20,000 for the Health Actuarial Study. Seconded by Selectman DiTucci and unanimously voted. (5-0)

ARTICLE #26 H5148

Selectman Zenkin moved to support H5148. Seconded by Selectman DiTucci and unanimously voted. (5-0)

ARTICLE #28 Fire Pumper \$490,000

Selectman DiTucci moved to postpone Article #28. Seconded by Selectman Zenkin and unanimously voted. (5-0)

ARTICLE #29 Human Service Building Repairs \$100,000

Selectman Zenkin moved to support \$100,000 for the Human Service Building Repairs. Seconded by Selectman Hogan and unanimously voted. (5-0)

ARTICLE #30 Library Energy Program \$50,000

Selectman Zenkin moved to support \$50,000 for the Library Energy Program. Seconded by Selectman DiTucci and unanimously voted. (5-0)

ARTICLE #31 Police Department Repairs \$50,000

Selectman Zenkin moved to support \$50,000 for the Police Department Repairs. Seconded by Selectman DiTucci and unanimously voted. (5-0)

ARTICLE #42 Amend Zoning Bylaw Article IV &
This item is on hold. Article XI/Inclusionary Housing Bylaw

ARTICLE #44 Amend Zoning Bylaw Article XIII
This item is on hold for presentation. Signs/Municipal

ARTICLE #45 Amend Zoning Bylaw Article XIII/Wall Signs
This item is on hold.

ARTICLE #46 Amend General Bylaw Article XIV,
This item is on hold. Section 3.0 Signs and Advertising
Devices/"Wall Signs"

ARTICLE #47 Amend General Bylaw Article XIV, Section 3.0
This item is on hold for presentation. Signs and Advertising Devices/"Municipal Signs"

ARTICLE #48 Soliciting Money or Selling Upon or Abutting
Public Ways

Selectman Zenkin moved to approve Article #48 Soliciting Money or Selling Upon or Abutting Public Ways. Seconded by Selectman DiTucci and unanimously voted. (5-0)

ARTICLE #49 Affordable Housing Trust Fund
This Item is on hold.

075: VOTE Various Budget Line Items

Selectman Zenkin moved to support \$400,000 for Negotiated Settlements. Seconded by Selectman Hogan and unanimously voted. (5-0)

Selectman Zenkin moved to support \$155,000 for the BLINE. Seconded by Selectman Hogan and unanimously voted. (5-0)

Selectman Zenkin moved to support \$3,222,082 for the Debt Principal and \$1,235,182 for the Interest. Seconded by Selectman Hogan and unanimously voted. (5-0)

Selectman Zenkin moved to support \$6,094,297 for Middlesex Retirement. Seconded by Selectman Hogan and unanimously voted. (5-0)

Selectman Zenkin moved to support \$1,283,245 for Shawsheen Tech. Seconded by Selectman Hogan and unanimously voted. (5-0)

Selectman Zenkin moved to support \$300,000 for Capital Improvements. Seconded by Selectman Hogan and unanimously voted. (5-0)

Selectman Zenkin moved to support \$6,835,413 for SPED. Seconded by Selectman Hogan and unanimously voted. (5-0)

076: SUBCOMMITTEE REPORTS:

Selectman Gianino said that he and T.A. Mercier were in attendance when Sonia Rollins was awarded the Business Person of the Decade. NSTAR is looking into the switch problems in the Prouty Road area. FEMA representatives are looking for people that got water during the rains. For assistance, sign up is necessary at 1-800-621-3362 or on the web at disasterassistance.gov. He offered the Boards' condolences to the family of Larry Rittenberg.

Presented by Selectman DiTucci yard waste pickup began on April 5th and will continue until May 24th on your original trash day. The meter installation is continuing. He reminded residents not to respond to calls from anyone other than Winwater for the meter replacement. If contacted by anyone other than Winwater, he encourage residents to call the Police Department. On behalf of the Food Pantry he thanked the residents for their generosity. The next food drive will be in May by the Postal workers. The Landlocked Forest Committee and Conservation will continue to give tours.

Selectman Zenkin said that the Grandview Farm meeting is this Wednesday at 7:00pm. The bids will open on April 16th at 1:00pm for the Grandview Barn. The Sign By-law meeting is on Wednesday at 8:00am. The BEF Trivia Night was fun. He would like to add a new Sub-committee; A Neighborhood Sub-committee to meet quarterly.

077: TOWN ADMINISTRATOR'S REPORT:

T.A. Mercier congratulated Selectman Zenkin on his re-election and welcomed aboard Selectman Hogan. He thanked his staff and Pauline Gillingham for the Annual Report. He said he worked with Larry Rittenberg for five good years and will miss him.

078: CHAIRMAN'S REPORT:

The COA will be holding the Senior Olympics in June. The Wednesday meeting with NSTAR is cancelled due to a sudden illness.

Selectman Gianino moved the Board adjourn the meeting at 9:05pm. Seconded by Selectman Zenkin and unanimously voted. (5-0)

Respectfully submitted,

Laura Nichols
Recording Secretary