

MINUTES OF THE MEETING OF THE BOARD OF SELECTMEN

April 26, 2010

The meeting of the Board of Selectmen was called to order at 7:05pm by Chairman Patuto with all Selectmen present.

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:

A Burlington resident came before the Board looking for guidance about a problem neighbor on Lexington Street. The owner is an absentee landlord and the tenants are very noisy. He asked if there was a way to get an ordinance or by-law in place. T.A. Mercier said there are enforcement tools and told him to call his office tomorrow.

079: APPROVAL: Appointments/Committees
Grandview Farm Use Committee

Town Administrator put forth the names on the list submitted for reappointment. Nick Rubino, Co-Chair of the Grandview Advisory Committee said the list before the Board is the list the Committee feels should be reappointed. He said they are working on the landscaping and are looking forward to getting this project done. He also said they have accumulated approximately \$60,000 and will put that to use in the future. Selectman Zenkin moved to waive the 15 day waiting period. Seconded by Selectman Gianino and unanimously voted. (5-0)

080: APPROVAL: Fourth of July Parade/Town Common Use
Burlington Breakfast Rotary Club

Kevin McKelvey, Kevin Buckley and Ray Graber of the Burlington Breakfast Rotary Club came before the Board requesting a permit for the Annual Fourth of July Parade. The parade route will be the same as in the past and will begin at 10:00am. The Fox Valley Lutheran High School Marching Band from Appleton Wisconsin will be marching in the parade this year. There will be events on the common including a dog show and pony rides. Selectman Gianino moved to approve the Fourth of July Parade/Town Common Use/Burlington Breakfast Rotary Club. Seconded by Selectman Hogan and unanimously voted. (5-0) Selectman Hogan said this used to be a Town event in the past and it has grown. The response from the community has grown. He would like to begin discussion about the Town assisting the Burlington Breakfast Rotary Club and create a line item to help fund the parade in the future.

081: DISCUSSION: Liqueurs and Cordials Permit/Annual Fee

Town Administrator said an annual fee was never associated with the addition of the Liqueurs and Cordials Permit. He suggested the Board establish a fee for future applicants. An annual fee will be attached to the beer and wine license. In polling seven cities and towns, he suggested an annual fee of \$500 on top of the annual fee of \$1,500 for the Wine and Malt License for a total of \$2,000. Selectman DiTucci moved to approve \$500 for an annual Liqueurs and Cordials Permit Annual Fee. Seconded by Selectman Zenkin and unanimously voted. (5-0) Selectman Gianino said moving forward we should look into the liquor license and fees to see if they are adequate.

082: PUBLIC HEARING: Wine and Malt License Transfer
with Addition of Liqueurs and Cordials Permit
Surf and Turf Tavern, Inc. d/b/a Fish House & Grill
184 Cambridge Street and Common Victualler License

Selectman Hogan moved to open the public hearing. Seconded by Selectman DiTucci with Selectman Zenkin, Selectman Gianino, Selectman Hogan and Selectman DiTucci voting in favor. (4-0) Chairman Patuto recused himself from the public hearing. Attorney Tom Murphy was present representing Surf and Turf Tavern, Inc. along with future owners Richard Wilcinski and Dick Noonan. There was no one opposed to the presentation. The purchase and sale is contingent on the transfer of the license. The Fish House name and the menu will remain the same. Selectman DiTucci moved to close the public hearing. Seconded by Selectman Hogan with Selectman Zenkin, Selectman Gianino, Selectman Hogan and Selectman DiTucci voting in favor. (4-0) Selectman DiTucci moved to approve the transfer of the Liqueur License and Common Victualler License to Surf and Turf, Inc. d/b/a Fish House & Grill. Seconded by Selectman Hogan with Selectman Gianino, Selectman Zenkin, Selectman DiTucci and Selectman Hogan voting in favor. (4-0)

083: APPROVAL: Department of Public Works
Bedford Street Culvert Project

Town Engineer Tom Hayes gave the Board an overview of the Bedford Street Culvert Project. The headwalls are falling apart, the culvert has failed and one section of the water main will need to be relocated. The project will be a solid six to eight weeks to complete. He recommends completely shutting down Bedford Street at Terrace Hall and Lexington Street in mid to late June to get the work completed before school begins. The Traffic Advisory Committee gave the project a favorable vote. Reverse 911 will be used for the entire area and sign boards will be going up in advance to alert the commuters. Selectman Zenkin said it is a good time to get together with the neighbors and explain the project. Selectman DiTucci moved to approve the Department of Public Works/Bedford Street Culvert Project. Seconded by Selectman Hogan and unanimously voted. (5-0)

084: PROCLAMATION: Alcohol Awareness Week/Town Common
Week of May 2nd -8th

Charlie Franich of the Drug and Alcohol Task Force came before the Board and thanked them for their continued support. Chairman Patuto read aloud the proclamation for Drug and Alcohol Awareness Week of May 2nd-8th. The kick off ceremony will be April 30, 2010.

085: APPROVAL: Agreement Extension
Burlington Integrated Preschool Program

Superintendent Conti came before the Board requesting an extension on the current agreement. T.A. Mercier is in favor of it as well as the School Committee. Selectman Zenkin moved to approve a one year Agreement Extension for the Burlington Integrated Preschool Program. Seconded by Selectman Gianino and unanimously voted. (5-0)

086: VOTE: Debt Schedule for Town of Burlington

T.A. Mercier said when he attended the groundbreaking of the Memorial School he received more information from the MSBA for the second school, MSMS. Burlington would likely receive favorable

consideration for funding reimbursement of the proposed renovation and addition to the Marshall Simonds Middle School if we could assure our portion of the balance of the project. What he and the financial advisory team suggested is gaining some additional capacity to absorb the estimated additional Principal and interest payments of approximately \$900,000 annually by reducing the Varsity field amount from \$3,000,000 to \$2,000,000 and reducing the public safety expenditure (Fire Station) from \$7,000,000 to \$3,000,000. He recommended that revenues generated by the meals tax be applied annually to the Debt service commitment of the Town. Selectman Gianino moved to approve the revised Debt Schedule for Town of Burlington. Seconded by Selectman Zenkin and unanimously voted. (5-0)

087: VOTE: May 10th Town Meeting Warrant

Selectman Zenkin moved to support Article 32; Marshall Simonds Middle School. Seconded by Selectman Gianino and unanimously voted. (5-0)

088: APPROVAL: Minutes:
January 4, 2010
January 25, 2010

Selectman Gianino moved to approve the Minutes of January 4, 2010. Seconded by Selectman DiTucci with Selectman Patuto, Selectman Gianino and Selectman DiTucci voting in favor and Selectman Hogan and Selectman Zenkin abstaining. (3-0-2)

Selectman Gianino moved to approve the Minutes of January 25, 2010. Seconded by Selectman DiTucci with Selectman Zenkin, Selectman Gianino, Selectman Patuto and Selectman DiTucci voting in favor and Selectman Hogan abstaining. (4-0-1)

089: SUBCOMMITTEE REPORTS:

Selectman Gianino said he will meet with Lahey Clinic tomorrow morning to discuss the pilot program for Payment in Lieu of Taxes.

Selectman DiTucci said that street sweeping began April 26th. Hydrant flushing began April 18th and will continue for six to eight weeks. Yard waste pickup began April 5th and will continue through May 24th. On Sunday May 2nd a Landlocked Parcel walk will be held. Anybody interested in the walk should meet behind the Town Hall at 10:45am. The postal worker food drive for the Burlington Food Pantry will be held on May 8th.

Selectman Zenkin said the Shawsheen students are working with SEA on Grandview and the drawings were submitted. He spoke with T.A. Mercier about senior handicapped parking and is working on a plan. He told the residents if anyone in the area of the road closure is interested in a meeting to call his cell phone at 978-621-8756 or to call the Selectmen's Office.

090: TOWN ADMINISTRATOR'S REPORT:

Sun Micro received a notice of decertification of the TIF Agreement. Northeastern University approached him about building a graduate level facility on the location. It is the first in the nation for high end technology. They want to act quickly and will change gears in an instant if they feel any resistance.

Board of Selectmen

April 26, 2010

Page 4

Selectman DiTucci moved to accept, welcome and work with Northeastern University on their new venture. Seconded by Selectman Zenkin and unanimously voted. (5-0) T.A. Mercier said he will put together a welcoming statement from the Board.

091: CHAIRMAN'S REPORT:

Chairman Patuto attended the 128 Corridor Meeting at the Weston Town Hall to discuss traffic on 128. He advised the seniors to call Marge McDonald if interested in the Senior Olympics. He was asked about a mural on the wall at the Human Services Building. He was told the mural was painted onto the wall and they did what they could do to preserve it but it is in disrepair. It was suggested to frame it and hang it but it is too heavy. Selectman Zenkin suggested having a competition at the High School and the winners could repaint it.

Selectman Zenkin moved the Board adjourn the meeting at 8:50pm. Seconded by Selectman DiTucci and unanimously voted. (5-0)

Respectfully submitted,

Laura Nichols
Recording Secretary