Board of Selectmen Present: Ralph Patuto, Chairman; Walter Zenkin, Vice-Chairman (7:37 p.m.); Daniel Grattan; Robert Hogan; Michael Runyan

Also Present: Robert Mercier, Town Administrator; Thomas Hickey, Assistant Town Administrator

Pledge of Allegiance/Moments of Reflection: The General Session of the Board of Selectmen (BOS) was called to order at 7:00 p.m. by Chairman Patuto followed by the Pledge of Allegiance and a moment of silence for the service people in the armed forces.

131 Discussion Teen Light Fundraiser Update

A final report of the fundraising project was given by the students and Marshal Simonds Middle School teacher. More than 300 people attended the Teen Light Fundraiser. Plans include donations to worthwhile causes, including the Dana Farber institute.

Flag Presentation General Jack Hammond (Unscheduled)

Selectman Hogan was proud to present Burlington resident Brigadier General (Ret.) Jack Hammond who served in both Iraq and Afghanistan. In honor of Burlington’s support of veterans and emergency responders, General Hammond presented the gift of a U.S. flag from the men and women of the 26th Yankee Brigade which flew at Camp Phoenix in recognition of the 10th anniversary of the events of 9/11. General Hammond was thanked and congratulated on his recent promotion.

132 Public Hearing: Wegman’s Transfer 85 Wilmington Road

Attorney James Devlin, Demakis Law Offices, P.C. and Kevin Russell, manager of record were present. Attorney Devlin explained that Wegman's Massachusetts, Inc. had entered into an agreement with Woodman's Liquors to purchase the package store on Wilmington Road. Mr. Russell, who is currently the manager of Wegman's in Northborough, will be temporary manager of the liquor store. A request will be made in the future for a full time manager to relieve Mr. Russell.

Chairman Patuto requested that the town's code on the sale of alcohol be reviewed. Selectman Hogan requested a copy of the policy in place for Northborough.

The public was invited to speak, and Gary Gianino, former selectman and resident, asked if Wegman's could use one of the liquor licenses approved for Northwest Park where Wegman's will be located. Town
Administrator Robert Mercier (T.A. Mercier) replied that there were no package store licenses from the ABCC for Northwest Park.

**Motion:** Selectman Grattan moved to close the public hearing. Seconded by Selectman Hogan and approved. (4-0-0 with Selectman Zenkin not yet present)

**Motion:** Selectman Hogan moved to approve the application for a transfer of the All Alcohol License for the proposed Wegmans liquor store located at 85 Wilmington Road. Seconded by Selectman Runyan and approved. (4-0-0 with Selectman Zenkin not yet present)

**Selectman Zenkin arrived at 7:25 p.m.**

**PRESENTATION:** Town Administrator Robert Mercier

This being T.A. Mercier's last meeting, he was congratulated for his years of service and presented with retirement gifts. The Selectmen recognized his guidance and long history with the town and commented on his accomplishments. Many elected officials, past and present, were present and some spoke. A Letter of Appreciation was received from the Recreation Department.

**133 Appointment:** Cultural Council Committee

T.A. Mercier informed the BOS that he was re-appointing Teresa Pignatone to the Cultural Council Committee and recommended the BOS waive the normal 15 day waiting period.

**Motion:** Selectman Zenkin moved to waive the 15 day waiting period for the reappointments of Teresa Pignatone to the Cultural Council Committee. Seconded by Selectman Hogan and approved. (5-0-0)

**134 Appointment:** FY2011 Audit Report

Present were Brian Curtin, Town Treasurer; Paul Sagarino, Accountant; and Richard Sullivan from Powers and Sullivan, LLC, Certified Public Accountants. Mr. Sullivan reviewed the audit report and stated that from an operational standpoint, the town had a good business year as compared to other communities, and it held a AA+ rating. Mr. Curtin discussed the record low interest rates and dedicated revenue stream from meals tax. It was noted that the time taken to conduct reconciliation was mentioned in the report, and Mr. Curtin explained that this would be done in a timely manner. The BOS thanked the financial team and auditor for the work done on the audit report.

**135 Approval:** Street Opening Permit

Northland Development Muller Road

Peter Crabtree, Northland Residential Corporation, was present seeking BOS approval for a street opening permit on Muller Road near the Wheeler Road intersection to service the 18 Seven condominium unit which is in the final phase of development. He was aware of the Town Engineering Department's conditions, including the increased cash bond because of the length of the cut.
Motion: Selectman Zenkin moved to approve the request by Northland residential Corporation for a street opening permit on Muller Road to service the final phase of the Seven Springs condominium project. Seconded by Selectman Grattan and approved. (5-0-0)

136 Approval: Acceptance of bid: 42 South Bedford Street
Discussion: 44 South Bedford Street
Discussion: 1 Dearborn Street
Discussion: Grandview Tavern

42 South Bedford Street: T.A. Mercier said the minimum acceptable bid was to be $225,000. A bid of $271,000 was received from Laurens D. Tromp and Lucy B. Guzman. He asked the BOS to consider accepting this bid and, if accepted, to sign the completed Purchase and Sale agreement.

Motion: Selectman Zenkin moved to accept the bid for sale of 42 South Bedford Street in the amount of $271,000. Seconded by Selectman Grattan and approved. (5-0-0)

Discussion: 44 South Bedford Street: This property did not receive the acceptable bid of $225,000.

Funds received for both properties were to be used to repay a $300,000 bond anticipation note, but the single sale does not allow opportunity for the ban to be retired, and T.A. Mercier recommended the BOS consider in the near future rolling the ban for an additional year to allow for time to sell the second property.

1 Dearborn Street: The acceptable bid for this property is $200,000 and no bids were received. There are still residents in the home.

Sleeper Drive Division: The town is obligated to complete the work at this property with funds still available from the original land swap. Remaining funds will be used for the Grandview Tavern property.

Discussion: Grandview Farm: Shawsheen Students continue to work on Phase II (main house and "L"), and their work will be complete prior to summer. Phase III (barn construction) is complete and a formal site plan for Phase IV (landscaping, drainage, etc.) will be submitted to the Planning Board for consideration.

T.A. Mercier recommended creating a policy for use and building a maintenance revolving account for the complex.

Vandalism: Assistant Town Administrator Hickey (ATA Hickey) reported that pipes broken during recent vandalism caused significant water damage on the main floor of the barn and restrooms. The police department filed a report and a claim was filed with the insurance company. Inspector of Buildings, John Clancy, is expected to submit a report. The BOS recommended having a plan in place to ensure that funding is available to finish the project. T.A. Mercier submitted his recommendations for a timeline for completion, including the installation of security cameras.
137 Discussion: Fourth and North Ave. Reconstruction Project
Acceptance of Easement

Tom Hayes, Town Engineer, recommended the acceptance of an easement at Fourth and North Ave. in order to accommodate the sidewalks, curbing, and pedestrian lighting designs.

Motion: Selectman Zenkin moved to accept the Fourth and North Ave. reconstruction project easement. Seconded by Selectman Hogan.

Discussion: Chairman Patuto added that a condition be added that the writing of the easement is to be acceptable by Town Counsel.

Motion approved. (5-0-0)

138 Discussion: Mall Road Improvements

Tom Hayes was present with Trish Wingard and Evan Miller, landscape architects, of Vanasse Hangen Brustlin, Inc. with a plan for Burlington Mall Road median improvements. The BOS reviewed the submitted plans showing the context of the changes, vision and precedent for design as well as a concept plan for granite cobbles, ornamental planters, boulders, plantings, rock walls and island walkways in an attempt to start improvements to the look of the road. It is anticipated that the surrounding businesses will wish to be involved with further improvements to the median strip.

Two probable construction cost and phasing plans were submitted and discussed, and the BOS accepted Phase I: Alt. 2.

Motion: Selectman Hogan moved to accept the probable construction cost Phase I: Alt. 2 to include the island at $77,000.00. Seconded by Selectman Zenkin and approved. (4-1-0 with Selectman Runyan voting against)

139 Recognition: Beautification Program
Recognition of Landscapers and Businesses

T.A. Mercier described the Burlington Beautification Committee and recognized the fine work they do caring for the Town Common. Both the BOS and the Beautification Committee thanked and acknowledged the following businesses and local landscapers for their contribution to the Town:

- Olympia Way: Gulde Insurance;
- Diorio Green at Cambridge Street and Burlington Mall Road: Jim Martin, James A Martin Company; Steve Marchese, Marchese Sprinkler Repair and Dan Dellano, LawnMaster;
- Historic Museum and Bicentennial Memorial flower bed: Jerry McCarthy, Mac's Landscaping;
- Old West School: Martin Merva, Merva Landscape;
- TRW Field entrance: Edward Jones;
- Colonial Garden at island across from fire station: Members of the Garden Club;
- Town Common gazebo: Davis Prato, Prato Associates;
• Garden on corner of Bedford and Center Streets: Kevin Sullivan, Sullivan Funeral Home;
• Town Common areas: The Recreation Maintenance Department was also thanked for maintaining the general appearance of the Town Common and providing significant help to the Beautification Committee.

140 Discussion: Expansion of the Human Services Building

Marjorie McDonald, Director, Council on Aging was present, and she and Chairman Patuto commented on the lack of space for the seniors at the Human Services Building and on the poor design of the Senior Center. He recommended a placeholder for the September Town Meeting to request funds for consulting fees for design/expansion plans to the building.

T.A. Mercier recommended that the department heads at this building meet and put together a Human Services Building committee to formulate a needs assessment plan prior to requesting an architectural assessment, with A.T.A Hickey being present on discussions about the building. Selectman Zenkin asked about grants, and Ms. McDonald replied that the available grant would only allow for work to be done for the senior center.

141 Approval: Minutes:

February 13, 2012, General Session

Motion: Selectman Hogan moved to accept the minutes of the February 13, 2012 General Session. Seconded by Selectman Zenkin and approved. (4-1-0 with Selectman Runyan abstaining)

Selectman Hogan said these minutes included inviting individuals to discuss caring/saving walls hand painted with murals, and he recommended this be an upcoming agenda item.

February 27, 2012, Executive Session

Held. No motion taken.

February 27, 2012, General Session

Motion: Selectman Hogan moved to accept the minutes of the February 27, 2012 General Session. Seconded by Selectman Zenkin and approved. (4-1-0 with Selectman Runyan abstaining)

March 12, 2012, General Session

Motion: Selectman Hogan moved to accept the minutes of the March 12, 2012 General Session. Seconded by Selectman Zenkin and approved. (4-1-0 with Selectman Runyan abstaining)

March 26, 2012, General Session

Motion: Selectman Hogan moved to accept the minutes of the March 26, 2012 General Session. Seconded by Selectman Zenkin and approved. (4-1-0 with Selectman Runyan abstaining)

142 Subcommittee Reports

Selectman Grattan

Per ISAAC's recommendation, Web Consulting was selected and their contract signed his been received.
**Selectman Zenkin**  
The high school graduating class of 2012 was congratulated. The all-night party for the graduates was well organized and a success with many being present to volunteer.

He made a recommendation to send a letter to the State with respect to the consideration to purchase the Canyon property for site facilities. Town Counsel will be contacted to discuss and a subcommittee will be put together to discuss this issue.

**Selectman Runyan**  
Mary McCarthy, a long time resident of Burlington was wished a speedy recovery.

A benefit walk will take place Monday, June 18 from the Town Common at 4:30 p.m. to benefit Eve who suffers from a rare form of cancer.

Groundbreaking ceremony for expansion took place at Pine Haven and Brian White, Town Engineer, Paul Cauldwell and Richie Reed from the Cemetery Division and members of the Cemetery Oversight Committee were thanked.

The sewer force main relocation continues. A new water main is being installed along South Bedford Street. Businesses were thanked for their cooperation during this period.

Middlesex Turnpike and Mitre Link construction continues and detours and/or delays are expected.

**Selectman Hogan**  
An informative article was written in the Beacon regarding what is being done about double poles in various communities.

A bill passed in the House requiring insurance companies to directly pay towns for ambulance runs.

143  
**Town Administrator's Report**  
T.A. Mercier will return as necessary to aid in any unfinished business, and he thanked the BOS for their support during his tenure and added that he made many friends in Burlington.

144  
**Assistant Town Administrator's Report**  
A.T.A. Hickey was pleased to have worked with T.A. Mercier and wished him well in his retirement.

145  
**Chairman's Report**  
Chairman Patuto reported that the Beautification Committee is seeking more sponsors for assistance in additional areas in Town.

**Citizens' Time**  
Town Meeting Member, Monte Pearson, was present to recommend the BOS consider the purchase of the Canyon property to use for Burlington town buildings with conditions for road improvements to
Middlesex Turnpike. The BOS will consider a subcommittee and discuss same with Land Use and the Planning Board.

Adjourn

A motion was made by Selectman Zenkin to adjourn at 9:58 p.m. Seconded by Selectman Hogan and approved. (5-0-0)

Respectfully submitted,

Betty McDonough
Acting Recording Clerk