MONDAY, JUNE 25, 2012

Board of Selectmen Present:  Ralph Patuto, Chairman; Walter Zenkin, Vice-Chairman, Robert Hogan; Michael Runyan; Daniel Grattan (at 8:05 p.m. following ISAAC meeting)

Also Present:  John Petrin, 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 members of the armed forces.

Chairman Patuto welcomed John Petrin to his first meeting stating the BOS has every confidence he will do a fine job as the new Town Administrator of Burlington.

Citizen’s Time

Gregory Smith, 36 College Road, addressed the BOS with respect to his drainage issues caused by his neighbor’s sump pump.  There was nothing new to report.  He also curious asked questions relative to recycling and was advised to contact the Department of Public Works.

146 Approval:  Personnel Appointment

Town Administrator, John Petrin (T.A. Petrin) presented to the BOS his appointment of Norman Lavigne to the position of Water Treatment Plant Manager, replacing William Keene, and recommended BOS approval to waive the standard fifteen-day waiting period.  The BOS congratulated Mr. Lavigne.

Motion:  Selectman Zenkin moved to waive the 15 day waiting period for the appointment of Norman Lavigne to the position of Water Treatment Plant Manager.  Seconded by Selectman Hogan and approved.  (4-0-0 Selectman Grattan not yet present to vote)

147 Public Hearing:  All Alcohol License

Transfer of License, Change of Manager
Papa Razzi Trattoria of Burlington, Inc.  D/B/A
Papa Razzi, 2 Wall Street

Present was Karen Simao, Esquire, McDermott, Quilty & Miller LLP seeking BOS approval of the application of Papa Razzi, 2 Wall Street, for a transfer of the All Alcohol License and approval of the change of Manager of Record to Richard Abbott.  Ms. Simao said there would be no other changes to the restaurant.  Mr. Abbott informed the BOS that he had previously served as manager at this location and had served as manager at other locations in the company.
Selectman Zenkin asked Mr. Abbot if ServSafe Certification and TIPS certification were in place, and he said they were and added that he understands Burlington’s alcohol regulations.

There were no comments from the public prior to the close of the public hearing.

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

**Motion:** Selectman Zenkin moved to approve the application for a transfer of the All Alcohol License and change of manager following change of ownership at Papa Razzi, 2 Wall Street. Seconded by Selectman Hogan and approved. (4-0-0 Selectman Grattan not yet present to vote)

Ms. Simao said she would be sending a letter commending the assistance received from Pauline Gillingham in the Town Administrator’s office.

**148 Approval: End of FY2012 Transfers/Town Accountant**

Paul Sagarino, Town Accountant, was present seeking BOS authorization for FY12 year end transfers of appropriations in the amount of $67,775.00. As required by law, this reallocation request was approved by Ways and Means. The transfers will be taken from unexpended appropriated funds and transferred to accounts expected to have a shortfall.

**Motion:** Selectman Zenkin moved to allow the end of year transfer of funds as approved by Ways and Means. Seconded by Selectman Hogan and approved. (4-0-0 Selectman Grattan not yet present to vote)

4-0

**149 Approval: Bond Anticipation Notes**

Brian Curtin, Town Treasurer, was present seeking BOS authorization to move forward with a Bond Anticipation Note in the amount of $1,000,000. The successful bidder was Century Band, and the bond will be held for 33 days at an interest rate of .50%, $458.00 upon maturity. This note will be used to finance the Memorial School construction work until the town receives the final grant funding on the project in FY13.

**Motion:** Selectman Hogan moved to approve the 33 day Bond Note in the amount of $1,000,000 with an interest rate of .50%. Seconded by Selectman Zenkin and approved. (4-0-0 Selectman Grattan not yet present to vote).

**150 Public Hearings: A. Grant of Location/Verizon/Network Drive**
Ellen Joy, Verizon Right of Way Manager, was present seeking BOS authorization to install approximately 160’ of conduit from existing Verizon manhole oh Network Drive across Network Drive to property line at 50, 60 and 70 Network Drive for telecommunication service. The BOS asked questions about the installation, the cash bond, and the specific work, but Ms. Joy said she did not have specifics to the work being requested. Tom Hayes, Town Engineer, was present and explained that Network Drive is a highly traveled road in is currently in good condition. Network Drive was constructed to accommodate heavy traffic loads, thus, if approved, Engineering is requesting the following additional conditions be attached to the grant:

- Temporary trench patch shall match existing pavement thickness;
- Trench shall be allowed to settle for one year;
- Permanent patch consisting of trench grind (1.5”) and inlay, with 1’ cutback;
- Cash bond in the amount of $3,000 be received to guarantee the final restoration of the pavement and traffic markings.

The BOS were satisfied with Mr. Hayes’ explanation. It was recommended that an engineer or equivalent be present at future meetings to answer questions.

There were no comments from the public prior to the close of the public hearing.

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

**Motion:** Selectman Zenkin moved to approve the petition of Verizon New England, Inc. for a Grant of Location for 50, 60 and 70 Network Drive for Verizon with conditions as discussed. Seconded by Selectman Hogan and approved. (4-0-0 Selectman Grattan not yet present to vote)

**B. Grant of Location/ Sidera Networks/Stony Brook Rd. and Bedford St.**

Paul Rielly, Construction Project Manager, Sidera Fiber Networks, was present seeking BOS authorization to lay and maintain underground conduits for cables under the surface on the to serve Nuance Communication on South Bedford Street near #51 and Stony Brook Road between #20 and #21 as follows: Plan SBS149: The petitioner will install approximately 50’ of conduit from existing location to the telephone pole and Plan SBR145: The petitioner will install approximately 70’ of conduit from existing location to pole #21 in front of Stony Brook Road.

T.A. Petrin commented that DPW reviewed the application and had no significant comments or concern.

The BOS were satisfied with the request and there were no comments from the public prior to the close of the public hearing.
Motion: Selectman Zenkin moved to close the public hearing. Seconded by Selectman Hogan and approved. (4-0-0 Selectman Grattan not yet present to vote)

Motion: Selectman Zenkin moved to approve the petition of Sidera Fiber Networks for a Grant of Location for South Bedford Street near #51 and Stony Brook Road between #20 and #21 as. Seconded by Selectman Hogan and approved. (4-0-0 Selectman Grattan not yet present to vote)

151 Approval: Curbcut/67 Lexington Street

Present was Donald Andreatta, homeowner, seeking BOS authority for a curb cut for proposed driveway extension/semi-circle driveway at 67 Lexington Street, per submitted design which he said is for safety reasons. He is willing to comply with any conditions set forth by the Engineering Department.

T.A. Petrin commented that staff departments were satisfied with the request.

Motion: Selectman Hogan moved to approve the petition of Donald Andreatta for a curb cut at 67 Lexington Street as discussed as per submitted plan. Seconded by Selectman Zenkin and approved. (4-0-0 Selectman Grattan not yet present to vote)

152 Vote: Modify Intersection/Francis Wyman Road and Bedford Street

Mr. Hayes was present to review the results of the testing of the control of the movement of traffic at the intersection of Francis Wyman Road and Bedford Street. He said that the design configuration as recommended by the BOS at a previous public hearing was not possible, because it did not accommodate turning movements of school busses and fire trucks.

Engineering put forth a new proposal to modify the intersection and the edge of pavement will be modified to create a design which will provide single lane of traffic in each direction and to move the Francis Wyman stop line further into the intersection to provide greater sight distance. The Traffic Safety Division was satisfied with the request.

Mr. Hayes was asked about the stop sign, and he replied that it would be visible, plus they propose to create a sidewalk and move the crosswalk to allow for a creating a sidewalk and moving the crosswalk to a better site distance.

Selectman Runyan said there were no fire apparatus turning movement issues with this new plan.

Motion: Selectman Zenkin moved to accept the modification at the intersection of Francis Wyman Road and Bedford Street to move the stop line further into the intersection to provide greater sight distance with the condition that the final design allows for the proper turning radius for large vehicles. Seconded by Selectman Hogan and approved. (4-0-0 Selectman Grattan not yet present to vote)
153 Vote: Re-Naming Middlesex Turnpike

Mr. Hayes updated the BOS on the Tri-Town Middlesex Turnpike corridor and the changes and additions to roadways. He said that creating the Mitre Link and abandoning a portion of Middlesex Turnpike will create a gap and proposed renaming the loop road on the Nordblom Campus designated as Network Drive to Middlesex Turnpike, Network Drive and Mitre Link become part of the Middlesex Turnpike, and the abandoned portion of Middlesex Turnpike to be renamed Middlesex Turnpike Extension.

The issue of changes to addresses on a deed was addressed, and Chairman Patuto said this would be addressed during the next transaction taking place on a property.

Motion: Selectman Zenkin moved to rename the portion of Middlesex Turnpike to Middlesex Turnpike Extension. Seconded by Selectman Hogan and approved. (4-0-0 Selectman Grattan not yet present to vote)

Motion: Selectman Zenkin moved to rename Network Drive to Middlesex Turnpike and the Mitre Link also become the Middlesex Turnpike. Seconded by Selectman Hogan and approved. (4-0-0 with Selectman Grattan not yet present to vote)

154 Vote: Gift of $25,000 for Grandview Farm Phase IV

Grandview Farm Advisory Committee

Nick Rubino, Chairman of the Grandview Advisory Committee, and other members were present. Tom Hickey, Assistant Town Administrator (ATA Hickey) was pleased to inform the BOS of their presentation of a gift of $25,000 to be used exclusively for preliminary exterior design plans, Phase IV, with the understanding that at least 30% of the preliminary design would be completed by a landscape architect to present to the Planning Board, the Conservation Commission and other necessary boards, by December 31, 2012.

The committee was informed that the Town is grateful for the contribution. Mr. Rubino updated the BOS on the progress to date and said the donation was to keep the project moving forward. The committee was congratulated for their continued efforts for more than ten years.

Motion: Selectman Hogan moved that the Board of Selectmen accept the gift of $25,000 from the Grandview Farm Advisory Committee with the funds to be used by December 31, 2012 on Phase IV plans of the Grandview Farm. Seconded by Selectman Zenkin and approved. (4-0-0)

Selectman Grattan arrived at 8:06 p.m. after attending an ISAAC meeting.

155 Discussion: Landlocked Parcel
Town meeting member Monte Pearson presented plans to submit a warrant for September 2012 Town Meeting to rezone the Landlocked Parcel (LLP) from a General Business to Open Space. A map of the parcel was distributed.

The LLP, he said, serves as a habitat as well as a rainwater purifier for groundwater and streams that lead to the Vine Brook aquifer and serves to purify the air from the surrounding Route 3. It is hoped, he added, that rezoning this property will protect the land from being built upon in any fashion.

The Town of Lexington could potentially be purchasing an adjacent farm for parking and additional pedestrian access, he said, and the BOS asked Mr. Pearson to have specific information from Lexington ready for Town Meeting, and he agreed.

The acquiring of this property and the specifics of Article 97 were briefly discussed, and Mr. Pearson said that rezoning as Open Space would not create a conflict to this statute which allows for clean air and water. T.A. Petrin said that Article 97 sets a very high bar of protection and this re-zoning at the local level is allowed and will serve as a local layer of protection to the zoning already in place.

The BOS thanked Mr. Pearson and others involved for the work involved in this endeavor.

156 Subcommittee Reports

Selectman Grattan

Selectman Grattan said that the BOS that Isaac met with Web Consulting (WC), and WC is planning to meet with department heads in July followed by researching the departments. It is hoped a preliminary review will be in place for the September Town Meeting.

Selectman Zenkin

Selectman Zenkin reported that proponents for plans for the Canyon property are coordinating a meeting with the Planning Board.

Captain Thomas Duffy graduated from the FBI National Academy program on June 8, 2012.

Detective Thomas Fournier completed the District of Massachusetts's Joint Terrorism Task Force's field training on terrorism on the local level.

Selectman Hogan

Selectman Hogan said that the State's Massachusetts 911 Department will be implementing mandated training programs and professional development courses for dispatch protocol
Assistant Fire Chief Mike Patterson and Firefighter Andy Connerty are being certified to teach the courses.

**Selectman Runyan**

Selectman Runyan reported that the DPW water main replacement taking place on Bedford Street is ahead of schedule.

There continue to be issues with the installing of the sewer force main in the Sandy Brook Road area.

It is expected that the BOS will be discussing housing inventory, a housing lottery for first-time home buyers is expected to take place in the near future. Because of the time involved in conducting a lottery, discussions are taking place to consider having it conducted by an outside agency. Also being taken under advisement is the potential for a foreclosure at a property plus there are vacancies on the Housing Partnership.

**Town Administrator's Report**

This being his first meeting, T.A. Petrin said he was pleased to be working for Burlington and thanked all for their assistance and for being so welcoming. He had been on various tours with the DPW and visited the Fire and Police Stations.

He said the Housing Partnership is seeking members and sitting members and Selectman liaison terms will be renewed.

He will be attending Middlesex County Sheriff Peter Koutoujian's Youth Public Safety Academy graduation ceremony on June 29.

**Assistant Town Administrator's Report**

A.T.A. Hickey said he had a meeting with the claims adjuster with respect to the recent flooding caused by vandalism at the Grandview Farm. A report was received from Inspector of Buildings, John Clancy.

44 Bedford Street will once again be going out to bid for sale in July and the Purchase and Sale for 42 Bedford Street is almost complete.

**Chairman's Report**

With respect to future expansion plans, Chairman Patuto said the Council on Aging will be putting a committee together to discuss the department's space requirements.
The July 4th parade is upcoming, and the Burlington Rotary Club and volunteers and committees were congratulated on the fine work done on previous parade events.

**Adjourn**

**Motion:** Selectman Zenkin moved to adjourn at 9:15 p.m. Seconded by Selectman Runyan and approved. (5-0-0)

Respectfully submitted,

Betty McDonough  
Acting Recording Clerk