General Session - 6:00 p.m.
Burlington Town Hall, Main Hearing Room

MONDAY FEBRUARY 11, 2019

Board of Selectmen Present:  Christopher Hartling, Chairman; Robert Hogan, Vice-Chairman; Mike Runyan; Joseph Morandi; James Tigges
Also Present:  Paul Sagarino

GENERAL SESSION
The Chairman called the Board of Selectmen (BOS) meeting to order followed by the Pledge of Allegiance.

019 Recognition:  John Clancy, Building Department
John Clancy was present and was recognized by the BOS, John Petrin, Town Administrator (T.A. Petrin) and others for his 32 years of dedicated service to the town.  His last official day with the town was Friday, February 8, 2019.  Mr. Clancy thanked all for the recognition.

020 Town Report Award
T.A. Petrin said the town was awarded and recognized by the Massachusetts Municipal Association for the second year in a row for the town's annual report in category 1, largest population.

021 Appointment:  Town Counsel
Lisa Mead of Mead, Talerman & Costa was present to accept the appointment of this firm as the new Town Counsel.  This firm was involved with the screening committee during the former counsel interview process.  It is a BOS appointment.  Ms. Mead said the firm specializes in municipal law, and one of their purposes she said is to assist in the prevention of litigation.

Motion:  Selectman Hogan moved to appoint the firm of Mead, Talerman & Costa as Town Counsel.  Seconded by Selectman Morandi and approved.  (5-0-0)

Motion:  Selectman Hogan moved to allow the Burlington Town Administrator to enter into a client agreement with the firm of Mead, Talerman & Costa.  Seconded by Selectman Morandi and approved.  (5-0-0)

Appointment:  DPW
John Sanchez, Director, DPW was present to recommend Michael McCarthy to the open position of Special Heavy Motor Equipment Operator.  He is a Burlington resident with experience in snow plowing, ground maintenance, and building maintenance and has a CDL license.  T.A. Petrin agree with this recommendation and appointed Michael McCarthy to this position and recommended the BOS waive the standard 15-day waiting period.
Motion: Selectman Morandi moved to waive the standard 15-day waiting period. Seconded by Selectman Hogan and approved. (5-0-0)

022 Review/Approval: FY2020 Budget Review
Incoming Town Administrator presented the budgets to the BOS.

Selectmen

Motion: Selectman Morandi moved to approve the Selectmen Department's operating budget as submitted with an overall budget percent decrease of -0.59%. Seconded by Selectman Runyan and approved. (5-0-0)

Accounting

Motion: Selectman Tigges moved to approve the Accounting Department's operating budget as submitted with an overall budget percent decrease of -34%. Seconded by Selectman Morandi and approved. (4-0-0 Selectman Hartling not present)

Conservation

John Keeley, Director, Conservation was present. There is a 1.52 % increase reflecting normal payroll increases.

Motion: Selectman Hogan moved to approve the Conservation Department's operating budget as submitted with an overall budget percent increase of 1.52%. Seconded by Selectman Morandi and approved. (5-0-0)

Council on Aging

Council On Aging Director Marge McDonald was present. The percentage increase reflects request for more hours for outreach workers.

Motion: Selectman Runyan moved to approve the Council on Aging Department's operating budget as submitted with an overall budget percent increase of 9.35%. Seconded by Selectman Morandi and approved. (5-0-0)

Burlington Youth & Family Services

Christine Shruhan, Director, was present. The staff was thanked for the work they do for residents.

Motion: Selectman Hogan moved to approve the Burlington Youth and Family Services Department operating budget as submitted with an overall budget percent increase of 2.19%. Seconded by Selectman Morandi and approved. (5-0-0)

Veterans

Chris Hanafin, Veterans' Director, was present.

Motion: Selectman Hogan moved to approve the Veterans Services' Department operating budget as submitted with an overall budget percent increase of 1.64%. Seconded by Selectman Morandi and approved. (5-0-0)

Disability Access Commission

Mr. Hanafin said the hours for the recording clerk have been cut back due to the meetings being reduced.
Motion: Selectman Hogan moved to approve the Disability Access Commission's operating budget as submitted with an overall budget percent decrease of -60.34%. Seconded by Selectman Morandi and approved. (5-0-0)

023 Public Hearing: All Alcohol License Violation
Total Wine Spirits and More
34 Cambridge Street

This hearing was continued from January 14, 2019 at the request of the petitioner. The hearing was reopened with Attorney Robert Buckley, Attorney Robert Shaffer, and for the town, Police Chief Michael Kent, Attorney Lisa Mead, and Ann Meyer, property manager present.

Evidence was reviewed. Testimony was taken for Total Wine from Attorney Robert Buckley, Attorney Robert Shaffer, and Police Chief Michael Kent. An employee of Total Wine Spirits and More sold an alcoholic beverage to a minor without viewing the minor's identification in violation of G.L. c 138 sec. 34 and Section IV of the Town of Burlington's Rules and Regulations for the Licensing and Sale of Alcoholic Beverages. The attorney has been terminated. Attorney Mead said the town's documents were in order and correct.

Public comments: Ms. Meyer said she supports this business but takes this violation seriously.

Motion: Selectman Morandi moved to close the public hearing. Seconded by Selectman Hogan and approved. (5-0-0)

Motion: After determining that a violation had taken place, Selectman Morandi recommended the alcohol license be suspended for one day, Monday, February 25, 2019, with violation being lifted upon opening on the following day. Seconded by Selectman Hogan and approved. (5-0-0)

024 Approval: Treasurer/Collector-Special Act / Ballot Question

Amy Warfield, Town Clerk, was present to describe how the BOS may send certain printed information to the voters of Burlington in accordance with the office of the Attorney General prior to an election taking place. Comments from proponents and proponents of the ballot question are to be sought. The official ballot shall include a summary and statements describing the effect of a yes or a no vote with the act taking effect upon its passage. Necessary funds come from the Election Fund. T.A. Petrin recommended making Town Counsel aware.

025 Approval: Disability Access Commission
Use of Handicapped Parking Fine Funds

Mr. Hanafin reviewed the request for funds from the Handicapped Parking Fine Fund as recommended by the Burlington Disability Access Commission (BDAC):
$5,000 for the processing of Handicap Parking Appeals.

Motion: Selectman Hogan moved to approve $5,000 for the processing of handicapped parking appeals. Seconded by Selectman Morandi and approved. (5-0-0)

The following additional funds in the amount of $5,900 are being requested from the Handicapped Parking Fine Fund as recommended by the BDAC:
$ 3,200 Therapeutic Horseback Riding
$ 1,000 Sneaker Prom
Motion: Selectman Runyan moved to approve $5,900 as requested, $3,200 Therapeutic Horseback Riding, $1,000 Sneaker Prom; $200 Light it up Blue; and $1,500 Therapeutic Recreation Club at Club Simonds. Seconded by Selectman Tigges and approved. (5-0-0)

Discussion: Sears Street

Approval: Minutes

December 18, 2018 Regular Session

Motion: Selectman Morandi moved to approve the December 18, 2018 Regular Session minutes as submitted Seconded by Selectman Tigges and approved. (5-0-0)

January 7, 2019 Strategic Planning Session

Motion: Selectman Morandi moved to approve the January 7, 2019 Strategic Planning Session minutes as submitted Seconded by Selectman Tigges and approved. (5-0-0)

January 14, 2019 Regular Session

Motion: Selectman Morandi moved to approve the January 14, 2019 Regular Session minutes as submitted Seconded by Selectman Tigges and approved. (5-0-0)

January 28, 2019 Regular Session

Motion: Selectman Morandi moved to approve the January 28, 2019 Regular Session minutes as submitted Seconded by Selectman Tigges and approved. (5-0-0)

Subcommittee Reports

Selectman Tigges said the Small Cell Committee continues to meet and are working on design standards as part of the application process.

Oak Furnitureland recently opened its first US retail location at Wayside in Burlington

Chairman’s Report:

Town Administrator’s Report:

Planning Board postponed the meeting where 61 Center Street parking was going to be discussed.

Mr. Sagarino was thanked for helping with the budget.

A tour was recently taken at Fire Station 2 which is still under construction.

Old/New Business:

Adjourn:

Motion: Selectman Hogan moved to adjourn at 7:50 p.m. Seconded by Selectman Morandi and approved. (5-0-0)

Submitted by,

Betty McDonough, Recording Clerk