TOWN OF BURLINGTON, MA
BOARD OF SELECTMEN
MINUTES
General Session - 6:00 p.m.
Burlington Town Hall, Main Hearing Room

MONDAY JULY 15, 2019

Board of Selectmen Present: Joseph Morandi, Chairman; James Tigges, Vice-Chairman; Robert Hogan, Michael Runyan; Nicholas Priest
Also Present: Paul Sagarino, Town Administrator

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

142 Appointments:

• Fire Dispatcher
Fire Chief Steve Yetman was present recommending Thomas Cardwell for the position of fire dispatcher. Town Administrator Paul Sagarino (T.A. Sagarino) agreed with the recommendation and appointed Mr. Cardwell to the position effective July 22, 2019 and recommended the BOS waive the standard fifteen day waiting period.

Motion: Selectman Hogan moved to waive the standard fifteen day waiting period. Seconded by Selectman Tigges and approved. (5-0-0)

• DPW
John Sanchez, Director of Public Works, was present recommending Frank Anderson for a promotion to the position of Buildings & Cemeteries Superintendent position. Four internal candidates applied. Mr. Anderson holds all the necessary licenses for this position. T.A. Sagarino agreed with the recommendation and appointed Frank Anderson to this position effective July 15, 2019 and recommended the BOS waive the standard fifteen day waiting period.

Motion: Selectman Hogan moved to waive the standard fifteen day waiting period for the promotion of Frank Anderson to the position of Buildings & Cemeteries Superintendent position. Seconded by Selectman Tigges and approved. (5-0-0)

143 Update: Sidewalks
Mr. Sanchez reported that since approximately 2016 there has been a problem in this and other communities with newly installed concrete sidewalks failing due to spalling within a year of installation. The surfaces start to flake and break away from the panel. There have been no changes in the maintaining of these sidewalks. The deterioration is a curious problem as some panels are failing and others nearby are not. Many recently installed sidewalks are currently being replaced at no cost to the town. Sidewalks typically have a lifespan of twenty to thirty years. Although repairs will continue to take place, Mr. Sanchez is recommending that the town suspend plans future plans for sidewalk installation until this issue is resolved. Mr. Sanchez was thanked for the update.
144 Approval: Bond Anticipation Notes
Town Treasurer Brian Curtin was present seeking BOS authorization bond Anticipation Notes for the financing for two capital projects approved at the May 2018 Town Meeting. He reviewed the sale bid results and said this temporary funding will be available on July 19, 2019 and will mature on July 17, 2020. The projects being financed are Water Mains, $700,000 and DPW/Recreational facility, $4,000,000 for a total of $4,700,000.

Motion: Selectman Hogan moved that the Board of Selectmen approve and sign the Bond Anticipation Notes and supporting documents as outlined by the Town Treasurer for the financing of the two projects as discussed with the two capital projects totaling $4,700,000. Seconded by Selectman Tigges and approved. (5-0-0)

145 Approval: Town Election Poll Workers
Town Clerk Amy Warfield was present seeking approval for the Town Election to be held on April 4, 2020. She also presented to the BOS for approval the annual list of potential poll workers. Residents may apply to be a poll worker at the Town Clerk's office. The following are all planned elections for 2020:

- Presidential Primary March 3, 2020 (with early voting expected)
- Town Election April 4, 2020
- State Primary September 15, 2020
- Presidential Election November 3, 2020 (with early voting expected)

Motion: Selectman Priest moved to approve the list of election poll workers as provided by the Town Clerk. Seconded by Selectman Hogan and approved. (5-0-0)

Motion: Selectman Priest moved to approve the holding of the annual Town Election on April 4, 2020. Seconded by Selectman Runyan and approved. (5-0-0)

146 Public Hearing: All Alcohol License Amendment Application

The public hearing was opened. Present was Attorney Patricia Farnsworth, Lawson & Weitzen present with Bob Schaffer, Counsel to Total Wine seeking approval to expand their current licensed premises to add 10,030 square feet. CVS has moved to another location within this shopping center, and Total Wine will be taking over the adjacent space from CVS. This will create additional space for existing clientele and storage.

Staff comments included the Police and Board of Health having no issues. The Planning Department approved this as an insignificant change. The Building Department had no objections. There will be a dedicated space with certified staff where patrons may pick up phone or internet orders and identification is required. Total Wine has doubled up on their alcohol training, and all cash registers have a device that allows licenses to be scanned.

There were no comments from the public.

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

Motion: Selectman Hogan moved to approve the all alcohol license amendment for an alteration of premises at Massachusetts Fine Wines & Spirits D/B/A Total Wine Spirits Beer and More. Seconded by Selectman Tigges and approved. (5-0-0)
Selectman Runyan recused himself from the discussion on the basis of a conflict of interest. The public hearing was opened. The request from the applicant was for a package store at this business. Department comments included that this applicant was combining this address with adjacent property to demolish both structures and construct a new bigger convenience gas station. This information was not provided to the Selectmen. Selectmen staff awaiting additional information including total square footage of where alcohol would be sold. It was recommended the public hearing be closed and a new public hearing be advertised when more detailed information is provided. There were no comments from the public.

Motion: Selectman moved to close the public hearing. Seconded by Selectman and approved. (4-0-0)

Selectman Runyan returned to the meeting.

At a public hearing On June 10, 2019 the BOS approved the Transfer of an All Alcohol Liquor License After Auction From: Lester’s Roadside Bar-B-Q, Inc. dba Lester’s Roadside Bar-B-Q To Tawesub Group, LLC dba White Coconut Thai Restaurant 211 Middlesex Turnpike

Motion: Selectman Tigges moved to closed the public hearing. Seconded by Selectman Priest and approved (5-0-0)

Motion: Selectman Tigges moved to approve the transfer of a Wine & Malt with Cordials/Liqueurs. Seconded by Selectman Priest and approved. (5-0-0)

At the recommendation of COA Director Marge McDonald, T.A. Sagarino appointed the following to the Council on Aging Board of Directors: Mark Burke, Carole Castellano, Susan DeRosa, Eleanor Hutchinson, Joanne Kinchla, Pat McDermott, Carol Parker and alternate Rose Magliozzi all for a one year term through July 1, 2020 with the recommendation that the BOS waive the standard fifteen-day waiting period.

These members were thanked for their dedication by Selectman Runyan.

Motion: Selectman Runyan moved to waive the standard fifteen day waiting period. Seconded by Selectman Tigges and approved. (5-0-0)
Approval: Liquor Licenses

T.A. Sagarino surmised that the Selectmen's Office had not been informed that a petition had been filed at the State House for nine additional liquor licenses at the mall. The request was approved at the September 2019 Town Meeting. The BOS is the local license authority for the Town and had voted to not support 2-3 the request at that time because they wished negotiations to continue with the mall with respect to additional licenses.

Selectman Hogan agreed that the BOS had not received any information from the presenters that the submission had taken place, and he contacted members of the legislature and submitted some information to their attention after noting that a hearing had already taken place. This submission would include a map illustrating how congested with liquor licenses this area is. Nine additional licenses is a cause of concern he added for public safety, traffic, and could affect the other restaurants in the area. Nine additional licenses at the mall would bring their total number of licenses to nineteen.

At this time the BOS discussed a recommendation for a vote to send an additional letter to each of the legislative members on the Consumer Protection and Professional Licensure in order for them to review the BOS's concerns during deliberation.

Selectmen Tigges said that although he was one of the two who originally voted in favor of the request, he is not in favor of how this was handled.

Selectmen Runyan said the BOS should have been provided the opportunity to be heard at the legislative level and was disappointed the mall stopped negotiations after receiving Town Meeting approval.

Selectman Priest understands the mall is working to adapt but agreed this was poorly handled and commented on public safety and parking concerns.

Selectman Hogan commented on the substantial amount of work by the various departments on liquor license applications and renewals on the currently 50 licenses.

Chairman Morandi noted the amount of work done to negotiate with the LLA with the mall, and the BOS should have been provided the opportunity to assist with the decisions with the negotiations at the state level.

Motion: Selectman Hogan moved that the Board of Selectman not support House Bill 3676 requesting nine more liquor licenses for the Town of Burlington dedicated for the Burlington Mall as requested by Town Meeting and further that the Board send a letter to the Joint Committee on Professional Licensure informing them of the Board's position and further that our State Senator and State Representative be informed of this vote. Seconded by Selectman Priest and approved. (5-0-0)

151 Approval: Statement in Support of Fully Funding our Public Schools

Selectman Priest said that several months ago the Burlington School Committee wrote a resolution urging state legislators to fully fund the state's education system. The school department's Foundation Budget is no longer sufficient to support our students and is a cause for a divide in the dollars made available for our students. We would be eligible for a sizeable amount of funds if properly funded for student education. This letter of support states that the BOS support the Burlington School Committee's vote.

Motion: Selectman Priest moved that the Board of Selectmen approve a Statement in Support of Fully Funding our Public Schools. Seconded by Selectman Runyan and approved. (5-0-0)
152 Approval: Economic Development Director Search
T.A. Sagarino said support for the hiring of an Economic Development Director has been well received by the boards and committees and a committee will be formed for this purpose with suggested members being the Human Services Director, Budget Analyst, Conservation Director, Planning Director as well as members from Town Meeting, Selectmen Way and Means, Burlington Area Chamber of Commerce, and an interested resident.

Selectman Priest will represent the BOS with meetings expected to start in September.

Motion: Selectman Tigges moved to approve the formation of this committee, as discussed, for the purpose of hiring an Economic Development Director with Selectman Priest being a member of that committee to represent the Board of Selectmen. Seconded by Selectman Runyan and approved. (5-0-0)

153 Approval: End of Year Transfers
Town Accountant John Danizio presented the year end in the amount of $29,342.31 to cover unforeseen expenses

Motion: Selectman Hogan moved to approve the transfers totaling $9,342.31. Seconded by Selectman Tigges and approved. (5-0-0)

154 Update: Plastic Bag Ban Bylaw
The Plastic Bag Ban Bylaw was passed at the January 2019 Town Meeting and by the Attorney General on May 13, 2019. The town is allowed 120 days to set the ban in motion and the ban will take effect on September 10, 2019. The businesses in the community will be notified. Public service announcements will also take place.

155 Minutes

April 18, 2019 Executive Session
Postponed.

June 10, 2019 Regular Session
Motion: Selectman Hogan moved to approve the June 10, 2019 regular session minutes as submitted. Seconded by Selectman Tigges and approved. (5-0-0)

June 24, 2019 Regular Session
Motion: Selectman Hogan moved to approve the June 24, 2019 regular session minutes as submitted. Seconded by Selectman Tigges and approved. (5-0-0)

June 27 Strategic Planning Session
Motion: Selectman Hogan moved to approve the June 27, 2019 strategic planning session minutes as submitted. Seconded by Selectman Tigges and approved. (5-0-0)

156 Subcommittee Reports
Selectman Runyan thanked the July 4th celebration committee members, sponsors and volunteers. The event was successful and positive feed has been received.
He reminded residents and businesses to respond to correspondence from the Town about potential water leaks.
Selectman Priest said an evaluation has commenced for the new Cybersecurity committee. Procedures put in place in 2003 are being reviewed.

Selectman Tigges commented that the Audit Committee is in recess until the fall.
A small cell meeting is planned to take place this or next week.

Selectman Hogan commented on the completion of the Fire Station and he was pleased to have worked on the committee.
Twenty years ago today the Moving Wall Memorial was at Burlington’s Town Common for one week. It was an extremely important event.

Chairman’s Report
Chairman Morandi said the 4th of July parade, events, and fireworks were fantastic, and he enjoyed walking with all five selectmen.
He thanked residents for their patience during the paving projects

Town Administrator’s Report
T.A. Petrin thanked Selectmen Runyan and Priest for the work done for the 4th of July events.
This department will be sharing any zoning articles and issues with all boards and committees that handle zoning and land issues.
The Lahey Clinic is now a Level One Trauma Center. This is an important designation for a town to receive.
The Burlington Police and Fire Departments will hold their 2nd Annual Burlington Battle of the Badges Blood Drive to support the American Red Cross and everyone in need of a blood transfusion. The event is being held on August 7, 2019.

Old/New Business none

Citizens’ Time none

ADJOURN

Motion: Selectman Runyan moved to adjourn at 7:30 p.m. Seconded by Selectman Priest and approved. (5-0-0)

Submitted by,
Betty McDonough, Recording Clerk