TOWN OF BURLINGTON, MA
BOARD OF SELECTMEN
MINUTES
General Session - 6:30 p.m.
Burlington Town Hall, Main Hearing Room

MONDAY, JANUARY 11, 2016

Board of Selectmen Present: Michael Runyan, Chairman; Christopher Hartling, Vice-Chairman; Robert Hogan; Daniel Grattan; Joseph Morandi
Also Present: John Petrin, Town Administrator

Pledge of Allegiance
The Board of Selectmen (BOS) meeting was called to order at 6:30 p.m. followed by the Pledge of Allegiance.

Presentation: Retirement Recognitions
1. Tax Collector's Office
   Brian Curtin, Town Treasurer recognized and thanked Sheila Flaherty for her work in both the Treasury and Tax Offices. She started work in 1999 and is retiring on Friday, January 15, 2016. The BOS thanked Ms. Flaherty for her service to the town.

2. Department of Public Works
   John Sanchez, Director, Department of Public Works (DPW) recognized and thanked Jay Marchese for his work in the DPW. He was a hard worker and will be missed. The BOS thanked Mr. Marchese for his work in DPW.

Appointments:
1. Boards and Commissions
2. Department of Public Works
3. Police Department

1. Boards and Commissions
   The Disability Access Commission (DAC) and the DAC Coordinator recommended Kent Moffatt to fill an open seat on the commission. T.A. Petrin agreed with this recommendation and appointed Kent Moffatt as a member of the Disability Access Commission. Mr. Moffatt also puts in many hours with other town committees to which he has been appointed. The standard 15-day waiting period was asked to be waived.

Motion: Selectman Hogan moved to waive the standard 15-day waiting period for the appointment of Kent Moffatt as a member of the Disability Access Commission. Seconded by Selectman Morandi and approved. (5-0-0)
2. Department of Public Works
Mr. Sanchez recommended James Gavula for a promotion to the position of Senior Building Maintenance Craftsman/Laborer. Mr. Gavula has worked for the Buildings and Cemeteries Division and is aware of the functions of the DPW. His overall experience makes him a qualified candidate, and he holds both the Massachusetts Master and Journeyman’s Plumber Licenses. T.A. Petrin agreed with this recommendation and appointed Mr. Gavula to the position.

3. Police Department
Police Chief Michael Kent said Lindsay LaPrad was appointed to the position of Permanent Full-Time Police Officer and has started in the Police Academy. She will be brought forward to the BOS for introduction at a later date.

Discussion: Sidewalks/Plowing
E-mails have been received from an anonymous resident who is unsatisfied that plows block sidewalks and that not all the sidewalks are fully cleared after snow storms. T.A. Petrin said the individual has been informed that it is not a town policy to plow the sidewalks. Mr. Sanchez added that Burlington handles their sidewalks much like many other communities. There are over 50 miles of sidewalks and the town plows 31 miles of them. Homeowners and businesses are asked to keep their sidewalks as clean as possible to in order to assist with clean up. Selectman Hartling added that he does not see that DPW has the expandable labor resource to handle 100% sidewalk snow cleanup. Selectman Hogan agreed that the town is doing its best.

Discussion: Facilities
T.A. Petrin said the BOS and town staff had a meeting recently to discuss the existing Fire Department and DPW issues and future design plans for buildings owned by the town. At this meeting Mr. Sanchez gave a presentation and briefed the BOS on suggested, potential improvements. All considerations will be presented at May Town Meeting.

Presentation: Indian Americans for Burlington
Ram Voruganti and Indra Deb were present to talk to the BOS about the Indian Americans for Burlington organization. Mr. Voruganti said members of the Indian community met and decided to form a group to help themselves and other members of the community and to participate in town events. Their mission is to promote civic, charitable, educational and community activities for all citizens, as requested. There are more than 140 members. Selectman Runyan and T.A. Petrin were thanked by the members for attending the recent Indian American for Burlington function. The BOS congratulated the organization and thanked them for their willingness to assist others.

Approval: Road Race: 4th Annual 5K for C.A.D.
Kori Doherty was present seeking BOS approval to hold the 4th annual 5K road race fundraiser in memory of Charles Doherty. She said $90,000 had been raised in total net proceeds in their first three years since establishing the foundation for Bicuspid Aortic Foundation for research and scholarships for future cardiologists. Their event plans are the same as previous years with the Tavern in the Square hosting the event which takes place on September 13, 2016. They have been in contact with the Police
and Fire Departments, DPW, the Tavern as well as Kohl's, in order to once again use their parking lot for the finish line. The one-day license for the Tavern will be handled closer to the event.

**Motion:** Selectman Hartling moved to approve the 4th annual road race fundraiser for Bicuspid Aortic Foundation. Seconded by Selectman Morandi and approved. (5-0-0)

**Public Hearing**

**Burlington Motors/177 Bedford Street  
2016 License Renewals**

**Applicant Request for Additional Vehicles**

Burlington Motors was granted a temporary license (through January 31, 2016) at the December 14, 2015 meeting until the BOS had the opportunity to visit the site to review violations of too many vehicles on the site presented by the Police Department. Burlington Motors is also seeking BOS approval to hold five additional vehicles on the property following the issue of too many cars presented by the Police Department.

The owner Ronald Esposito and Zack Fahey, assistant manager, were present to explain that the additional vehicles on the site were awaiting to be cleaned and/or repaired. He puts stickers on these vehicles. They try to use the space as best they can.

T.A. Petrin expressed his concern with safety issues when vehicles are being unloaded on Route 62. Chairman Runyan agreed that the site appears to be very busy with cars being parked on the curb. It was agreed a site visit was necessary by the BOS to review options and recommended the owner create a site plan to explain where cars for sale will be placed vs. those vehicles not for sale and car carriers cannot be on the main thoroughfare.

The public hearing was continued to February 22, 2016 in order to determine a time and place for a site visit for the purpose of obtaining a better understanding of the operations of this business and to determine how this site can operate going forward.

**Motion:** Selectman Grattan moved to extend the current license to have ten vehicles at the site and to continue the public hearing to February 22, 2016 with members of the Board of Selectmen conducting a site visit to determine how the site can be better utilized and to view the need for a request for five more vehicles. Seconded by Selectman Morandi.

**Motion passed:** 5-0-0

**Approval:** **Low-Income Housing/Refinance/23 Richardson Road**

The BOS reviewed the plans of the homeowner to refinance his mortgage to a lower interest rate. Jim Doherty, Assistant Assessor, was satisfied with the plans. The BOS recommended approving the request with the condition that Mr. Doherty confirm a new bedroom is not being added on.

**Motion:** Selectman Grattan moved to approve the request to refinance the mortgage at 23 Richardson Road with the condition that the Assistant Assessor confirm that a room is not being added on. Seconded by Selectman Morandi and approved. (4-0-0 with Selectman Hogan not present)
Approval: Update Policy/Burlington Rules and Regulations for the Licensing and Sale of Alcoholic Beverages

Alcohol subcommittee Selectmen Hogan and Morandi, met to review and discuss updating the alcohol rules and regulations to accommodate the selling of alcohol at movie theaters. It is expected that the AMC Theater will be submitting a request to serve alcohol. This Home Rule Petition was approved by Town Meeting and state legislators approved additional special licenses for this area. Town Counsel also reviewed and approved the updated regulations which include allowing alcohol in lobby and theatre, a two drink maximum with alcohol consumption being a subsidy to the function of watching a movie.

Motion: Selectman Hogan moved to approve the updates to Burlington's Rules and Regulations for the Licensing and Sale of Alcoholic Beverages to include movie theaters. Seconded by Selectman Morandi and approved. (5-0-0)

Update: Grandview Commons Lottery
T.A. Petrin said the original lottery list for the condos at Grandview Commons has been exhausted and advertising was placed in the newspapers for a new lottery to take place. There is currently a one-bedroom unit available. After the lottery takes place, applications will continue to be accepted and placed in the appropriate income pool.

Approval: Health Insurance 32B, Section 9A 1/2 Agreement
Another health insurance settlement agreement was received which is good for the community and represents health care reimbursement from a community that employed a former Burlington employee.

Motion: Selectman Hogan moved to accept the health care reimbursement settlement agreement pursuant to 32B, Section 9A 1/2 for the liability as specified in the settlement agreement. Seconded by Selectman Grattan and approved. (5-0-0)

Update: February Board Training Session
Town Counsel is offering a training session on February 1, 2016 for all boards, committees, and commissions that hold regular meetings and public hearings. Required procedures per meeting laws will be reviewed. T.A. Petrin said boards would be notified.

There are 26 warrant articles being submitted to Town Meeting, the majority of which are changes to rules of Town Meeting and General Bylaw updates.

Article 7 - Transfer from Free Cash to Reserve: This BOS article is a request for a transfer from Free Cash to Reserve in order for there to be funds available for emergencies. This is an annual request with the full amount typically being returned to the General Fund at fiscal year end.

Article 8 - Rescind Previous Borrowing Authority: This BOS article is a request to rescind old Town Meeting approved bond authorizations remaining on completed projects.
Article 9 - Transfer of Insurance Reimbursement to Repair 45 Center Street: This BOS article is to transfer an insurance reimbursement received for flooding repairs at the Police Station. Facilities has already spent the funds and it will close out to the General Fund.

Motion: Selectman Hogan moved to approve Articles 7, 8 and 9. Seconded by Selectman Hartling and approved. (5-0-0)

Article 24 - Amendments to General Bylaws/Department Budgets to Include Benefits Article I, Section 8.0
Article 25 - Amendments to General Bylaws/Department Budgets to Include Benefits Article I, Section 8.0/8.1: These two articles request that department budgets include all costs to the Town associated with each department employee. A representative town survey was done by staff which indicated that other towns do not include these amounts in a department's budget.

T.A. Petrin explained that this process would impact and create a burden on operations and requested a vote be considered. Selectman Grattan commented that some departments could receive a windfall when insurances are dropped while other departments could experience a shortfall crises. It was agreed that the intent is on mark; however, this request could create unnecessary issues within departmental budgets. It was also noted that transparency and the bigger picture of benefits would be lost if all benefits were broken down into department's budgets.

Motion: Selectman Grattan moved that the Board of Selectmen not support the January 25, 2016 Town Meeting Articles 24 and 25 relative to amendments to General Bylaws/Departments to Include Benefits. Seconded by Selectman Hogan and approved. (4-0-0 with Selectman Hartling not present)

Subcommittee Reports
Selectman Grattan said Powers and Sullivan finished the exit audit and are now setting up a time to present it to the Board of Selectmen. He thanked the Town's financial team.

He attended the recent Court of Honor for Eagle Scout Alexander Heisler on January 3, 2016. Mr. Heisler was presented a proclamation from the BOS and January 3 was named Alexander Heisler Day in Burlington. The Eagle Scout, family and leaders were congratulated.

Selectman Morandi reminded the public that this was the last week to put out Christmas trees for pick up.

Town Administrator's Report: None

Chairman's Report: None.

Old/New Business: None.

Citizen's Time: No one spoke.
Adjourn

Motion: Selectman Grattan moved to adjourn at 8:40. Seconded by Selectman Morandi and approved. (5-0-0)

Submitted by,

Betty McDonough
Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – MONDAY, JANUARY 11, 2016

Agenda

001 Presentation: Retirement Recognitions/Tax, DPW -
002 Appointments: Boards & Commissions/DPW/Police - 12/5/15 memo from c hanafin to bos re kent moffatt as voting dac member; resume; 1/6/16 ltr from j sanchez to jp re james gavula, sr bldg maintenance craftsman; 11/17/15 ltr from jp to lindsay laprad re employment; conditional letter of employment from j faust
003 Discussion: Sidewalks/Plowing - 1/2/16 email from disabled burlington to bos re sidewalk plowing; 1/4/16 email from a warfield to dis burl re bylaws;
004 Discussion: Facilities -
005 Presentation: Indian Americans for Burlington - 1/6/16 email from r voruganti to b mcdonough re will attend meeting; ppp on indian americans for burlington
006 Approval: Road Race: 4th Annual 5K for C.A.D - 12/21/15 ltr from kori doherty to bos re 5kroad race for cad; ppp on 4th annual 5k for cad
007 Public Hearing: Burlington Motors/2016 License Renewals; Applicant Request for Additional Vehicles - list of auto class ii licenses; copy of permit; 12/28/15 email from gerry mcdonough to bm re auto class ii violation; 12/14/15 memo from st gerry mcdonough to s madigan re 2015 class 2 license inspections; burlington motors letter and back u to request to allow more than 10 cars on premises; mgl on class 2 licenses; 12/23/15 ltr from jp to r esposito re hearing; legal notice printed 1/4/16; burl motors poster with coupon;
008 Approval: Low-Income Housing/Refinance/23 Richardson Road - 1/7/16 ltr from jonas cummings to jim doherty re refinancing
009 Approval: Update Policy/Burl Alcohol Rules & Regs - draft copy of updated rules and regs for the licensing and sale of alcoholic beverages
010 Update: Grandview Commons Lottery -
011 Approval: Health Insurance, 32B, Section 9A 1/2 Agreement - settlement agreement
012 Update: February Board Training Session
013 Review/Approval: Town Meeting Warrant-January 25, 2016 -
014 Subcommittee Reports -
015 Town Administrator's Report -
016 Chairman's Report -
017 Old/New Business -
   Citizen's Time -