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

MONDAY, FEBRUARY 27, 2017

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

GENERAL SESSION
The Chairman called the Board of Selectmen (BOS) meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

038 Discussion: FY18 Budgets

- Conservation
- Building/Inspection
- DPW
- Fire Department
- Police Department

- Conservation: Conservation Director John Keeley presented his budget. The department administers local and state and federal wetland protection and stormwater management laws under the direction of the Conservation Commission and manages conservation lands and assists other departments and boards with respect to environmental and conservation issues. The slight increase in the budget reflects step increases. An increase is being requested in stream cleaning manpower funds.

Motion: Selectman Hogan moved to approve the Conservation budget as submitted in the amount of $239,198, at a 2.26% increase. Seconded by Selectman Morandi and approved. (5-0-0)

- Building/Inspection: Present were Inspector of Buildings John Clancy and Senior Building Inspector Andy Ungerson. This department's budgeted salaries are per town contracts and all else is level funded and includes a new 40-hour work week. This increase in work hours eliminated the need for the previously requested and approved part-time inspector. The budget reflects the retirement of one individual.

Motion: Selectman Hogan moved to approve the Building/Inspection budget as submitted in the amount of $626,295, at a 2.89% decrease. Seconded by Selectman Morandi and approved. (5-0-0)

The BOS agreed with presenting the warrant article for $130,000 as a separate warrant to Town Meeting. This amount to be set aside for a two-year period to hire an additional building inspector due to the level of permits being submitted during this economic boom. This inspector could provide temporary assistance with the current high level of work and

BOARD OF SELECTMEN:
   DANIEL GRATAN, CHAIRMAN • CHRISTOPHER HARTLING, VICE CHAIRMAN • ROBERT HOGAN • MICHAEL RUNYAN • JOSEPH MORANDI
rolled into the department's budget following the retirement of the Inspector of Buildings after which time a review of the workload would be evaluated.

- **DPW:** Present was John Sanchez, Director of DPW to review budget. The electric bill offices decreased due to energy management systems installed within Town buildings. Future plans include addressing the aging water main systems through preventative maintenance.

**Motion:** Selectman Hogan moved to approve the total DPW budget as submitted in the amount of $11,029,172 at a 1.04% increase. Seconded by Selectman Morandi and approved. (5-0-0)

- **Fire Department:** Fire Chief Steve Yetman and Assistant Fire Chief Mike Patterson were present. Operational costs have increased. An update was provided on overtime and the spike of injuries. Additional employees as allowed under M.G.L. Wellness provision are being added.

**Motion:** Selectman Hogan moved to approve the Fire Department budget as submitted in the amount of $7,515,276 at a 4.27% increase. Seconded by Selectman Hartling and approved. (4-0-1 with Selectman Runyan abstaining)

T.A. Petrin said the Fire Station 2 subcommittee meetings are being held.

- **Police Department**

  Police Chief Michael Kent described funding for training purposes, and he commented on shelter operation considerations and how this department is working with the Board of Health staff.

  T.A. Petrin said the budget is driven by salary and one full time patrol position was added and overall salaries would increase by 2.53%, Occupancy is level funded, and medical was the largest increase in Special Accounts at an increase of $5,000.

**Motion:** Selectman Hartling moved to approve the Police Department budget as submitted in the amount of $8,118,500 at an increase of 2.34%. Seconded by Selectman Hogan and approved. (5-0-0)

**Warrant Articles**

There are several issues under the BOS's jurisdiction still to be reviewed at upcoming meetings. Ways & Means is setting up their schedules for budget reviews.

**039 Approval:**

- **Disability Access Commission**
  - **Request for Use of Funds**
    - Adopt-A-Park
    - Autism Awareness: Light it up Blue
    - Parking Appeal Process
    - Therapeutic Horseback Riding

  Chris Hanafin, Burlington Disability Access Commission (BDAC) Coordinator presented requests for BOS approval to use funds from the Handicapped Parking Fine Fund revolving account.

- **Adopt-A-Park:** The BOS previously approved funds for the Regan Park Adopt-A-Park program. BDAC approved an additional amount of $2,437 to cover final costs.
• **Autism Awareness: Light it up Blue:** BDAC approved the amount of $200 to assist with the purchase of Pizza for the Recreation Department's "Autism Awareness: Light it Up Blue event to be held on the Town Common on April 2, 2017.

• **Parking Appeal Process:** BDAC approved funds in the amount of $5,000 to cover administrative procedures to process handicapped parking appeals.

• **Therapeutic Horseback Riding:** BDAC approved funds in the amount of $3,600 to help fund the Therapeutic Horseback riding program being offered by the Recreation Department.

The BOS was in favor of each item.

**Motion:** Selectman Hogan moved to approve the following: Adopt-A-Park in the amount of $2,437; Autism Awareness: Light it up Blue, $200; Parking Appeal Process, $5,000; Therapeutic Horseback Riding, $3,600. Seconded by Selectman Hartling and approved. (5-0-0)

**040 Appointment:**
DPW
John Sanchez recommended Michael Rose to the position of Pumping Station Operator to fill the vacancy left as a result of the retirement of Armand Marion. Mr. Rose holds a CDL-A license and will receive full training required to obtain a water distribution license. T.A. Petrin agreed with this recommendation and appointed Mr. Rose to the position 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 appointment of Michael Rose to the position of Pumping Station Operator. Seconded by Selectman Morandi and approved. (5-0-0)

**041 Promotion: Fire Department**

Fire Chief Steve Yetman recommended Firefighter Todd Ficociello be promoted to Lieutenant to fill the opening created by Lt. Mark Cedrone following his promotion to Captain. There were three excellent candidates. T.A. Petrin agreed with the recommendation and requested 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 Todd Ficociello to the position of Lieutenant. Seconded by Selectman Runyan and approved. (5-0-0)

**042 Review/Discussion:**

**FY2016 Audit Exit Conference**

Powers & Sullivan

Present were Paul Sagarino, Town Accountant and Brian Curtin, Town Treasurer. Jim Powers of Powers & Sullivan presented an overview of the FY ending June 30, 2016 Audit Exit which was comprised of the Report on Examination of Basic Financial Statements, Reports on Federal Award Programs and the Management Letter. The auditors thanked the Town Administrator, financial staff, department heads and other staff for their assistance. Mr. Sullivan said the Town continues to deal from a position of strength and there were no significant deficiencies to report.

T.A. Petrin commented on the Accounting Department's and Town's receipt of a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the 2015 Comprehensive Annual Final Report. He recognized Mr. Sullivan's professional staff and commended the financial team for their support. The Town continues to hold a AAA bond rating and is in a good place in the community.
The BOS thanked the auditors for their guidance and financial staff as well as the Audit Committee members for their cooperation.

043 Approval: Tuscan: Approval for Entertainment License

Tuscan Kitchen Burlington, LLC, d/b/a Tuscan Kitchen
2400 District Avenue

Tuscan Kitchen Manager Ron Leduc was present seeking BOS approval for an Entertainment License for live music in the private dining area from 5:00 p.m. to 10:00 p.m., seven days a week. He described how the area would be opened to accommodate three entertainers. The BOS agreed this could take place in either the restaurant or the patio. Mr. Leduc was reminded that the entertainment is for background only with no audience participation, and he agreed. The Building Inspector did not have an issue with the floor plan as presented for entertainment. Selectman Hartling recommended, if approved, it be done on a six month basis, to become permanent if no issues occur.

Selectman Hogan thanked Tuscan Kitchen for reaching out to the community for fund raisers, specials for veterans, etc.

Motion: Selectman Hartling moved to approve the request for an Entertainment License for Tuscan Kitchen Burlington, LLC, d/b/a Tuscan Kitchen, 2400 District Avenue, subject to six-month trial period through August 31, 2017 and if there are no issues, the license would be permanent and subject to renewal each December. Seconded by Selectman Morandi and approved. (5-0-0)

044 Public Hearing Approval Earth Moving Permit

Continue 154-160 Cambridge Street (Formerly Building 19 ½)
and Curb & Roadway Changes (Portion of Center Street)

At the request of the applicant this item is being continued to the meeting of March 13, 2017.

Motion: Selectman Hogan moved to continue the request for an Earth Moving Permit and curb and roadway changes to a portion of Center Street to the meeting of March 13, 2017. Seconded by Selectman Morandi and approved. (5-0-0)

045 Discussion Church Lane Restrictions

Sgt. Gerry McDonough, member of the Staff Traffic Advisory Committee (STAC) was present. Joyce Baylor, resident, 28 Sarah Street, was present seeking BOS consideration to remove the "Do Not Enter between 7am and 9am" signs from Church Lane at Cambridge Street to aid in alleviating traffic congestion at the traffic signals at the Bedford and Cambridge Street intersection. In reviewing the STAC advisory policy, this type of area does not have any criteria to require Do Not Enter signs.

This issue has come before the BOS on various occasions since 1995 and although recommendations for more studies had been recommended, no vote was taken to have them removed.

Selectman Hogan asked if the neighbors were aware of this request. She said she was not aware that was her responsibility. Selectman Hartling said he would not have issue with them being removed noting the signs were installed for various reasons on a temporary basis measure. Selectman Runyan suggested tabling this item until such time as all signage is addressed and to give time for the neighbors to be informed.
Upon questions on signage review, Sgt. McDonough said this could be accomplished over a period of time by STAC. T.A. Petrin recommended, and the BOS agreed, requesting a list of sign restrictions from STAC and to continue this discussion to the March 13, 2017 meeting to allow staff to notify the neighborhood.

046 Approval: Cafe Escadrille, Inc /26 Cambridge Street/Request One-Hour Extension, St. Patrick’s Day, March 17, 2017

Motion: Selectman Hogan moved to approve Cafe Escadrille's request to extend closing time as requested until 2:00 a.m. on St. Patrick's Day, Friday March 17, 2017. Seconded by Selectman Hartling and approved. (5-0-0)

047 Approval: Town Counsel Appointment

Town Counsel interviews took place before the full board on January 31, 2017 with KP Law, LLC; Mead, Alderman & Costa, and Murphy, Hesse, Toomey, & Lehane present. Selectmen Runyan was satisfied with Murphy, Hesse, Toomey, & Lehane. Selectman Hartling received positive reviews on Murphy, Hesse, Toomey, & Lehane from other towns. Selectman Morandi recommended KP Law based on their history with the Town. Selectman Hogan recommended either Mead, Alderman & Costa or Murphy, Hesse, Toomey & Lehane. Chairman Grattan recommended either KP Law and Murphy, Hesse, Toomey, and Lehane. Selectman Morandi’s motion to continue with KP Law did not receive a second.

Motion: Selectman Runyan moved to appoint Murphy, Hesse, Toomey, & Lehane as Town Counsel subject to conditions as negotiated between Murphy, Hesse, Toomey & Lehane and the Board of Selectmen. Seconded by Selectman Hartling. Seconded by Selectman Hartling and approved. (5-0-0)

T.A. Petrin said some departments have open items and will continue to work with KP Law.

048 Approval: Health Insurance – Retiree Contribution

Chairman Grattan read the health insurance retiree contribution proposal into the record. In the current system, all retired subscribers who turn 65 must switch from an active plan and join a Medicare supplement plan per Town policy. Employees retired prior to July 1, 2006 pay 10% of the premium towards a Medicare supplement plan through the Town of Burlington. Employees retired after July 1, 2006 pay 20% of that plan. Employees and retired employees who take health insurance under the active plan all pay 30% of the premium. This proposal will change the premium contribution for Medicare supplement plans to 30%. This will match the same percentage that is contributed to the active plans which are all more expensive than the Medicare supplement plans. When an employee in the future moves from the active plan to the Medicare supplement plan, they will still see a savings in their contribution as the Medicare supplement plans are cheaper than the active plans.

Motion: Selectman Hogan moved that the Board of Selectmen change the Medicare Supplement Plan Contribution rate for retired employees to 30% for the Medicare supplement plans effective July 1, 2018. Any employee joining that plan prior to July 1, 2018 will do so at the 20% contribution rate.

049 Subcommittee Report

Selectman Runyan expressed condolences to the family of long-time employee Maureen Nicoloro whose husband recently passed away.
The Kiwanis Club is interested in establishing a Burlington chapter. This service organization's focus is children in need of assistance. He said those interested may contact him.

**Selectmen Morandi** said he and Selectman Hogan attended an excellent wine tasting fund raiser for People Helping People at the Cafe Escadrille.

**050 Town Administrator’s Report**

T.A. Petrin said he recently approved the snow and ice deficit for FY17, and Ways & Means would be notified of the expenses that went beyond appropriation.

MassDot has announced the elimination of 200 routes in cities and towns, including one at 2nd Avenue near Keurig and another at Anna Road and Cambridge Street.

Bids received for the 33 and 61 Center Street projects are being analyzed. They came in within the budget allotment.

**051 Chairman’s Report** - None.

**052 Old/New Business:** - None.

Citizen’s Time - No one spoke.

**Motion:** Selectman Morandi to adjourn at 8:30 p.m. Seconded by Selectman Hartling and approved. (5-0-0)

Submitted by,

Betty McDonough
Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – MONDAY, FEBRUARY 27, 2017

038 Discussion: FY18 Budgets - Conservation, Building, DPW, Fire, Police, Warrant Articles - dept budget sheets; warrant
039 Approval: DAC Request for Use of Funds Adopt a Park, Autism Awareness, Parking Appeal Process, Therapeutic horseback Riding - letters from DAC to BOS re above requests
040 Appointment: DPW - 2/7/17 memo from J Sanchez to J Petrin re Michael rose pumping station operator
041: Promotion: Fire Department - 2/27/17 memo from fire to bos re ficiciello promotion
042 Review/Discussion: FY2016 Audit Exit Conference Powers & Sullivan - management letter and federal awards and accounting’s cafr
043 Approval: Tuscan-Approval for Entertainment License - 2/23/17 memo from J Petrin to staff re comments; general license application for entertainment; map indicating where band would play and where chairs would be moved; ad for the entertainment;
044 Public Hearing Continued: Approval Earth Moving Permit Postpone/154-160 Camb St and Curb & Roadway Changes (Portion of Center St) - 2/19/17 public hearing notice; 2/21/17 email from T Hayes to bcm re earth moving; 2/8/17 email to M Vaughan from J Petrin re postpone hearing to 2/27; 1/20/17 email to staff from J Petrin re earth moving; 2/6/17 email from J Clancy to J Petrin re earth moving; 2/7/17 memo from BOH to BOS re earth moving; 1/31/17 email from J Keeley to bcm re earth moving with conditions; 1/25/17 ltr from riemer braunsein to J Petrin re earth moving with plot plans; truck route; 1/25/17 ltr from riemer braunstein re streets and public places; plot plans; 2/24/17 email from Mark Vaughan re confirming that discussion is being postponed.
045 Discussion: Church Lane Restrictions - 2/21/17 email from Joyce Baylor to Selectmen re remove do not enter signs on church lane; 6/19/95 memo from DPW to Town Admin re Church Lane traffic control signs; history of request to remove the signs
046 Approval: Cafe Escadrille, Inc 26 Camb St Request 1-hr extension St. Patrick's Day, 3/17/17 - 2/17/17 ltr from cafe escadrille to J Petrin re one hour extension on st. patrick's day
047 Approval: Town Counsel Appointment
048 Approval: Health Ins - Retiree Contribution
049 Subcommittee Report
050 Town Administrator's Report
051 Chairman’s Report -
052 Old/New Business: -
Citizen’s Time:

Burlington Board of Selectmen Minutes
February 27, 2017

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