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

MONDAY, MARCH 27, 2017

Board of Selectmen Present: Daniel Grattan, Chairman; Robert Hogan; Michael Runyan; Joseph Morandi
Not Present: Christopher Hartling, Vice-Chairman
Also Present: John Petrin, Town Administrator

GENERAL SESSION
Pledge of Allegiance
The Chairman called the Board of Selectmen (BOS) meeting to order at 6:00 p.m. followed by the Pledge of Allegiance. The Chairman led a moment of silence for the late Mike Kelly, who was employed as the Recreation Foreman.

066 Presentation: Board of Selectmen
This being Chairman Grattan's last meeting, he was congratulated for his service and thanked for his long hours working with the BOS and presented with an honorary commemorative. He said it has been a pleasure to serve the Town and to work with many fine people and committees. He thanked the Town staff, Board of Selectmen members and Town Administrator John Petrin (T.A. Petrin) for their support.

067 Appointment: Boards and Committees:
- COA
- Fire Department

COA: Council on Aging Director, Marge McDonald, was present with Patricia McDermott to recommend Ms. McDermott for a position on the COA Board of Directors. T.A. Petrin agreed with this request and appointed Patricia McDermott. This term ends in 2019. The BOS were requested to waive the standard fifteen-day waiting period.

Motion: Selectman Hogan moved to waive the standard fifteen-day waiting period. Seconded by Selectman Runyan and approved. (4-0-0)

Fire Department: Present was Fire Chief Steve Yetman who commented on the May 2016 Town Meeting approval of eight new firefighters - four in FY2017 and four in FY2018. A study was done with respect to implementation of Advance Life Support System. A civil service paramedic list was requested as approved by the BOS and the Town's emergency medical services. The Chief thanked all who were involved in the interview process and six candidate's names were presented to the Town Administrator.

Town Administrator John Petrin (T.A. Petrin) reviewed the process. In December the BOS were presented with a plan to move forward with Advanced Life Support (ALS), the Civil Service process was followed with a request for a paramedic list and six names are being put forward. The first two appointments will be to fill two open positions.

BOARD OF SELECTMEN:
Daniel Grattan, Chairman  •  Christopher Hartling, Vice-Chairman  •  Robert Hogan  •  Michael Runyan  •  Joseph Morandi
1) **Thomas Surette** - a Burlington resident who is being transferred from Winchester as a civil service employee. He also works for Lawrence General Hospital Paramedics program. T.A. Petrin approved the civil service transfer from Winchester Fire Department and appointed Thomas Surette as a firefighter paramedic and requested the BOS waive the standard fifteen-day waiting period.

**Motion:** Selectman Hogan moved to waive the standard fifteen-day waiting period. Seconded by Selectman Runyan and approved. (3-0-1 with Selectman Morandi abstaining)

2) **Thomas Monagle** - currently works in Northborough and works for Patriot Ambulance. T.A. Petrin appointed Thomas Monagle to the position of paramedic firefighter 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 Runyan and approved. (3-0-1 with Selectman Morandi abstaining)

The next four positions are being funded in part for two years from the SAFER Grant and each will be attending the Mass. Fire Firefighting Academy. T.A. Petrin appointed the following to the positions of paramedic firefighters and recommended the BOS waive the standard fifteen-day waiting period.

3) **Joshua Carabello** - currently works for Cataldo ambulance.
4) **Andrew Masse** - currently works for Armstrong Ambulance.
5) **Jesse Ribeiro** - currently works for Armstrong Ambulance.
6) **Preston Angellucci** - currently works for Cataldo and Armstrong Ambulance services.

**Motion:** Selectman Hogan moved to waive the standard fifteen-day waiting period. Seconded by Selectman Runyan and approved. (3-0-1 with Selectman Morandi abstaining)

068 **Appointment:**

**Board of Appeals**

Two names, Kent Moffatt and Salvatore Mansueto, were presented for review. Each had previously presented to the BOS in the past, with Mr. Moffatt applying on more than one occasion. It was noted that each were qualified. After discussing the candidates a vote was taken.

**Motion:** Selectman Hogan moved to appoint Kent Moffatt to the open alternate position on the Board of Appeals. Seconded by Selectman Runyan and approved. (4-0-0)

069 **Approval:**

**Policy on Water Conservation**

**Irrigation Meter Rate Increase**

Present were John Sanchez, Director of Public Works to present a proposed water conservation program. He said that because of changes in state levels, it was necessary to close wells 3, 4 and 5 which has created a capacity issue. Steps were presented to assist with the Town's water conservation which would apply to both residential and commercial properties. This policy would require that at this time until further notice the Town be under a Year-Round restriction with no watering allowed between the hours of 9 a.m. and 5 p.m. There are additional mandatory steps when
Letters were sent out and response was positive. If the BOS approve a rate increase under certain circumstances, another letter would be sent to the residents and businesses.

Selectman Morandi asked about stricter regulations for violations, but this would require a vote from Town Meeting.

Mr. Sanchez said it has been proven that irrigation systems have compromised the Town's ability to have ample water. Information will be provided to customers on proper watering and describing overwatering. A vote for the Year-Round Water Restriction Odd/Even would lift the full restriction currently in place. Outdoor watering restrictions consists of irrigation of laws via sprinkler or automatic irrigation systems and washing of exterior building surface parking lots, driveways or sidewalks.

Motion: Selectman Hogan moved to approve the Year-Round Mandatory Water Restriction "Odd/Even" - outdoor watering with irrigation systems and sprinklers should be limited to every other day (based on street number) continuing the no watering between the hours of 9 a.m. and 5 p.m. Seconded by Selectman Morandi and approved. (4-0-0)

Surrounding community rates were supplied indicating Burlington's low rates. In calculations performed, the commercial use side increased by 66% and homeowners 113%. In order to address limited summer water production capacity, Mr. Sanchez submitted a proposed tiered rates based on the number of gallons used.

Selectman Morandi asked about private wells, and T.A. Petrin responded that these fall under the jurisdiction of the Board of Health. At this time they are also addressing this issue.

Motion: Selectman Morandi moved to approve the Irrigation Water Rate Increase for Calendar 2017. Seconded by Selectman Hogan and approved. (4-0-0)

Approval: Easement Reconfiguration, 17 Terry Avenue

Attorney Edward Hintlian presented this easement for a new building being added which was previously approved by the BOS. Tom Hayes, Engineer, explained that this design will have less impact on the street. This does not require Town Meeting vote. At this time a minor engineering change is being requested to be approved. The Planning Board will be reviewing this request after approval by the BOS, and legal counsel has approved the easement as written. Mr. Hayes is satisfied with the requested realignment of easement as well as the Conservation Commission.

Motion: Selectman Runyan moved that the Board of Selectmen approve the amended, executed drainage easement agreement as approved by Town Counsel with the condition that it be approved by the Planning Board prior to its being recorded in the Registry of Deeds. Seconded by Selectman Morandi and approved. (4-0-0)

Approval: Deputy Local Licensing Authority

T.A. Petrin received confirmation from the Alcoholic Beverages Control Commission that the BOS as the Local Licensed Authority as the right to delegate legal authority for liquor licensing to another official as a Deputy Local Licensing Authority (DLLA). The proposal was to request the BOS vote to delegate to the Town Administrator the authority to approve liquor license issues relative to minor transactions such as a change of manager, change of directors, and simple floor plans. The documents would be emailed to the BOS for review. This will allow
applications to move forward in a more timely fashion. The BOS agreed this recommendation would be an efficient process.

**Motion:** Selectman Hogan moved that the Board of Selectmen appoint the Town Administrator as the Deputy Local Licensing Authority for liquor license applications except for new licenses, transfers, change of license type, change of location, cordials and liqueurs, and for matters being questioned by a member of the Board. Seconded by Selectman Morandi and approved. (4-0-0)

072 **Public Hearing:**

**(cont'd)**

**Change Liquor License from**

- Wine & Malt to Wine & Malt with cordials
- Bickford's Family Restaurant dba Bickford's Grille
- 6 Cambridge Street

The applicant requested that this item be continued.

**Motion:** Selectman Hogan moved to postpone the Change Liquor License from Wine & Malt to Wine & Malt with cordials, Bickford's Family Restaurant dba Bickford's Grille, 6 Cambridge Street to the meeting of April 10, 2017. Seconded by Selectman Morandi and approved. (4-0-0)

073 **Public Hearing**

**New**

**All Alcohol License Transfer**

- from Rainforest Cafe, Inc. dba Rainforest Cafe Burlington
- (former hearing closed)

The public hearing notice was removed by the attorney and petitioner. A new application will be before the BOS on April 24, 2017.

074 **Public Hearing**

**Approval/Earth Moving Permit and/or Addition of Fill**

- General Walker Estates
- Francis Wyman Road and Dartmouth Road

The public hearing was opened. All comments had not been received from staff. Dana Sacca was present representing the developer of the General Walker Estates to review the truck route and how much material is expected to be removed. The BOS agreed to continue the hearing to the meeting of April 10, 2017.

**Motion:** Selectman Morandi moved to continue the public hearing to the meeting of April 10, 2017. Seconded by Selectman Hogan and approved. (4-0-0)

075 **Approval:**

- A & P Compensation Plan
- A & P Classification Plan

T.A. Petrin presented the 2.5% COLA increase for non-union, A&P Personnel which matches the Town’s BMEA, DPW agreed upon increases. There are no changes to the A & P Classification Plan.

**Motion:** Selectman Hogan moved to approve the A & P Compensation Plan. Seconded by Selectman Morandi and approved. (4-0-0)
Motion: Selectman Hogan moved to approve the A & P Classification Plan. Seconded by Selectman Morandi and approved. (4-0-0)

076 Approval: Chapter 40B Affordable Housing
The BOS reviewed the potential need for more affordable housing to match future state requirements following the 2020 census. The Comprehensive Permit is now before the Board of Appeals for review and approval. At this time there is a substantial waiting list for housing and the Town is currently operating under a safe harbor. The BOS agreed to send a letter of approval for this housing to each Board of Appeals (BOA) member in order to reiterate to that board the importance of this additional affordable housing. Chairman Grattan read the letter into the record which is made part of this set of minutes.

Motion: Selectman Hogan moved that the letter as read into the record be sent to each member of the Board of Appeals. Seconded by Selectman Runyan and approved. (4-0-0)

077 Review/Town Meeting and Budget
Approval

• Sidewalks
• Warrant Articles
• FY2018 Budget

Sidewalks: Mr. Sanchez was present. The BOS have been discussing the requests for sidewalks at regular and strategic planning sessions. DPW and Engineering drafted a sidewalk policy to aid in prioritizing restoration and upgrading of existing sidewalks

For accompany this policy, the BOS discussed a possible warrant for a three-year bulk funding from Free Cash with the amount to be further discussed.

Certain high profile sidewalks could be granite and concrete and other sidewalks could be repaired using bituminous material. It is a capital fund that could be carried over. New sidewalks are not included in this plan. A capital request includes a sidewalk paver to do minor repair and upgrades on bituminous sidewalks. Selectman Runyan recommended this be done on a yearly basis. Selectmen Morandi thanked all who assisted and agreed that Free Cash be used so as to not have to raise taxes. Chairman Grattan was not satisfied using Free Cash for sidewalks. Mr. Sanchez said they will improve or repair sidewalks when they are doing road improvements.

Shari Ellis, Town Meeting member, was present representing a citizen's petition for $325,000 for the completion of the Bedford Street sidewalks. It was agreed to take a vote on the policy and to discuss funding amount and source at a future meeting.

Motion: Selectmen Morandi moved to accept the new sidewalk policy. Seconded by Selectman Hogan and approved. (4-0-0)

The policy and plan will be included in the Town Meeting backup.

• Warrant Articles:
Warrant Article 17 - Building Department Salary - $130,000
T.A. Petrin explained that the Building Inspector has submitted for retirement. A warrant article is being submitted for $130,000 from Free Cash to fund wages for an additional local building inspector for a two-year transition period.

**Motion:** Selectmen Hogan moved to approve Warrant Article 17, Building Department Salary, in the amount of $130,000 from Free Cash to approve to cover salary for a building inspector for a two-year period. Seconded by Selectman Morandi and approved. (4-0-0)

**FY2018 Budget**

Ways & Means: T.A. Petrin said final discussions are taking place with Ways & Means.

### 078 Subcommittee Report

**Selectman Runyan** said the library would be showing a National Geographic movie about global warming.

**Selectman Morandi** thanked Chairman Grattan for the work he did with the BOS.

**Selectman Hogan** also congratulated Chairman Grattan for the work done on his many committees.

### 079 Town Administrator's Report

33 Center Street bids are almost ready to finalize. Plans will be presented at the COA on March 28, 2017 at which time he will review the plans.

Fire Department 2 plans are moving forward, the design will be approved shortly, and the permitting process will begin. The temporary station at the Clark & Reid plans need to be finalized, including temporary trailers.

Chairman Grattan was thanked and his financial knowledge will be missed.

### 080 Chairman’s Report -

Chairman Grattan thanked the BOS and T.A. Petrin for their comments.

### 081 Old/New Business: - None.

**Citizen’s Time:** No one spoke.

**Motion:** Selectman Hogan moved to adjourn at 8:15 p.m. Seconded by Selectman Morandi and approved. (4-0-0)

Submitted by,

Betty McDonough
Recording Clerk
066 Presentation: Board of Selectmen
067 Appointment: Boards and Committees: COA, Fire Department - 3/19/17 ltr from mcdermott to jp seeking membership on coa board
068 Appointment: Board of Appeals - BOA website page; resumes for 2 applicants
069 Approval: Policy on Water Conservation and Irrigation meter rate increase - /22/17 memo from j sanchez to j petrin re proposed water conservation program; community water rates; 3/22/17 memo from j sanchez to j petrin re irrigation water rate increase calendar 2017 and charts
070 Approval: Easement Reconfiguration, 17 Terry Avenue - outline of easement directions; 3/22/17 email from kplaw re easement issue; 3/20/17; staff response emails; drainage easement agreement
071 Approval: Deputy Local Licensing Authority - 3/22/17 memo from j petrin to bos re DLLA; town of westborough ma for DLLA
072 Public Hearing: Change Liquor License from Wine & Malt to Wine & Malt with cordials/Bickford's Family Restaurant dba Bickford's Grille, 6 Camb St. - note to bos
073 Public Hearing New: Approval/All Alcohol License Transfer from Rainforest Cafe, Inc. dba Rainforest Cafe Burlington (former hearing closed) - note to bos that a new public hearing notice is being prepared; former public hearing notice
074 Public Hearing New: Approval Earth Moving Permit and or Addition of Fill General Walker Estates Francis Wyman Rd and Dartmouth Rd - 3/24/17 note to bos that packet was not received in time for staff comments; 3/24/17 memo from j petrin to staff; letter from Waypoint General Contracting describing work; maps showing truck route; public hearing notice; 3/23/17 email from dana sacca to office; soil change plan; site plan; impact statement from engineer; soil report; 11/29/16 decision memo from k kassner to a warfield;
076 Approval: Chapter 40B Affordable Housing
077 Review Approval: Town Meeting and Budget, Sidewalks, Warrant Articles, FY 2018 Budget - sidewalk plan with sidewalk pictures; 325,000 financial article for town meeting; 1,000,000 sidewalk warrant article
078 Subcommittee Report
079 Town Administrator's Report
080 Chairman’s Report -
081 Old/New Business: -
Citizen’s Time: