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

MONDAY, AUGUST 14, 2017

Board of Selectmen Present: Christopher Hartling, Chairman; Joseph Morandi, Vice-Chairman; Robert Hogan; Michael Runyan; James Tigges
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.

172 Appointments:
  ▪ Police
  ▪ Accounting

Police
Chief Michael Kent was proud to recommend Matthew Trahan and Keith Hodges to the position of Police Officers. They each hold a degree in criminal justice. Mr. Trahan worked in the Middlesex Sheriff's House of Correction. Town Administrator John Petrin (T.A. Petrin) agreed with the recommendation stating they were strong candidates and appointed them both to the position of Police Officer and recommended the BOS waive the standard fifteen-day waiting period.

Motion: Selectman Morandi moved to waive the standard 15-day waiting period for Matthew Trahan. Seconded by Selectman Runyan and approved. (5-0-0)

Motion: Selectman Morandi moved to waive the standard 15-day waiting period for Keith Hodges. Seconded by Selectman Hogan and approved. (5-0-0)

Chief Kent said the recent Public Safety Night was a success. Selectman Tigges added there was a great response from the business community and residents. Safety Town was also held recently with Officer Bernie Schipelliti teaching valuable street safety lessons.

Accounting
Paul Sagarino, Town Accountant, recommended Whitney Haskell for the position of Budget Analyst and T.A. Petrin agreed she would make a great addition to the financial team. He made note of her impressive resume noting her experience as an attorney and appointed her to the position of Budget Analyst and recommended the BOS waive the standard fifteen-day waiting period.

BOARD OF SELECTMEN:
CHRISTOPHER HARTLING, CHAIRMAN • JOSEPH MORANDI, VICE-CHAIRMAN • ROBERT HOGAN • MICHAEL RUNYAN • JAMES TIGGES
Motion: Selectman Tigges moved to waive the standard 15-day waiting period for the appointment of Whitney Haskell. Seconded by Selectman Hogan and approved. (5-0-0)

• Public Library
Library Director Lori Hodgson retired and was pleased to present the newly appointed Director, Michael Wick, who has been working at the library for one year as the Assistant Director. He was appointed by the Library Trustees. The BOS thanked Ms. Hodgson for her years of service to the Town and service to the community. Mr. Wick said he is pleased to be working with the Town and the fine staff.

173 Approval: Election Workers/Town Clerk
Amy Warfield, Town Clerk, presented the 2018 Pollworker list. She briefly explained the duties of the Pollworkers. They are always looking for new volunteers and have also used student interns. Ms. Warfield said the Town's website has been updated.

174 Review: Health Insurance
Brian Curtin, Treasurer/Collector was present with Group Benefits Strategies (GBS) consultant, Kate Shari to review the status of the Town's health insurance fund. A successful fund has been established, there has been cost saving outreach done, and there has been a reduction in the number of claims. Ms. Sharry congratulated the Town for its control of health care costs, investments and for the efforts of the committee, employees, unions and benefits staff.

175 Approval: BHS Visual Arts Program
(Cont'd from June 12) Display of Winter Art Contest Designs
This proposal was continued from June 12. Selectman Morandi has been working with the applicants. Art Instructors George Ratkevich and Judy Crossman were present seeking BOS approval on a proposal for a Burlington Public Schools Winter Art Contest to celebrate both the community and the winter season to display winning art designs on the Town Common and in front of municipal buildings surrounding the Common from late November to early January, for a period of 4-6 weeks. This request was continued from June 12 and Selectman Morandi and DPW Director John Sanchez have been working with the applicants. The signs will be uniform in size and color. The BOS were satisfied with the request and the final project will be reviewed prior to installation. The DPW recommended the banners be of weatherproof vinyl mesh material. Brackets will be affixed to twelve poles.

Motion: Selectman Runyan moved to approve the request to display twelve (12) winning art designs on the Town Common and in front of municipal buildings surrounding the Common as requested with the condition that final review will be done by Selectman Morandi and John Sanchez. Seconded by Hogan and approved. (5-0-0)

176 Approval: Block Parties for Drake Road, College Road, and September Lane
All petitioners agreed to have moveable barriers and to not have party material in the road for ease of access by emergency vehicles.

• Drake Road
Motion: Selectman Morandi moved to approve the block party on Drake Road from Spring Valley Road to Chandler Road. Seconded by Selectman Tigges and approved. (5-0-0)
**College Road**

**Motion:** Selectman Morandi moved to approve the block party on College Road at the Bedford Street end of College Road. Seconded by Selectman Tigges and approved. (5-0-0)

**September Lane**

**Motion:** Selectman Morandi moved to approve the block party on from 2 Mallard Way to the corner of September Lane. Seconded by Selectman Tigges and approved. (5-0-0)

177 Approval: New All Alcohol License and Manager

(Cont’d from June 26 & July 17)

**Special Legislation**

BB Burlington, LLC

Black and Blue Steak and Crab

at the Marriott Residence Inn Hotel

400 District Avenue

Attorney Mark Vaughan, Riemer and Braunstein, was present seeking BOS approval for a new All Alcohol License and approval of a manager at BB Burlington, LLC, Black and Blue Steak and Crab at the Marriott Residence Inn Hotel located at 400 District Avenue for use in the operation of a full service restaurant and within portions of the adjoining Marriott Residence Inn. The Planning Board approved their Special Permit. The restaurant is located on the first level. They will provide room service to rooms only and they will also provide alcohol in certain portions of the lobby which will be served by staff. This license falls under an act authorizing the town to grant additional alcoholic beverage licenses for The District, formerly known as New England Executive Park. This is the second of three licenses for this district. All proper documents were received for the manager of record.

No one from the public spoke.

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

**Motion:** Selectman Morandi moved to approve a new All Alcohol Hotel special legislation for the District liquor license for BB Burlington, LLC, Black and Blue Steak and Crab at the Marriott Residence Inn Hotel, 400 District Avenue. Seconded by Selectman Hogan and approved. (5-0-0)

**Motion:** Selectman Morandi moved to approve Charlie Fitzsimmons as the manager of record for the hotel and restaurant. Seconded by Selectman Hogan and approved. (5-0-0)

178 Approval: Free-Standing Monument Sign – The Shoppes at Simonds Park

Attorney Vaughan was present representing Duffy Brothers, Heritage Trail seeking BOS approval for a proposed free-standing monument sign to install in the right of way area at Center and Cambridge Streets. The sign will be lit by exterior illumination with ground level lights and exterior decorative fixtures at the upper portion of the sign. It will be softly lit at night. The plan was revised following recommendations on lighting and landscaping by the BOS's subcommittee, Selectmen Morandi and Runyan with Selectman Morandi stating that the lighting needs to be reviewed again and recommended moving forward with the location of the sign and approval of the design could be done at a later time.
Motion: Selectman Morandi moved to approve the location for the freestanding monument sign on Center Street with the condition that the Board of Selectmen continue discussions with respect to lighting. Seconded by Selectman Runyan and approved. (5-0-0)

Attorney Vaughan stated that MassDot acknowledges this is a location for a traffic signal. He also described the two general bylaw warrant articles (Abandonment and Discontinuance of Portions of Olympian Way and Center Street and Conveyance Thereof and Conveyance of Portion of Certain Town Land) being submitted for this address for street widening. The Town's traffic safety committee has submitted a letter of support.

Attorney 179 Approval: Amend General and Zoning Bylaws
Prohibition on Marijuana Establishments

Planning Board member Barbara L'Heureux was present. At this time this warrant is still expected to be on the warrant. The state is still reviewing regulations. The law to legalize recreational marijuana passed in Massachusetts, but Burlington voted against it. At this time the BOS were voting on its being on the warrant. Selectman Tigges is on the Marijuana advisory committee and reviewed town counsel recommendations which included updating the general and zoning bylaws to address retail sales of Marijuana. Chairman Hartling recommended to discussing these warrant articles for bylaws at the next meeting. Approval of this warrant would not affect the sale of medical Marijuana.

180 Approval: Create a Zoning Bylaw Review Committee by Adding
A New Section 2.8 to the Burlington General Bylaws

Shari Ellis, member of the Zoning Bylaw Review Study Committee was present to describe the warrant article entitled Create a Zoning Bylaw Review Committee by Adding a New Section 2.8 to Article V of the Burlington General bylaws. The purpose of the committee was to consider committee structure, determine anticipated methods needed to complete a thorough review of the zoning bylaws; to determine estimated costs for consultants and to determine the duration of this committee. Recent events between boards with respect to zoning were mentioned and the need to ensure the zoning bylaw is not ambiguous. Selectman Runyan said he would prefer to see the departments working together on zoning issues. Chairman Hartling stressed the need for collaboration with business groups, boards and departments in order to create this committee. Selectman Hogan said he would vote to put it on the warrant but would like the opportunity for more discussion in September.

Motion: Selectman Runyan moved to include Article 14, Create a Zoning Bylaw Review Committee by Adding a New Section 2.8 to the Burlington General Bylaws to the warrant. Seconded by Selectman Hogan. Motion failed. (2-3-0 with Selectmen Hartling, Morandi, and Runyan voting against including it on the warrant)

181 Approval: September Town Meeting Warrant and Index of Articles
Article 10: Bond Authorization - Fire Station 2: Request for additional $225,000 to add to the $8,500,000 approved at May 2016 Town Meeting.

Motion: Selectman Hogan moved to approve Financial Article 10 - Bond Authorization - Fire Station 2 in the amount of $225,000. Seconded by Selectman Morandi and approved. (5-0-0)

182 Update: Water
T.A. Petrin is working with a water committee made of up Town Meeting members selected by the Town Moderator to discuss and review solutions for the water issues. At a recent meeting they discussed the draw of water by irrigation
systems and the difficulty in maintaining water flow in the summer because of irrigation. Selectman Tigges was pleased with John Sanchez's presentation and said all at the meeting share a common goal. The next meeting will be to discuss options. The committee will have a report for the September Town Meeting. Selectman Hogan cautioned that the final solution may take a few years.

183 Update/ Approval: Fire Station 2
• 33 Center Street
• 61 Center Street

• Fire Station 2
Committee meetings continue and plans are on target. An additional request for funds is being recommended by the committee at Town Meeting due to a requirement to add sidewalks and tree replications and a study to review geopiers to support the building.

• 33 Center Street • 61 Center Street
Work continues. The ramp is completed in the Murray-Kelly hall and a new storage area has been created. The Board of Health and Veterans Services are in the former Bay Path College wing of the high school.

184 Approval: Home Rule Petition for Additional Liquor Licenses
Minor changes were requested to be voted upon.

Motion: Selectman Tigges moved to approve of the minor changes to the Home Rule Petition for Additional Liquor Licenses. Seconded by Selectman Morandi and approved. (5-0-0)

185 Approval: Minutes
• May 22, 2017

Motion: Selectman Morandi moved to approve the minutes of May 22, 2017. Seconded by Selectman Hogan and approved. (4-0-1 with Selectman Runyan abstaining)

• July 17, 2017

Motion: Selectman Tigges moved to approve the minutes of July 17, 2017. Seconded by Selectman Runyan and approved. (4-0-1 with Selectmen Hogan and Morandi abstaining)

186 Review: Government Review
Present was Town Meeting member and former Selectman Gary Gianino to request consideration of a review ways to improve how the town is governed. Chairman Hartling said he is ready to establish a committee. Selectmen Hogan commented on how complicated things have become. It was agreed this should be studied further by a committee. T.A. Petrin said he would support such a committee.

Motion: Selectman Runyan moved to recommend the Selectman Chair appoint a government review committee to review and make recommendations on the future of how the town is governed. Seconded by Selectman Morandi and approved. (5-0-0)
Subcommittee Reports

Selectman Hogan announced that there would be special 9/11 ceremony to unveil and present the placement of the two steel beams that were gifted to the town by New York's 9/11 Artifacts Division and to unveil a marker created for the memorial. The event is being held on Sunday, September 10.

Selectman Morandi said summer yard waste pickup would continue through August 28.

Town Administrator’s Report
The LED replacement on street lights is nearing completion. The salt shed was demolished and a new one will be constructed in its place. There will be a meeting to once again discuss columbariums for Pine Haven Cemetery. Parking lot pavement project at Francis Wyman Elementary School is complete.

Chairman’s Report
Chairman Hartling thanked Joanne Faust for her continued hard work and dedication to her position.

Old/New Business: None

Citizen’s Time: No one spoke.

Adjourn

Motion: Selectman Morandi moved to adjourn at 8:29 p.m. Seconded by Selectman Tigges and approved. (5-0-0)

Submitted by,

Betty McDonough, Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – MONDAY, AUGUST 14, 2017

Agenda

156 Appointments: Boards and Committees/Historical Commission; DPW/7/11/17 memo to jpetrin from jsanchez recommendation for motor equipment repairman

172 Appointments: Police and Accounting - 7/25/17 memo from Chf Kent to J Petrin re Matthew Trahan and Keith Hodges; resume Whitney Haskell

173 Approval: Election Workers/Town Clerk - List of workers

174 Review: Health Insurance - Health Ins history;

175 Approval: BHS Visual Arts Program Display of Winter Art Contest Designs - proposal

176 Approval: Block Parties required backup for • Drake Road, • College Road, and • September Lane

177 Approval: New All Alcohol License and Manager (Special Legislation) BB Burlington, LLC Black and Blue Steak and Crab at the Marriott Residence Inn Hotel 400 District Avenue - public hearing notice; 6/22/17 memo to staff and responses from Chf Yetman; 6/6/17 ltr to BOS and J Petrin describing application; special legislation backup; floor plan; passport; license; application for a retail alcoholic beverages license; applicant's statement; beneficial interest contacts individual

178 Approval: Free-Standing Monument Sign – The Shoppes at Simonds Park - 8/3/17 email from R&B re monument sign; picture; column design and measurements

179 Approval: Amend General and Zoning Bylaws Prohibition on Marijuana Establishments - copy of the two warrant articles

180 Approval: Create a Zoning Bylaw Review Committee by Adding a New Section 2.8 to the Burlington General Bylaws - copy of the warrant article and backup

181 Approval: September Town Meeting Warrant and Index of Articles - index of articles

182 Update: Water -

183 Update/Approval of warrant articles: • Fire Station 2; • 33 Center Street; • 61 Center Street

184 Approval: Home Rule Petition for Additional Liquor Licenses - 7/28/17 email from Ken Gordon and draft wording of the petition

185 Approval: Minutes - • May 22, 2017; • July 17, 2017

186 Review: Government Review - (Citizens’ Time/Gary Gianino)

Subcommittee Reports -
Town Administrator’s Report -
Chairman’s Report -
Old/New Business -
Citizen’s Time -