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

MONDAY, OCTOBER 23, 2017

Board of Selectmen Present: Christopher Hartling, Chairman; Robert Hogan; James Tigges
Not Present: Joseph Morandi, Vice-Chairman; Michael Runyan
Also Present: Paul Sagarino, Assistant 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.

221 Appointments: Boards and Committees -
• Cultural Council
• Building

• Cultural Council
Three applicants had been received with appointments to be made. One new member was present, Nathan Piccini, who said he is a resident and a teacher at Austin Prep and was looking forward to volunteering for the town. ATA Sagarino appointed Nathan Piccini, Maureen Krebs, and Patricia McDermott to the open positions on the Cultural Council and gave a brief description of the duties of the board members. The BOS waive the standard 15-day waiting period.

Motion: Selectman Hogan moved to waive the standard 15-day waiting period for Nathan Piccini. Seconded by Selectman Tigges and approved. (3-0-0)
Motion: Selectman Hogan moved to waive the standard 15-day waiting period for Maureen Krebs. Seconded by Selectman Tigges and approved. (3-0-0)
Motion: Selectman Hogan moved to waive the standard 15-day waiting period for Patricia McDermott. Seconded by Selectman Tigges and approved. (3-0-0)

• Building
Inspector of Buildings John Clancy was present to introduce his recommendation for a local building inspector, Michael Kenney who has 32 years in the construction field. He is also a member of the Coast Guard Reserve. Funding for this appointment was approved by Town Meeting. John Petrin, Town Administrator (T.A. Petrin) had agreed with this recommendation and Paul Sagarino, Assistant Town Administrator (ATA Sagarino) appointed Michael Kenney to the position of local building inspector and requested the BOS waive the standard 15-day waiting period.

BOARD OF SELECTMEN:
CHRISTOPHER HARTLING, CHAIRMAN • JOSEPH MORANDI, VICE-CHAIRMAN • ROBERT HOGAN • MICHAEL RUNYAN • JAMES TIGGES
Motion: Selectman Hogan moved to waive the standard 15-day waiting period for Michael Kenney. Seconded by Selectman Tigges and approved. (3-0-0)

222 Review: Town Clerk:  
- Open Meeting Law Update  
- Minutes/Requirements  
- Training

Amy Warfield was present to give an update on the Open Meeting Law regulations. 
Meeting Minutes: New stipulation requires minutes be delivered to the Town Clerk's office within 3 meetings or 30 days after a meeting. Draft minutes are acceptable when necessary. This also includes Executive Session minutes which may be submitted either redacted or with only basic, uncompromising information. 
Training is recommended to be provided with at least one member of each committee attending the training in order for that board to be certified. Recording clerks may also attend. The BOS agreed that Town Counsel provide training. Training could potentially be recorded and shared with future members. Posting requirements are fulfilled by having agendas posted on the town's website with said method of posting being approved by the BOS.

Motion: Selectman Tigges moved that the Town's website be the official site for the posting of meetings. Seconded by Selectman Hogan and approved. (3-0-0)

223 Approval: Curb Cut/39 Peach Orchard Road

ATA Sagarino explained that this application had been fully reviewed and supported by Tom Hayes in the Engineering Department and Police, Fire, and Building have no objections. The applicant will work with Engineering to complete the project. 
Members of the board had visited the site and agreed that the request was warranted.

Motion: Selectman Hogan moved to approve the request for a curb cut at 39 Peach Orchard Road. Seconded by Selectman Tigges and approved. (3-0-0)

224 Public Hearing: Approval/Transfer Existing Wine & Malt liquor License -

from Chettinad Grill LLC d/b/a Chettinad Grill
to Singh Saab, Inc d/b/a Singh & Ching
184 Cambridge Street

The public hearing was opened. Harpal Singh and Rajwant Singh, new owners, were present with representing attorney Daniel Wilson in the transfer of the liquor license from Chettinad Grill to Singh & Ching. Attorney Wilson said Mr. Singh currently lives in New York and will move to this area if the application is approved by the Alcohol Beverages Control Commission. They will be working at the restaurant full time. The current owners will operate the restaurant until the transfer is approved by the ABCC and the proponents at that time will take over the business. Rajwant Singh has many years working as a liquor license manager and will be working with Harpal Singh to carry out the duties of alcohol license manager. They will not be changing the seating and floor plan. Mr. Clancy was satisfied as long as the owner of the property was satisfied. The BOS set one condition that Harpal Singh receive his TIPs certification prior to the restaurant being provided with the license.

Selectman Hogan explained that the serving of alcohol is secondary to the serving of a meal. There are two drinks minimum prior to being served a meal. They said they understand. Selectman Tigges reminded the owners about alcohol compliance checks.
No one from the public spoke.

**Motion:** Selectman Tigges moved to close the public hearing. Seconded by Selectman Hogan and approved. (3-0-0)

**Motion:** Selectman Tigges moved to approve the transfer of the existing Wine & Malt Liquor License from Chettinad Grill LLC d/b/a Chettinad Grill to Singh Saab, Inc d/b/a Singh & Ching at 184 Cambridge Street with the condition that Harpal Singh obtain his alcohol training certification. Seconded by Selectman Hogan and approved. (3-0-0)

**Motion:** Selectman Tigges moved to approve Harpal Singh the manager upon the transfer and upon confirmation of receipt of TIPS certification. Seconded by Selectman Hogan and approved. (3-0-0)

225 Public Grant of Location

**Hearing:** Burlington Mall Road @ South Bedford Street

**Lightower Fiber Networks**

Jay Dunn, Waveguard Agent and Utilities Manager from Waveguide Fiber was present seeking BOS approval for a Grant of Location to excavate and install (1) 4” PVC conduit in a trench 238’ plus or minus to a newly placed manhole at or near the intersection of Burlington Mall Road @ South Bedford Street with work starting at existing Verizon manhole #57/151 at or near Burlington Mall Road to serve District Avenue. ATA Sagarino explained that Mr. Hayes in Engineering had reviewed and approved this request and it is not in an area that has been recently paved. The is planned to start next week.

**Motion:** Selectman Tigges moved to approve the Grant of Location for Burlington Mall Road @ South Bedford Street for Lightower Fiber Networks. Seconded by Selectman Hogan and approved. (3-0-0)

226 Public Grant of Location Burlington Mall Road and Meadow Road

**Hearing:**

**TC Systems, Inc. an Affiliate of AT&T and Sienna Engineering Group - cancelled**

This project was cancelled by the applicant.

227 Approval: Shaws – Sale of Christmas Trees

**Shaws Supermarket**

180A Cambridge Street

Selectman Hogan explained that this is an annual fund raising request from the Lions Club that has been done for many years and has received the approval from Shaws to use their property.

**Motion:** Selectman Hogan moved to approve the sale of Christmas Trees at the Shaws Supermarket parking lot as requested and approved by Shaws. Seconded by Selectman Tigges and approved. (3-0-0)

228 Approval: 2018 Health Insurance Rates -

Town Treasurer Brian Curtin was present seeking approval for the 2018 Health Insurance Rates. Mr. Curtin reviewed the data for the rates the BOS set in January 2017 covering the first half of 2018 and the proposed rates for the second six months of that year to include a 2% increase for Blue Cross active employees and 3.5% increase for Harvard Pilgrim active employees. The backup data for the town's health insurance history was reviewed as well as Group Benefits Strategies estimated group health insurance funding. The retiree plans are community rated and not set by the
BOS. Labor management committees for health insurance unanimously recommended the request before the BOS. ATA Sagarino and Mr. Curtin thanked all who participated with this change to the health insurance rates. Educational seminars will be held to assist with questions and enrollment.

**Motion:** Selectman Hogan moved to support the 2018 calendar rates as presented and discussed for open enrollment which begins December 1, 2017. Seconded by Selectman Tigges and approved. (3-0-0)

**229 Approval:**

**40B Housing**

**Residences at Burlington Center Regulatory Agreement**

Chris Chandor, Executive Vice President, Davis Companies was present seeking BOS approval of the standard regulatory agreements for Residences at Burlington Center Regulatory Agreement. The agreements have been reviewed and approved by Town Counsel. The two documents included an agreement which explained that DHCD has the primary responsibility for ensuring that the developer complies with the affordability requirements. The Town has the right to receive documents from the developer and DHCD pertaining to rent schedules, income certifications, and limited dividend requirement.

**Motion:** Selectman Tigges moved to approve the DHCD and Municipality 40B Housing regulatory agreement. Seconded by Selectman Hogan and approved. (3-0-0)

**Motion:** Selectman Tigges moved to approve the Municipality agreement for the 40B Housing agreement. Seconded by Selectman Hogan and approved. (3-0-0)

**230 Approval:**

**Town Common Electrical**

**Preparation for Future Needs**

Bob Cunha, Director of Technology was present seeking BOS consideration to install 500’ of conduit material on the Town Common while it is being dug up for electrical upgrades. The conduit that will serve future fiber installation and installation will cost approximately $5,282 and said there will be future needs for the conduit. The project falls under the INET category and ATA Sagarino said there are funds available to handle this request in the cable licensing account.

**Motion:** Selectman Hogan moved to approve the use of the INET funds to install conduit for future internet use in the area of the Town Common. Seconded by Selectman Tigges and approved. (3-0-0)

**231 Approval: Minutes:**

- **August 14, 2017**

**Motion:** Selectman Hogan moved to approve the minutes of August 14, 2017 with the correction to the board vote count on one agenda item. Seconded by Selectman Tigges and approved. (3-0-0)

- **September 11, 2017**

**Motion:** Selectman Hogan moved to approve the minutes of September 11, 2017 with the correction to the board vote count on one agenda item. Seconded by Selectman Tigges and approved. (3-0-0)

- **September 25, 2017**

**Motion:** Selectman Hogan moved to approve the minutes of September 25, 2017 with the correction to the board vote count on one agenda item. Seconded by Selectman Tigges and approved. (3-0-0)
• October 2, 2017

Motion: Selectman Hogan moved to approve the minutes of October 2, 2017 with the correction to the board vote count on one agenda item. Seconded by Selectman Tigges and approved. (3-0-0)

Subcommittee Reports

Selectman Hogan attended the recent Eagle Scout ceremony to congratulate and present a proclamation from the BOS. The open house at the firehouse was successful. The Recreation Department was congratulated on the successful food vendor truck day on the Town Common.

Selectman Tigges commented on events being held by the Recreation Department for their 50th anniversary. Recreation and the Burlington Rotary Club are holding the annual Halloween Spooktacular in October. The Diwali Festival of Lights event was lively and very successful with many in attendance.

Assistant Town Administrator’s Report

The town's financial audit team recently completed the year end June 30 audit. All appeared to go well and drafts of the report are expected shortly. The Department of revenue will be visiting to review the town's balance sheet so the town can receive their free-cash status.

Chairman’s Report

Chairman Hartling also commented on the upcoming Halloween Spectacular.

Old/New Business: None

Citizen’s Time: No one spoke.

Adjourn

Motion: Selectman Hogan moved to adjourn at 7:02 p.m. Seconded by Selectman xx and approved. (5-0-0)

Submitted by,

Betty McDonough, Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – MONDAY, OCTOBER 23, 2017

Agenda

221  Appointments: Boards and Committees - • Cultural Council, description of proceedings to find new members; application: Nathan Piccini; Maureen Krebs, Patricia McDermott
    • Building - Resume Michael Kenney

222  Review: Town Clerk: • Open Meeting Law Update, • Minutes/Requirements, • Training - CMR info on Open Meeting Law;

223  Approval: Curb Cut/39 Peach Orchard Road - letter and responses from staff; ltr from applicants describing request; maps of the area; bylaw

224  Public Approval/Transfer Existing Wine & Malt Liquor License - public hearing notice; summary of transaction; approval from leasing agency; exhibit a collateral; seller and buyer agreement; application for a retail alcoholic beverages license; applicant's statement; beneficial interest information; letter from directors and shareholders of approval; passport and proof of citizenship and driver's license of harpal singh; statement of proposed manager that he has read and understands the AR&R and the server policy; state business entity summary; asset/purchase agreement;

225  Hearing: Grant of Location/Burlington Mall Road @ South Bedford Street /Lightower Fiber Networks - 10/16 memo to staff and responses; letter to abutters; letter of description from hightower; petition of lightpower for location; map of work area; copy of approval to be signed by the TA & TC;

226  Hearing: Grant of Location Burlington Mall Road and Meadow Road
    TC Systems, Inc. an Affiliate of AT&T and Sienna Engineering Group - cancelled

227  Approval: Shaws – Sale of Christmas Trees - description; letter from petitioner dated 9/28; approval from Shaws dated 9/18

228  Approval: 2018 Health Insurance Rates - 10/17 memo from JP to BOS on 2018 Health Ins Rates; health insurance proposal; health insurance history; group benefits strategies plan specific rates;

229  Approval: 40B Housing/Residences at Burlington Center Regulatory Agreement - summary for BOS; description of the two regulatory agreements for the 40B at 10 Corporate Drive

230  Approval: Town Common Electrical - Preparation for Future Needs - email dated 10/19 from JP to BM re change order at town common;