TOWN OF BURLINGTON, MA  
BOARD OF SELECTMEN  
MINUTES  
General Session - 7:00 p.m.  
Burlington Town Hall, Main Hearing Room  

MONDAY, NOVEMBER 14, 2016  

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

GENERAL SESSION  
Pledge of Allegiance  
The Chairman called the Board of Selectmen (BOS) meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.  

253 Appointment: Boards and Commissions/Conservation  
The appointment to the Conservation Commission was postponed until the next meeting.  

Use of Handicapped Parking Fine Funds  
Present were Sgt. Gerry McDonough with Burlington Disability Access Commission (BDAC) members Maura Mazzocca and Tom Carlson to request use of the handicapped parking fine funds following approval of same by the BDAC.  

15,000 in funds for Special Details for the Burlington Police Department to be used for special details in support of Burlington's annual Operation Access Handicap Parking Enforcement to begin Black Friday, November 25, 2016 until funds are depleted.  

1,200 in funds for Recreation Therapy Programs to assist in helping to aid funding of the these programs being offered by Burlington's Recreation Therapy Department.  

10,500 in funds for the Disability Access Commission's Adopt-A-Park Program to assist the Recreation Department each year with updates that will make the Town parks more accessible. The Recreation Department and BDAC decided that Regan Park would be the first park that the Commission could assist with since it is already due for renovation in Fall of 2016. the funds will go towards wider walkways and two new handicapped parking spaces.  

Sgt. Gerry McDonough presented an update on Operation Access which has been in effect for three years. Officer William Trelegan is working with the state on their program as well. All funds for this program are paid for through the handicapped parking fine fund.  

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The BOS agreed this is a worthwhile project and thanked Sgt. McDonough and the members of the Police Department for their assistance.

The BOS were satisfied with the requests as submitted.

**Motion:** Selectman Morandi moved to approve the request by the Disability Access Commission for $15,000 in funds for Special Details, $1,200 for Recreation Therapy Programs; and $10,500 for the Disability Access Commission's group project with Recreation for Adopt-A-Park starting with Regan Park. Seconded by Selectman Runyan and approved. (4-0-0)

**254 Approval:** Burlington Lions Club/Annual Sale of Christmas Trees
Shaws/180 A Cambridge Street
The letter from the Lions Club and approval from Shaws was reviewed.

**Motion:** Selectman Runyan moved to approve the annual Sale of Christmas Trees by the Lions Club in the parking lot of Shaws from November 25, 2016 through December 24, 2016 from 5-8 weekdays and 9am to 9pm on weekends. Seconded by Selectman Hartling and approved. (4-0-0)

**255 Hearing:** Approval/Change of Manager Tuscan Kitchen Burlington, LLC, d/b/a Tuscan Kitchen
Applicant Ronald Leduc was present with his resume, and he described his background as a full service multi unit manager. He said he understands the boards’ alcohol rules and regulations. Selectman Runyan thanked Tuscan Kitchen for their recent event for veterans. Mr. Leduc said there are plans for more community involvement.

**Motion:** Selectman Morandi moved to approve the Amendment Application for a Change of Manager for Tuscan Kitchen Burlington LLC d/b/a Tuscan Kitchen. Seconded by Selectman Runyan and approved. (4-0-0)

**256 Approval:** Treasury/MWRA Sewer Bond
Brian Curtin was present seeking approval from the BOS for a no interest loan for $224,750 sewer bond for its share of the cost for Phase 10 of the rehabilitation and improvement improvements to the flow of water in the sewer system. This request was previously reviewed by Town Counsel and authorized by Town Meeting.

**Motion:** Selectman Hartling moved to approve the request for a no interest loan in the amount of $224,750 for the cost of improvements to the Town's sewer system. Seconded by Selectman Morandi and approved. (4-0-0)

**257 Discussion: Tax Classification**
Present were Jim Doherty, Assistant Assessor; Paul Sagarino, Accountant; and Brian Curtin, Treasurer to review recommendations for the Town's FY 2017 Tax Classification. A vote will be taken at a public hearing scheduled to be held on November 28, 2016. Mr. Sagarin explained that the options provided will all meet previously discussed guidelines. T.A. Petrin explained that based on the level of services, the Town does very well in comparison to neighboring communities.

**258 Discussion: Question 4: Massachusetts Marijuana Legalization**
T.A. Petrin said Massachusetts passed a ballot Question 4 to legalize and regulate the possession of certain amounts of recreational marijuana effective in December of 2016, but the State is still working on guidelines and regulations of sales and taxation. This issue would fall under zoning, and the Planning Department is working with Town Counsel on the Town's options. He recommended approving the Planning Board's request for the placement of a zoning article
for a temporary moratorium on marijuana retail sale on the January 2017 Warrant. Question 4 did not pass in Burlington. The BOS agreed with this placeholder recommendation and that the issue be reviewed again in December during the process of approving the January Town Meeting warrant.

**Motion:** Selectman Hartling moved to place a temporary moratorium on marijuana retail sale on the January 2017 Town Meeting Warrant with warrant and backup to be provided at a later date. Seconded by Selectman Morandi and approved. (4-0-0)

259 Approval: Minutes October 3, 2016

**Motion:** Selectman Runyan moved to approve the minutes of October 3, 2016 as submitted. Seconded by Selectman Morandi and approved. (4-0-0)

260 Subcommittee Reports -

**Selectman Runyan** reviewed the results of the recent election and thanked the Town Clerk, Amy Warfield, and her staff and poll workers for the work done during the early voting and on voting day. He applauded all those who ran for various seats and congratulated those who were successful in the election.

**Selectman Morandi** reminded residents of the dates for yard waste collection. He reminded residents that bow hunting season at Landlocked Forest would be effective through December 31, 2015.

**Selectman Hartling** said he attended the recent Eagle Scout ceremony where three scouts were elevated to Eagle Scout status. This is a remarkable accomplishment of which to be proud. The scouts and parents were thanked. T.A. Petrin and he attended and enjoyed the recent celebration for Indian-Americans in New England with the primary focus being the importance of being active in the community.

**Town Administrator's Report** -

T.A. Petrin thanked the Office of Veterans Services for a successful and very well attended Veterans Day. The guest speaker was veteran Emery Loiselle.

The Town Clerk, staff, and poll workers were thanked for the successful, first-time early voting process. Voting day was extremely busy.

261 Chairman's Report -

Chairman Grattan said the water ban is still in effect until further notice, and the reservoir is still very low.

262 Old/New Business: None.

263 Citizen's Time: No one spoke.

**Adjourn:** **Motion:** Selectman Runyan moved to adjourn at 7:51. Seconded by Selectman Morandi and approved. (4-0-0)

Submitted by,

Betty McDonough, Recording Clerk
Agenda

253 Appointment: Boards and Commissions/Conservation - 1/8/16 email recommendation from J Keeley; with letter and resume to BOS from appointee Ed LoTurco

254 Approval: Burlington Lions Club/Annual Sale of Christmas Trees/Shaws/180 A Cambridge St. 10/17/16 ltr from Lions Club Inc.; 10/17/16 approval letter from Shaws

255 Hearing: Approval/Change of Manager/Tuscan Kitchen Burlington, LLC/dba Tuscan Kitchen - amendment application for a change of manager; applicant's statement; manager id; approval from corporate for request; 11/2/16 ltr from new manager that he is tips certified and has Burl ID and has read the rules and regulations; tips certification; resume of new manager

256 Approval: Treasury MWRA Sewer Bond - copies of bond documents presented at meeting for signatures

257 Discussion: Tax Classification

258 Discussion: Question 4: Mass Marijuana Legislation

259 Approval: Minutes October 3, 2016

260 Subcommittee Reports -
   Town Administrator's Report -
   Chairman's Report -
   Old/New Business -

263 Citizen's Time -

Adjourn