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 6:00 p.m. followed by the Pledge of Allegiance.

278 Approval: Property Tax Work Off Program
Council on Aging
The State changed the maximum amount a senior can earn under the senior Property Tax Work Off Program from $1,000 to $1,500 and the Burlington Council on Aging recommended the Town approve an increase. This will not have a financial impact on the Town's budget, and the request was approved.

Motion: Selectman Runyan moved to approve an increase in the Property Tax Work Off Program from $1,000 to $1,500. Seconded by Selectman Morandi and approved. (4-0-0)

279 Appointment: Boards and Committees
Youth & Family Services Advisory Board
Town Administrator John Petrin (T.A. Petrin) appointed Cheryl Coleman to the position of Youth & Family Services Advisory Board to fill a vacancy and recommended the BOS waive the standard fifteen-day waiting period.

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

280 Approval: Appointment for Zoning Board of Appeals
Zoning Board of Appeals (BOA) member James Halloran is moving from Burlington and the BOA Chairman has recommended that alternate member Rob Paccione be appointed as a full member. Mr. Paccione has been working with the Master Plan Committee. The BOS agreed with this recommendation. His term will expire in 2020. An advertisement will be placed to fill the alternate position.

Motion: Selectman Morandi moved to appoint alternate member Rob Paccione as a full member of the Zoning Board of Appeals. Seconded by Selectman Hartling and approved. (4-0-0)
Discussion:  Fire Department - Ambulance Services
Present were Fire Chief Steve Yetman, Assistant Fire Chief Mike Patterson (A.F.C. Patterson) and Fire Lieutenant and EMS coordinator Mark Saia. Firefighter and President of IAFF Local 2313 Ed McLean was also present. Chief Yetman described operation plans being discussed for potential upgrade from Basic Life Support (BLS) to Advanced Life Support (ALS) medical response service. Additional staffing requirements have been discussed.

Lt. Saia explained the current delivery model for EMT's and the steps necessary to get to the ALS level. A.F.C. Patterson reviewed levels of service, response time issues, and the long-range cost effectiveness. Some surrounding communities that have ALS service include Bedford, Billerica, Lexington and Winchester. He explained the paramedic hiring process through Civil Service and lateral transfers with training.

At this time BOS approval is sought only to allow the Town Administrator to request a Civil Service Selective Certification List for Paramedics in order to be ready for the Academy and also the Staffing for Adequate Fire & Emergency Response grant for new firefighters, four of which would be partially funded from the Federal Staffing for Adequate Fire and Emergency Response (SAFER) grant.

T.A. Petrin said upgrading to ALS would occur gradually. At the request of Selectman Hartling, the process of lateral transfers was described. Chairman Grattan agrees with this upgraded level of service for the Town.

Motion: Selectman Morandi moved to authorize the Town Administrator to request a Civil Service Selective Certification List for Paramedics and to authorize the Town Administrator to work with the Fire Department to implement a plan to work towards Advanced Life Support. Seconded by Selectman Hartling and approved. (4-0-0)

Approval: Extension of Hours New Year's Eve
Cafe Escadrille/26 Cambridge Street
The Cafe Escadrille submitted a request for a one-hour extension of their closing until 2:00 a.m. for New Year's Eve.

Motion: Selectman Morandi moved to allow Cafe Escadrille to remain open until 2:00 a.m. on New Year's Eve. Seconded by Selectman Runyan and approved. (4-0-0)

Approval: Verizon Cable Contract - Per Draft Renewal
T.A. Petrin explained that a seven year contract for Verizon Cable Television has been negotiated through the efforts of Gail Reddish, Francise Manager, Kate Moskos, Purchasing Agent, Jen Dodge, Director of Burlington Cable Access Television (BCAT), as well as the necessary attorneys and cable subcommittee. Language was included to protect BCAT. All were satisfied with the final wording of the contract.

Motion: Selectman Runyan moved to accept the seven-year contract for Verizon Cable Television's license as discussed and submitted. Seconded by Selectman Morandi and approved. (4-0-0)

Discussion: Appointment Process - Town Counsel
A discussion took place regarding the request for proposal process to interview our present town counsel and other attorneys. The BOS agreed to move ahead with this process.
Motion: Selectman Morandi moved to authorize the Town Administrator to move forward with an RFP for the appointment of Town Counsel. Seconded by Selectman Hartling and approved. (4-0-0)

285 Discussion: Traffic Safety Concerns/Parking Restrictions
(Harriet/Hampden Avenue area)
There is not enough parking for the businesses, and parking is spilling over into residential neighborhoods. The BOS previously approved parking restrictions from Winn Street in at Harriet and Hampden Avenues up to a clear site of vision. The neighborhood is requesting BOS approval for additional parking restrictions on the right hand side of Harriett Avenue from Winn Street to extend to Ruthven Avenue.

Business owner Gary Mercier commented that the Town permitted the building to be there and wanted to confirm that the parking restrictions did not cover both sides.

Motion: Selectman Morandi moved to approve additional parking restrictions on the right hand side of Harriett Avenue from Winn Street to extend to Ruthven Avenue, as presented. Seconded by Selectman Runyan and approved. (4-0-0)

286 Update/Language for Petition to General Court
Follow Up: for Additional Liquor Licenses
Town Meeting in September 2016 approved the request to go forward with a request for eight additional liquor licenses in the town center district. The BOS approved the language at a recent meeting. Selectman Hartling worked on a minor change with the legislative delegation. The wording is now ready to be filed as legislation for these additional licenses. Selectman Hartling commented that this document is a result of collaboration between the BOS, the State Senator and the State Representative.

Motion: Selectman Hartling moved to approve the change to the language for the petition to the General Court for additional liquor licenses. Seconded by Selectman Morandi and approved. (4-0-0)

287 Approval: Street Name Change/Wheeler Road to Summit Drive
There are two Wheeler Road entrances off both sides of the Middlesex Turnpike which are not directly across from each other. For the purpose of public safety response, it is being recommended to change the name of the portion of Wheeler Road that leads to the summit. The Gutierrez Company put forth the name of Summit Drive.

Motion: Selectman Hartling moved to approve that Wheeler Road leading to the summit be changed to Summit Drive. Seconded by Selectman Morandi and approved. (4-0-0)

288 Public Alteration of Premises
d/b/a Burlington Beer Works/34 Cambridge Street
Chairman Grattan opened the public hearing. Although the floor plan has been approved by the Planning Department, it is still required to be approved by the Inspector of Buildings who has not yet finished his review.

Selectman Runyan was concerned that a good deal of time has passed since the original transfer took place.
Motion: Selectman Morandi moved to continue the public hearing for the alteration of premises to Slesar Bros. Brewing Company, Inc. d/b/a Burlington Beer Works at 34 Cambridge Street. Seconded by Selectman Hartling and approved. (4-0-0)

289 Hearing: Change of Manager
Chateau Restaurant of Burlington
d/b/a Chateau/43 Middlesex Turnpike

The new manager Matt Brown was present. He explained his long work experience in the restaurant field and said he has read and understands the Town’s Alcohol Rules and Regulations.

Motion: Selectman Morandi moved to approve the change of manager for the Chateau Restaurant of Burlington d/b/a Chateau, located at 43 Middlesex Turnpike. Seconded by Selectman Hartling and approved. (4-0-0)

290 Hearing: Change of Officers
Wegmans Massachusetts
d/b/a Wegmans/53 Third Avenue

Attorney Joe Devlin was present and explained that Wegman's has selected a new officer/director to replace one that has retired.

Motion: Selectman Morandi moved to approve the change of officers/directors, Wegmans Massachusetts d/b/a Wegmans, 53 Third Avenue. Seconded by Selectman Runyan and approved. (4-0-0)

291 Public Hearing: Transfer from Jai Ho Sai, Corp d/b/a Chettinad Grill to Chettinad Grill LLC d/b/a Chettinad Grill
184 Cambridge Street

Attorney Courtney Ball was present with Satya Sundaraneedi and explained that the license is remaining in the same location but is transferring from Jai Ho Sai, Corp. d/b/a Chettinad Grill to Chettinad Grill LLC d/b/a Chettinad Grill located at 184 Cambridge Street. The new licensee has worked as manager at this location since 2015 and will now own the restaurant.

There were no comments from the public.

Motion: Selectman Morandi moved to close the public hearing. Seconded by Selectman Runyan and approved. (4-0-0)

Motion: Selectman Morandi moved to approve the wine and malt liquor license from Jai Ho Sai, Corp d/b/a Chettinad Grill to Chettinad Grill LLC d/b/a Chettinad Grill, 184 Cambridge Street. Seconded by Selectman Hartling and approved. (4-0-0)

292 Public Hearing: Change Liquor License from
Wine & Malt to Wine & Malt with cordials
Bickford’s Family Restaurant d/b/a Bickford’s Grille
6 Cambridge Street

(Contd from 11/28)
Attorney Ron McKenzie was present representing Bickford's Grill which is seeking BOS approval to upgrade their Wine & Malt liquor license to Wine & Malt with cordials. The attorney was not sure how many cordials the restaurant would be offering. The BOS recommended a modest list be submitted for review which could be incorporated into the conditions and that the public hearing be continued to January 9, 2017.

Advocating for public safety for the community Selectman Runyan stated his concern over the lack of smoke detectors at this location. The layout of the dining areas also could pose a safety issue. He is recommending that at this time the owners agree to a smoke detector system.

Attorney McKenzie said the restaurant would work with the Fire Chief on this concern and could come back before the board to review plans.

It was agreed that Bickford's Grill should submit a modest list of cordials as well as a public safety plan with respect to smoke detectors or fire alarms.

**Motion:** Selectman Morandi moved to continue the public hearing for a request to change the liquor license, to include cordials, to January 9, 2017 for Bickford's Family Restaurant d/b/a Bickford's Grill in order to allow for the applicant to submit a modest list of the expected cordials to be served as well as a fire safety plan. Seconded by Selectman Hartling and approved. (4-0-0)

293 Public Hearing: Transfer from Papa Razzi Trattoria of Burlington, Inc. d/b/a Papa Razzi to Temazcal Tequila Cantina and Tony’s Coal Fire Pizza 2 Wall Street

The public hearing was opened for approval of an All Alcohol Liquor License transfer from Papa Razzi Trattoria of Burlington, Inc. d/b/a Papa Razzi to Rebel Restaurants, Inc. d/b/a Temazcal Tequila Cantina and Tony's Coal Fire Pizza, 2 Wall Street, Burlington, including alteration of premises and change of manager.

Present were Executive Chef Sean McDonald, Chief Financial Officer Robert Ciampa, proposed Manager Steven Vallarelli as well as Attorney Mark Vaughan, representing Rebel Restaurants. The applicant is requesting to reconfigure the current space of the Papa Razzi restaurant into two differently themed restaurants under one roof. There will be one licensee and one manager for both restaurants, as well as one shared, centralized kitchen. Each restaurant will have its own egress to the restaurant and to the patio. Only staff will have internal access to each restaurant. There will be a modest increase in the total amount of seats. This concept has been approved in other communities and there have been no issues.

Mr. Vallarelli said he understands the town's Alcohol Rules and Regulations. Mr. McDonald said he is confident with this plan for Burlington.

T.A. Petrin cautioned that since both sides fall under one license, and both would be liable for any issues that arise pertaining to alcohol and that the two restaurants are considered as one with respect to the two drink minimum while waiting to be seated.

There were no comments from the public.
Motion: Selectman Morandi moved to close the public hearing for the all alcohol license transfer from Papa Razzi Trattoria of Burlington, Inc. d/b/a Papa Razzi to Temazcal Tequila Cantina and Tony’s Coal Fire Pizza with one new manager for both locations and the alteration of premises. Seconded by Selectman Hartling and approved. (4-0-0)

Motion: Selectman Morandi moved to approve the all alcohol license transfer from Papa Razzi Trattoria of Burlington, Inc. d/b/a Papa Razzi to Temazcal Tequila Cantina and Tony’s Coal Fire Pizza with one new manager for both locations and alteration of premises. Seconded by Selectman Hartling and approved. (4-0-0)

294 Public Transfer from Hearing: Rainforest Café, Inc. d/b/a Rainforest Café To 151 Granite Street LLC Burlington Mall, 75 Middlesex Turnpike

The public hearing was opened for approval of an All Alcohol Liquor License transfer from Rainforest Cafe’ Inc. d/b/a Rainforest Cafe to Granite Street LLC, Burlington Mall, 75 Middlesex Turnpike. Rainforest closed in April, negotiations continue, but the BOS requested an update and an application be submitted before the end of the calendar year.

Attorney Mark Vaughan, Riemer & Braunstein, was present representing Burlington Mall. Also present was Michael Connell, General Manager of the Burlington Mall. There will be a change of tenant space within the Mall but there has not yet been a public announcement. The final floor plan for the new location is not yet complete.

Attorney Vaughan requested a continuance to allow time to finalize the floor plan and be prepared with a full presentation for the BOS.

T.A. Petrin said communications have continued with the attorney on this issue and recommended the public hearing be continued in order for the full plan and application be finalized. Attorney Vaughan requested the first meeting in February so that the floor plan would be ready for review.

Chairman Grattan was not satisfied with the length of time this license has been awaiting transfer.

Motion: Selectman Hartling moved to continue to February 13, 2017 the public hearing for an All Alcohol Liquor License transfer from Rainforest Cafe’ Inc. d/b/a Rainforest Cafe to Granite Street LLC, Burlington Mall, 75 Middlesex Turnpike. Seconded by Selectman Morandi and approved. (3-1-0 with Chairman Grattan opposing)

295 Discussion: Alcohol Compliance Report – Police Department

Chief Michael Kent was present to report that thirty-nine tested establishments passed the recent compliance check conducted by the Alcohol Compliance Unit which is done with the state's established Alcohol Beverages Control Commission. There were a total of four officers involved and thirty-nine licensed establishments were checked. He described how the compliance is conducted with two underage decoy buyers. The BOS and Town Administrator were extremely pleased and congratulated the business owners and thanked the officers for their work on the project.

296 Approval: 2017 License Renewals:
Motion: Selectman Morandi moved to approve the 2017 renewal for the licenses/permits submitted for Alcohol, Amusement, Auto class I, Auto class II, Cafeteria, Entertainment, Inn Holder, Livery, Theater, Victualler and Weigher. Seconded by Selectman Hartling and approved. (4-0-0)

297 Review: FY2018 Financial Guidelines
Town Accountant Paul Sagarino was present. The budget process has commenced with Ways and Means and leadership of the School and Government Departments, and a review meeting was held on December 14, 2016 to discuss the FY 2018 annual financial guidelines. Chairman Grattan and Selectman Hartling also attended.

At this meeting T.A. Petrin and Mr. Sagarino presented a complete review and that committee voted to approve the recommendation as presented, i.e., no more than 4% increase on the levy, a 3.75% blended budget between the government and school sides which is less than has been done in the past and 5% on accommodated accounts.

Past and current Reserve, OPEB and Free Cash Accounts and residential taxes were reviewed. The Town is in good condition relative to the standings of surrounding communities, and keeping the level of services is an important factor. Public safety continues to be addressed.

Paul Sagarino, Town Accountant, explained that the decrease on the Town side for the blended amount in the operating budget will assist the operating budget.

Chairman Grattan thanked all who attended the review meeting.

Motion: Selectman Hartling moved to approve the budget operating guidelines for FY18 as submitted. Seconded by Selectman Morandi and approved. (4-0-0)

298 Review/
- Warrant Article Submissions/January 2017 Town Meeting
- Temporary Moratorium of Recreational Marijuana

- Warrant Article Submissions/January 2017 Town Meeting
The BOS reviewed the Index of Articles for the January Warrant. The Burlington Police Patrolmen's Association contract and Police Command Officers' contract was withdrawn as well as the Transfer of Funds FY2017 Various Accounts.

- Temporary Moratorium of Recreational Marijuana
The Planning Department is recommending a warrant article to address a temporary moratorium of recreational marijuana.

**Motion:** Selectman Morandi moved to approve the Index of Articles. Seconded by Selectman Hartling and approved. (4-0-0)

### Subcommittee Reports

**Selectman Morandi** said that the Recreation Department did a wonderful job with the Town Common tree decorating and the lighting event. Kevin Sullivan was thanked for the donation of fireworks for the tree lighting event. **Selectman Runyan** thanked the Town employees and boards, committees and volunteers for the work done throughout 2016.

### Town Administrator’s Report

T.A. Petrin wished everyone happy holidays and thanked the BOS for their support of the employee holiday party where many were recognized for their years of service. All employees were thanked for the work they do for the citizens of the town.

### Chairman’s Report

Chairman Grattan also thanked the employees and wished all happy holidays.

### Old/New Business: None

**Citizen’s Time:** No one spoke.

### Adjourn

**Motion:** Selectman Morandi to adjourn at 9:20 p.m. Seconded by Selectman Hartling and approved. (4-0-0)

Submitted by,

[Signature]

Betty McDonough
Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – MONDAY, DECEMBER 19, 2016

278  Approval: Property Tax Work Off Program - 12/15/16 memo from JP to BOS re request for increase
279  Appointment: Boards and Committees: Youth & family Services Advisory Board - resume Cheryl Coleman;
280  Approval: Appointment for Zoning Board of Appeals - TA's appointment list
281  Discussion: Fire Department-Ambulance Services - Power Point Presentation re ALS - 19 page PP presentation from Fire Department;
282  Approval: Extension of Hours New Year's Eve - 12/1/16 Letter of Request from Robert Murray
283  Approval: Verizon Cable Contract - Per Draft Renewal - Verizon Contract - copy of Verizon contract
284  Discussion: Appointment Process - Town Counsel -
285  Discussion: Traffic Safety Concerns/Parking Restrictions (Harriet/Hampden Avenue area) - street layout plan for no parking signs
286  Update/Follow Up: Language for Petition to General Court for Additional Liquor Licenses
287  Approval: Street Name Change/Wheeler Road to Summit Drive
288  Public Hearing: Alteration of Premises, Slesar Bros. Brewing Company, Inc, dba Burlington Beer Works, 34 Cambridge Street - public hearing notice; Planning decision of the site; floor plan; parking plan; monetary transmittal form; petition for change of license; resolution of slesar bros brewing company inc.;
289  Hearing: Change of Manager; Chateau Restaurant of Burlington dba Chateau 43 Middlesex Turnpike - amendment application for a change of manager; petition for change of license; applicant's statement; passport; license; letter that he understands policy; special meeting of the board of directors
290  Hearing: Change of Officers Wegmans Ma dba Wegmans 53 Third Avenue - 11/29 ltr from Devlin Law Offices; amendment application for a change of beneficial interest or transfer issuance of stock; applicants statement; beneficial interest contracts; corporate resolution; galvin mass page on corporations division
291  Public Hearing Transfer from Jai Ho Sai, Corp dba Chettinad Grill to Chettinad Grill LLC dba Chettinad Grill 184 Cambridge Street - public hearing notice; seating plan showing where liqueors will be stores; 12/12 email from planning no concerns; application for retail alcoholic beverages license; applicants statement; beneficial interest info; passport; naturalization papers for two managers; entity vote of chettinad grill llc dba chettinad grill; galvin state site for business information
292  Public Hearing: Change Liquor License from Wine & Malt to Wine & Malt with cordials Bickford's Family Restaurant dba Bickfords Grille 6 Cambridge St - public hearing notice; 12/16 memo from b mcdonough to bos re both fire and building are satisfied with the request for cordials; seating plan; amendment application for change; applicant's statement; 10/12 letter from alexander Miller that Ron MacKenzie is representing for the request; 9/21 ltr to BOS from Bickford's re request to add cordials
293  Public hearing: Transfer from Papa Razzi Trattoria of Burlington Inc dba Papa Razzi to Temazcal Tequila Cantina and Tony's Coal Fire Pizza 2 Wall Street - public hearing notice; floor plans; email approvals from J Clancy and J Keeley; 11/28 letter to bos from Riemer Braunstein; local licensing authority review record; application for a retail alcoholic beverages license and beneficial interest forms; applicant's statement; owner interests and actions; alcohol intervention methods report; certificate of vote;
294  Public Hearing: Transfer from Rainforest Cafe Inc dba Rainforest Cafe to 151 Granite Street LLC Burlington Mall -
295  Discussion: Alcohol compliance Report - Police Department - Report from Police Dept - no issues during compliance check

Burlington Board of Selectmen Minutes
December 19, 2016
Approval: 2017 License Renewals - letters from police department; license reports from TA staff

Review: Fy2018 Financial Guidelines

Review/Approval: Warrant Article Submissions/January 2017 Town Meeting/Temporary Moratorium of Recreation Marijuana - Index of Articles

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