TOWN OF BURLINGTON, MA
BOARD OF SELECTMEN
MINUTES
Executive Session - 6:15 p.m.
General Session - 7:00 p.m.
Burlington Town Hall Main Hearing Room
29 Center Street

MONDAY, SEPTEMBER 12, 2016

Board of Selectmen Present: Daniel Grattan, Chairman; Christopher Hartling, Vice-Chairman; Robert Hogan; Michael Runyan; Joseph Morandi
Also Present: John Petrin, Town Administrator

Open General Session
Pledge of Allegiance

EXECUTIVE SESSION
The Chairman of the Board of Selectmen (BOS) recommended and the BOS agreed to enter into executive session at 6:15 p.m. to continue to discuss strategy with respect to collective bargaining as an open meeting may have a detrimental effect on the bargaining position of the public body.

Motion: Selectman Hogan moved the Board of Selectmen adjourn to executive session to discuss the status of the negotiation with the police patrol, police command, fire, DPW, BMEA unions and A&P and that the Board would reconvene into general session upon conclusion of the executive session for the General Session. Seconded by Selectman Morandi with Selectman Morandi voting aye, Selectman Grattan voting aye, Selectman Hogan voting aye, Selectman Hartling voting aye, and Chairman Runyan recusing himself from the executive session. Motion approved. (5-0-0)

GENERAL SESSION RESUMED

Discussion/Approval: Employee Union Contract Negotiations

216 Approval: Departments: DPW
John Sanchez, Director, Department of Public Works, was present to recommend Michael DeSimone to the position of Special Motor Equipment Operator/Laborer stating he has experience in both auto repair and snow removal and possesses both a CDL and hoisting license. Town Administrator John Petrin (T.A. Petrin) agreed with this recommendation and appointed Michael DeSimone to the position of Special Motor Equipment Operator/Labor. This appointment will bring the department to full roster. He requested the BOS waive the standard 15-day waiting period.

Motion: Selectman Hogan moved to waive the standard 15-day waiting period for the appointment of Michael DeSimone to the position of Special Motor Equipment Operator/Labor. Seconded by Selectman Morandi and approved. (5-0-0)

BOARD OF SELECTMEN:
Daniel Grattan, Chairman • Christopher Hartling, Vice Chairman • Robert Hogan • Michael Runyan • Joseph Morandi
MISCELLANEOUS

Water Update: Mr. Sanchez said the State's Drought Task Force and the Secretary of Environmental Affairs have increased the level of emergency in certain areas. A full water ban may be imminent no significant rainfall is received, and the Town potentially may be requesting to tie into a neighboring community.

200 Recognition: 4th of July
Selectman Runyan acknowledged Mary Nohelty, 4th of July co-chair, who presented prize ribbons for 4th of July floats this evening: 1st prize - Julie Eggleston, Garden Club; 2nd prize - Adrianne Simeone, Mama Bear Effect; and 3rd prize - Shirley Estrella, St. Mark's Pumpkin Patch. The Town, volunteers, and donators were thanked for the continued support.

201 Recognition: Accounting/Town of Burlington
Certificate of Achievement for Excellence in Financial Reporting
Paul Sagarino, Town Accountant, was present to accept the Town’s Government Finance Officers Association for the Certificate of Achievement for Excellence in Financial Reporting for FY2015 award as well as his Award of Financial Reporting Achievement. Selectman Hogan noted this award is the highest form of recognition in governmental accounting and financial reporting, and attainment represents a significant management accomplishment. T.A. Petrin and the BOS congratulated Mr. Sagarino for his leadership and his team in the Accounting Department.

202 Public Approval/Grant of Location/Hearing: Hershey Road
Verizon New England, Inc.
Josh Maguire resident, 16 Nelson Road, was present with Scott Burns, Verizon. Mr. Burns said Verizon and NStar are seeking permission to place one new pole on Hershey Road and to locate wires, cables, and guy wire to the pole. The new pole and guy wire are necessary because of a tree removal at 16 Nelson Road. Tom Hayes Engineer submitted that he believes the project will have little or no impact on the town's infrastructure. No comments were received from the public.

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

Motion: Selectman Morandi moved to approve the Verizon New England/NStar Grant of Location request for a new pole on Hershey Road

203 Public Approval/Earth Moving Permit Hearing: 144 Middlesex Turnpike
Frank DiPietro, Civil Engineer, BSC Group, was present representing Lodgeworks for the Archer Hotel currently under construction which is seeking BOS approval for an Earth Moving Permit for 144 Middlesex Turnpike. In the course of demolition of the formerly existing building, it was determined that there is an excess of approximately 15,000 cubic yards of ledge and soil material which needs to be removed from the site. The topsoil material will be retained on the site. He explained the route the soil would be taking as it is removed. Selectman Hogan asked if plans were in place for the loading of the soil. Mr. DiPietro said they will avoid peak traffic hours in this busy area and
trucks will not be parked on Middlesex Turnpike. Building, Fire, Police, DPW, Planning, and Board of Health had no issues. Conservation reminded applicant of approved site permit conditions.

No comments were received from the public.

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

**Motion:** Selectman Morandi moved to approve the Earth Moving Permit for 144 Middlesex Turnpike as requested. Seconded by Selectman Hogan and approved. (5-0-0)

204 Public Approval/Earth Moving Permit

**Hearing:** 20 Second Avenue

Frank DiPietro, Civil Engineer, BSC Group, was present representing Nordblom Companies for a multi-phase project under construction. Nordblom is seeking BOS approval for an Earth Moving Permit for 20 Second Avenue. In the course of demolition of the formerly existing building, utilities and surface features, it was determined that there is an excess of approximately 6,000 cubic yards of ledge and soil material which will need to be removed from the project site. The topsoil material will be retained for reuse onsite. He explained the route the soil would be taking as it is removed. Building, Fire, Police, DPW, Planning, and Board of Health had no issues. Conservation reminded applicant of approved site permit conditions.

No comments were received from the public.

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

*Discussion:* Chairman Grattan asked about monitoring the earth moving process. T.A. Petrin replied that the various departments have certain responsibilities, and all permits are signed by the Building Department. Mr. DiPietro added that the Conservation Department continually monitors the site.

**Motion:** Selectman Morandi moved to approve the Earth Moving Permit for 20 Second Avenue as requested. Seconded by Selectman Hogan and approved. (5-0-0)

205 Hearing: Approval/Change of Manager

**Wegmans/53 Third Avenue**

Kevin Russell, current manager, was present with new manager, Jason Rowell. Mr. Russell, who is moving to the Medford location, said Mr. Rowell has been working under his direction at the Burlington store. Mr. Rowell has been with various Wegmans locations for sixteen years and has worked within each of the departments. This is the first time he will be the manager on the liquor license and has been well trained. Mr. Rowell said he received and understands the town's alcohol policy and the procedures as they pertain to when alcohol can be purchased.

**Motion:** Selectman Morandi moved to approve the Change of Manager request with Jason Rowell as the new manager. Seconded by Selectman Hogan and approved. (5-0-0)
Approval: Sewer Allocation Credits/39 Bedford Street
Robert W. Murray Real Estate

Robert W. Murray Real Estate is seeking BOS approval for a transfer of Sewer Allocation Credits. His submitted documents to indicate they currently are allocated for a new four bedroom dwelling at 39 Bedford Street and are requesting permission to allocate an additional 110 gallons to be used from their Private Sewer Bank balance of 540 gallons for an additional bedroom. DPW submitted comments on the calculations and that they did not have objections to the request.

Motion: Selectman Hogan moved to approve the Sewer Allocation Credits for 39 Bedford Street for Robert W. Murray Real Estate. Seconded by Selectman Runyan and approved. (5-0-0)

Discussion/Traffic Safety Concerns/Parking Restrictions
Update/Approval: Staff Traffic Advisory Committee (cont’d from 8/15)

T.A. Petrin said the BOS traffic subcommittee worked with staff for a solution on the customer parking issues on Hampton, Harriet, and Newbridge Avenues. A recommendation for consideration was presented for one side only parking on each street back to Ruthven Avenue in order to allow for site distance. T.A. Petrin said he was informed that the majority of the neighbors are willing to work with this plan.

Marilyn Christiansen, 42 Harriett Avenue and Patrick Hickey, 43 Harriett Avenue who were not present for the former discussion, are still concerned about children walking in the area with the one-side only parking.

After much discussion, the members recommended "no parking on both sides from here to corner" signs be installed on Harriett, Hampden and Newbridge Avenues up to a reasonable site line distance.

Motion: Selectman Morandi moved to have "no parking on both sides from here to corner" signs installed at the intersections of Winn Street and Harriet, Hampden, and Newbridge Avenues up to a reasonable site line distance as determined by the Traffic Advisory Committee. Seconded by Selectman Hartling and approved. (5-0-0)

Discussion/Approval: Contract/Employment with Town Accountant

Paul Sagarino, Town Accountant, was present to review a new contract with Town for July 1, 2016 to June 30, 2019. This position is appointed by the BOS, and the salary falls under the town's salary classification and compensation plans. The members all expressed their extreme satisfaction with Mr. Sagarino who replied that he is pleased to be working with the town.

Motion: Selectman Hogan moved to approve to extend for another three years the contract with Paul Sagarino as the Town Accountant with the date of the contract being July 1, 2016 to June 30, 2019. Seconded by Selectman Morandi and approved. (5-0-0)

Discussion/Approval: Employee Union Contracts

Negotiating discussions continue with the town's employee unions. It is hoped they will be ready for Town Meeting.
210  Discussion/ Approval: September Town Meeting Warrant
Motion: Selectman Hogan voted to accept the September Town Meeting as printed. Seconded by Selectman Hartling and approved.
(5-0-0)

211  Discussion/ Approval: Additional Liquor Licenses
A Home Rule Petition is being considered to be submitted by the BOS for six additional On-Premise All Alcohol Licenses and two On-Premise Beer and Wine Licenses for the Town Center Overlay District. On August 15, 2016 the BOS voted to approve the Home Rule Petition for Special Legislation Concerning Liquor Licenses be placed on the September 2016 warrant. No additional vote required at this meeting.

212  Subcommittee Reports
Selectman Hogan thanked the many people who assisted in all capacities with the 9-11 program. The program was dismissed because of rain prior to the ringing of the bells. He highly commended Firefighter Cliff Comeau for remaining at his post in the rain to ring the second set of bells. Two pieces of rails from under the World Trade Center site were presented to the Fire and Police Departments. A memorial will be considered in the future. A giant U.S. flag was created using 1500 small flags, and the high school students wrote the names of all the firefighters, police personnel, and more who lost their lives.

Selectman Runyan gave condolences to the family of Regina Short. The BOS had previously presented Ms. Short the Boston Post Cane for being the most senior person in Burlington.

The American Legion will be hosting a fundraiser on September 17, 2016 and the public is invited to attend.

The Burlington Police Department have been patrolling the Mill Pond Reservoir with mountain bikes because of the many complaints and have been issuing fines. He said that people may visit the site but rules must be observed.

Selectman Morandi thanked the DPW for the work they have been doing with the streets and the drought issues.

Bow hunting season at the Landlocked Forest will be October 17 to December 31, 2016. Thirteen applicants passed their proficiency test. Four applicants are non-residents.

Selectman Hartling reported that the Master Steering Plan Committee will be holding a comprehensive workshop on September 22, 2016 at the Grandview Farm with many topics being discussed. All are welcome to attend.

213  Town Administrator's Report
Residents are invited to view the LED lights at the testing locations on Hampton and Harriett Avenues and to submit any comments.

Selectman Hogan and other BOS members and town staff were thanked for putting together a wonderful 9-11 ceremony.
Many people were out for the ZIP Trip morning news program held on the Town Common on August 26, 2016. The volunteers were thanked and he noted the Town’s appreciation in being selected for this event.

Positive responses are being received on Chief Kent's program with police mountain bike patrols at Mill Pond Reservoir.

RCN Cable is being bought out by Yankee Cable Partners and the changes will be presented to the BOS at an upcoming meeting.

214 Chairman's Report
Chairman Grattan also thanked Selectman Hogan for coordinating the 9-11 ceremony thanked the community for attending and those who assisted.

215 Old/New Business:

Citizen's Time

Adjourn:

Motion: Selectman Hogan moved to adjourn at 8:45 p.m. Seconded by Selectman Hartling and approved. (5-0-0)

Submitted by,

Betty McDonough
Recording Clerk
BURLETON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – MONDAY, SEPTEMBER 12, 2016

Agenda

GENERAL SESSION - Open Meeting

EXECUTIVE SESSION: Employee Union Contract Negotiations

GENERAL SESSION - Continued

199  Appointments:  Departments:  DPW - 8/26 memo from JS to JP re recommendation

200  Recognition:  4th of July

201  Recognition:  Accounting/Town of Burlington Certificate of Achievement for Excellence in Financial Reporting - certificates and description of credentials

202  Public Hearing:  Approval/Grant of Location/  Hershey Road/ Verizon New England, Inc. - 8/25 memo to tom hays from JP re grant of location and response; petition for joint or identical pole location; map

203  Public Hearing:  Approval/Earth Moving Permit/144 Middlesex Turnpike - 8/25/16 memo to staff and response re 144 Middlesex Turnpike earth moving permit; public hearing notice; 8/18 ltr from bsc to bos; 3 plot plans

204  Public Hearing:  Approval/Earth Moving Permit/20 Second Avenue - 8/25 memo from JP to staff and staff responses; public hearing notice; 8/18 ltr from bsc to bos; 3 plot plans

205  Hearing:  Approval/Change of Manager/Wegmans/53 Third Avenue - manager application; personal information form; petition for change of license; resume; crowd management certificate; license; tips; server license; passport; rules and regulations initialed;

206  Approval:  Sewer Allocation Credits/39 Bedford Street/ Robert W. Murray Real Estate - 8/25/16 ltr from r murray to bos; approval from dpw;

207  Discussion/Update/Approval:  Traffic Safety Concerns/Parking Restrictions/Staff Traffic Advisory Committee - neighborhood hampden and harriet parking restriction; petitions of 52 signatures, pictures of the streets

208  Discussion/Approval:  Contract/Employment with Town Accountant

209  Discussion/Approval:  Employee Union Contracts

210  Discussion/Approval:  September Town Meeting Warrant

211  Discussion/Approval:  Additional Liquor Licenses

212  Subcommittee Reports -

213  Town Administrator's Report -

214  Chairman's Report -

215  Old/New Business: -

Citizen's Time