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

MONDAY JULY 16, 2018

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

GENERAL SESSION  
The Chairman called the Board of Selectmen (BOS) meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

135  Appointments:  
▪ Police Department  
Police Chief Michael Kent recommended Deborah Thompson be considered for appointment as a Special Police Officer.  Town Administrator John Petrin (T.A. Petrin) agreed and appointed Ms. Thompson as Special Police Officer and requested the BOS waive the standard fifteen day waiting period.

Motion:  Selectman Tigges moved to waive the standard fifteen day waiting period.  Seconded by Selectman Hogan and approved.  (5-0-0)

▪ Boards and Committees  
Historical Commission:  
T.A. Petrin recommended that Mary Nohelty and Rob Costa be reappointed for three year terms with the terms ending June of 2021 and requested the BOS waive the standard fifteen day waiting period.

Motion:  Selectman Tigges moved to waive the standard fifteen day waiting period for the appointment of Mary Nohelty to the Historical Commission as discussed.  Seconded by Selectman Hogan and approved.  (5-0-0)

Motion:  Selectman Tigges moved to waive the standard fifteen day waiting period for the appointment of Rob Costa to the Historical Commission as discussed.  Seconded by Selectman Hogan and approved.  (5-0-0)

136  Approval:  
Treasury – Bond Issues  
Brian Curtin, Town Treasurer, was present seeking BOS approval the sale of bonds on several projects for a total of $12,635,000 for the following for which the town was able to secure low interest rates due to the AAA bond rating.

|$304,000  Street Light LED Conversion  
|$651,000  Meadowbrook School HVAC Upgrade  
|$3,265,000  Human Services Building Renovation  
|$8,415,000  Fire Station #2

BOARD OF SELECTMEN:  
CHRISTOPHER HARTLING, CHAIRMAN  •  ROBERT HOGAN, VICE-CHAIRMAN  •  JOSEPH MORANDI  •  MICHAEL RUNYAN  •  JAMES TIGGES
Competitive bids were received and Bank of America Merrill Lynch was awarded the $12,635,000 bond. Burlington's summary with respect to the S&P's Global Ratings Direct was distributed for review.

**Motion:** Selectman Hogan moved to approve the Bond Issue - Town sale of $12,635,000 General Obligation bonds as discussed. Seconded by Selectman Morandi and approved. (5-0-0)

Mr. Curtin reviewed a Bond Anticipation Note with sale results for $5,970,000 financing for Several Capital Projects. He said Eastern Bank was the winning bidder with a coupon rate of 1.7873% for the $5,970,000 for project as described for:

- $1,270,000 Mill Pond Sludge Removal
- $700,000 Water Mains
- $4,000,000 DPW / Recreational Facility

The temporary financing would be available on July 20, 2018 and would mature July 19, 2019.

The BOS thanked Mr. Curtin the work done on securing these projects and for aiding in the continuation of conservative budgetary practices.

**Motion:** Selectman Hogan moved to approve the Bond Anticipation Note in the amount of $5,970,000 for Eastern Bank as discussed. Seconded by Selectman Morandi and approved. (5-0-0)

137  Update: Water

John Sanchez was present. T.A. Petrin said he, John Sanchez, Paul Sagarino and Tom Hayes met with the Town Administrator in Lexington and agreements are being finalized to receive water through connections with Lexington at the present time and into the future based on capacity. The agreement will be presented to the BOS at an upcoming meeting. Selectman Hogan and T. A. Petrin explained that we are hooked up for a limited amount of water, and it will take time to complete the necessary work for a permanent connection to Burlington. Selectman Tigges thanked the residents for their patience during the full water ban. Chairman Hartling said they are comfortable with the decisions being made.

Steve Bolognese, 14 Winn Valley Drive, had three items he wanted to address with the BOS and Mr. Sanchez:

1. Vine Brook: How to review Summer preparation in order to avoid an emergency. Mr. Sanchez responded that there is ongoing maintenance but the two treatment plants need to run continually because of the shutdown of the contaminated wells.
2. He understands that in order to have an emergency connection to MWRA, a total ban is required, but asked if there is chance to get a waiver from the total ban. T.A. Petrin said there is no way to avoid a total watering ban when requesting an emergency connection to MWRA through another community.
3. When the Town returns to the alternate day schedule, is there a way to educate the public on efficient use of irrigation systems. Chairman Hartling said that education have taken place and will continue in the future.

The full water ban will remain in effect until further notice, and it is expected that the alternate day watering will resume when repairs are completed.

**Motion:** Selectman Morandi moved to reaffirm and continue the emergency total water ban that was put in place by the Town Administrator which may be lifted when emergency repairs are completed. Seconded by Selectman Hogan and approved. (5-0-0)
138  Approval: Block Parties

- Drake Road
- Mallard Way

Motion: Selectman Morandi moved to approve the Block Party for Drake Road. Seconded by Selectman Hogan and approved. (5-0-0)

Motion: Selectman Morandi moved to approve the Block Party for Mallard Way. Seconded by Selectman Hogan and approved. (5-0-0)

139  Approval: Use of Town Common

- Indian Americans for Burlington Festival of Lights / Diwali Celebration

The Indian Americans of Burlington submitted a request to use the Town common on September 30, 2018 from 12:00 p.m. to 8:00 p.m. for a Diwali/Festival of Lights event. The community is invited to attend. Approximately 800 people are expected. Fire, Police, and Recreation did not have issue so long as they work with staff and arrange for restaurant facilities. The BOS expects the group will continue to coordinate with Recreation and the Selectmen's office staff. They are directed to contact Recreation and Police prior to event to confirm all is in place.

Motion: Selectman Morandi moved to approve the Use of the Town Common for the Indian Americans for Burlington's Indian Americans for the Diwali / Festival of Lights event on September 30, 2018 from 12:00 P.M. TO 8:00 p.m. Seconded by Selectman Tigges and approved. (5-0-0)

140  Public Approval: All Alcohol License Application

  d/b/a Life Time Athletic
  186 Middlesex Turnpike

Approval: Life Time Athletic New Manager

Present was Attorney William Proia and with Manager Michael Bellacini. T.A. Petrin said this license is granted under special legislation and can only be used in the 3rd Avenue district. Alcohol Selectmen Subcommittee members Hogan and Morandi have been meeting with the applicant and attorney and a finalized set of conditions was ready to be considered. The conditions will be in addition to the Alcohol Rules and Regulations and address the fact that the facility is not a restaurant but the Cafe and the Pool Deck will operate as full-service restaurants. In part, the conditions address proper staffing, containers in which all alcohol will be served, the manager will be on duty at all times when alcohol is being served; alcohol ordered and served in the Cafe must be consumed only within the Cafe and alcohol ordered and served in the Pool Deck area must be consumed only within that area. The backup submitted for the Life Cafe Manager was reviewed. T. A. Petrin reminded the petitioners that the Cafe has to be open in order for there to be alcohol served to the general public.

Selectman Morandi asked for clarification on conditions allowing private events that are not open to the general membership. They explained that these would be private events that are by invitation only and not open to the general public.

Wayne Saltsman, Chairman of the Board of Health (BOH) said this board had submitted concerns to the BOS which included a recommendation that alcohol not be allowed to be served in the areas of special purpose pools, spas and hot tubs. Attorney Proia agreed to meet with the BOH to review their recommendations.
Although they do not yet have a set of definitive hours for the cafe, T.A. Petrin said they must comply with the regulations for the standard hours for the serving of alcohol under Burlington's Alcohol Rules and Regulations [11:00 am to 1:00 am]. The BOS was satisfied with the conditions; however it was agreed the Deputy Local Licensing Authority would handle the final approval being sent to the ABCC after the receipt of a definite set of hours for the Cafe. [At this time the hours provided were Monday-Thursday, 6:00 a.m. to 10:00 p.m.; Friday-6:00 a.m. to 9:00 p.m.; Saturday-8:00 a.m. to 7:00 p.m.; Sunday-9:00 a.m. to 6:00 p.m.]

There were no more comments from the boards or the public.

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

Motion: Selectman Runyan moved to approve Michael Bellacini as the Life Cafe manager. Seconded by Selectman Morandi and approved. (5-0-0)

141 Public Approval: Grant of Location Utility Pole Attachment
Hearing: Small Cell Communications Equipment
Verizon Wireless for Installation of Small Cell Units

Attorney Daniel Klasnick, Duval & Klasnick LLC was present representing Cellco Partnership d/b/a Verizon Wireless who has filed seven applications with the Town for permission to attach, maintain and operate seven small cell communications facilities on utility poles. A Structural Analysis Report for each of the proposed small cell utility pole was provided.

T.A. Petrin explained that Development Coordination staff members and other town department heads have been meeting with Town Counsel because of concerns on the amount of requests and duplicate requests that are expected to continue to flow in. They are working with Counsel on an application process and a policy for these requests, including dismantling unused equipment. T.A. Petrin said that a comprehensive plan would be required and confirmation of public and private poles be received. He added that the visual impact must be considered. Attorney Klasnick responded that it would be difficult because it is constantly being redeveloped and it depends on the network demands.

Because of work that needs to be done on this issue, it was recommended that be postponed until the August 13, 2018 meeting. Selectman Hogan asked that staff gather information and present recommendations. Selectman Tigges agreed to be the Selectman liaison to the small cell equipment discussion and will reach out to staff and counsel.

142 Update: Government Review Committee
Postponed to the August 13, 2018 meeting.

143 Discussion/Approval Town Accountant Search Process Approval
145 Discussion: Town Administrator Transition Plan
Agenda items #143 and 145 were discussed together.

Town Accountant Search Process: Paul Sagarino, Town Accountant, will assume the role of Town Administrator on March 1, 2018. The outline for the timeline as well as the Town Accountant job description and search process was reviewed. An interview committee will be formed with further discussion on this being held at the August 13, 2018 meeting.
Town Administrator Transition Plan:
T.A. Petrin and Paul Sagarino are already working on transitioning, and he is attending meetings and events.

Motion: Selectman Runyan moved to approve the submitted timeline for the search process as well as the transition plan. Seconded by Selectman Morandi and approved. (5-0-0)

144 Approval: Town Administrator Contract
The subcommittee, Chairman Hartling and Vice-Chairman Hogan met with Mr. Sagarino to work out the details of the Town Administrator contract, with this contract being effective on March 1, 2018. The workload transition and training period will now be more involved.

Motion: Selectman Runyan moved to approve the submitted timeline for the search process as well as the transition plan. Seconded by Selectman Morandi and approved. (5-0-0)

146 Discussion: September 2018 Town Meeting
The Selectmen's articles at this time are Police Command and Fire contracts, Will of Marshall Simonds, and General Bylaws. The final list of articles will be before the Board of Selectmen for approval on August 13, 2018.

147 Approval: Minutes: March 19, 2018 Strategic Planning Session
Motion: Selectman Hogan moved to approve the strategic planning session minutes of March 19, 2018 as amended with the correction of removing the name of a past board member and adding current board members. Seconded by Selectman Morandi and approved. (5-0-0)

June 14, 2018 Board of Appeals Interviews
Postponed.

June 25, 2018 Regular Session
Motion: Selectman Hogan moved to approve the minutes of June 25, 2018 as submitted. Seconded by Selectman Morandi and approved. (5-0-0)

148 Subcommittee Reports
Selectman Hogan commented on there being a subcommittee for discussions on condo trash collection. Chairman Hartling agreed that Selectmen Hogan and Morandi would be the subcommittee.

Selectman Runyan was pleased with the July 4 events and said there was a large crowd for the parade. He thanked all the volunteers and people and organizations that made donations to cover the parade and other activities.

Selectman Tigges announced that Burlington Community Night would take place on August 8 at Wegman's. Police and Fire Department personnel, motorcycles and other vehicles plus K-9 dogs would be present for the community to enjoy.

Selectman Morandi commented that it was the birthday of his business opening in Burlington 58 years ago.

149 Town Administrator’s Report
T.A. Petrin; Officer Keith Sheppard; Police Chief Michael Kent and Fire Chief Steve Yetman attended the Middlesex Sheriff's Youth Public Safety Academy with. There was a good turnout and Sheriff Koutoujian's staff including and Ken Doucette were thanked for this opportunity.

150 Chairman’s Report
Chairman Hartling said the July 4 events were well attended and thanked all for their efforts for coordinating so many events.

151 Old/New Business: None.

Citizen’s Time: No one spoke.

EXECUTIVE SESSION
Motion: Selectmen Hogan moved the BOS adjourn to executive session as authorized by Chapter 30A Section 21(a) of the Mass. General Laws at a meeting for which 48 hours’ notice was given to discuss strategy with respect to collective bargaining or litigation for police command and fire union contracts as an open meeting may have had a detrimental effect on the bargaining or litigating position of the public body with the BOS reconvening the general session for the purpose of adjourning. Seconded by Selectman Morandi with a roll call vote; Selectman Morandi voting aye, Chairman Hartling voting aye, Selectman Hogan voting aye, Selectman Runyan voting aye, and Selectman Tigges voting aye.

(5-0-0)

Adjourn:
Motion: Selectman Hartling moved the Board of Selectmen adjourn the executive session at 8:40 p.m. and reconvene into general session for the sole purpose of adjourning. Seconded by Selectman Morandi with Selectman Morandi voting aye, Selectman Hogan voting aye, Selectman Hartling voting aye, Selectman Runyan voting aye. (4-0-0)

Submitted by,

Betty McDonough
Recording Clerk