Board of Selectmen Present: Joseph Morandi, Chairman; James Tigges, Vice-Chairman; Robert Hogan; Michael Runyan until 7:00 p.m.; Nicholas Priest
Also Present: Paul Sagarino, 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.

263 Appointment: Burlington Cultural Council
Nathan Piccini, Chairman, Burlington Cultural Council recommended Roberta Lasky be re-appointed to the council. Town Administrator Paul Sagarino agreed and appointed Ms. Lasky to the Cultural Council and recommended the BOS waive the standard fifteen-day waiting period.

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

264 Appointments:

• Jr. Civil Engineer
• Pump Station Operator
• Special Heavy Motor Equipment Operator
• Economic Development Director
• Fire Chief

• Jr. Civil Engineer
John Sanchez, Director, Department of Public Works was present recommending Meghan Cavalier to fill the position of Junior Civil Engineer. She worked in the Engineering Department as an intern in the past. T.A. Sagarino agreed with this recommendation and appointed Ms. Cavalier to the position of Junior Civil Engineer and recommended the BOS waive the standard fifteen-day waiting period.

Motion: Selectman Tigges moved to waive the standard fifteen-day waiting period for this appointment. Seconded by Selectman Hogan and approved. (5-0-0)
• Pump Station Operator
John Sanchez, Director, Department of Public Works was present recommending Meghan Cavalier to fill the position of Junior Civil Engineer. She worked in the Engineering Department as an intern in the past. T.A. Sagarino agreed with this recommendation and appointed Ms. Cavalier to the position of Junior Civil Engineer and recommended the BOS waive the standard fifteen-day waiting period.

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

• Special Heavy Motor Equipment Operator
Mr. Sanchez was present recommending Anthony Desimone to fill the position of Special Heavy Motor Equipment Operator. T.A. Sagarino agreed with this recommendation and appointed Mr. Desimone to the position of Special Heavy Motor Equipment Operator and recommended the BOS waive the standard fifteen-day waiting period.

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

• Economic Development Director
T.A. Sagarino introduced Melisa Tintocalis as Burlington's first Economic Development Director and explained the interview process. Ms. Tintocalis was selected and her background includes being an Economic Development Director in Lexington for seven years and Economic Development Planner for the City of Somerville for four years. She was also a Program Manager and Associate Planner for the City of San Diego for three years. The BOS were impressed with her resume and agreed with the appointment and T.A. Sagarino appointed Ms. Tintocalis to the position of Economic Development Director and recommended the BOS waive the standard fifteen-day waiting period. Joanne Faust was thanked for her assistance.

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

• Fire Chief
T.A. Sagarino said many excellent candidates were interviewed and Interim Fire Chief Michael Patterson was selected for the position of Fire Chief. Comments from the BOS included that they were pleased with his resume and background experience. There was confidence that this was the correct selection and agreed with the appointment and T.A. Sagarino appointed Interim Fire Chief Michael Patterson to the position of Fire Chief and recommended the BOS waive the standard fifteen-day waiting period. Joanne Faust was thanked for her assistance.

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

265 Approval: Subsidized Transportation Pilot Program
Mr. Sanchez was present with COA Director Marge McDonald to present a policy for a Subsidized Transportation Pilot Program subsidy based system. Riders' needs were considered. The objectives, purposes, and eligibility for the program were reviewed. A small amendment was recommended under the Subsidy section for clarification purposes. The BOS agreed with this recommendation for a trial program to ensure that it will work. It is hoped the program can take effect in January 2020. The current Burlington Transit will be discontinued. Town Meeting voted to support this
initiative with a matching grant being received from the state. All involved were thanked. Advertisement will be done through the current transportation system, website, and current clients. The policy will be reviewed again in the future.

Motion: Selectman Priest moved to approve the Subsidized Transportation Pilot Program. Seconded by Selectman Tigges and approved. (5-0-0)

266 Review: AMC Theater Alcohol Policy Allow Patrol Staff Additional Duties

At the request of the AMC Theater, the Burlington Board of Selectmen at its meeting on Monday, October 7, 2019, voted favorably to allow for a temporary change to Condition 4) of the AMC Alcohol Policy to allow a staff member assigned to liquor patrol also be allowed to perform additional duties for a three-month trial period effective October 8, 2019 and would be revisited at the meeting of December 16, 2019 when all licenses are reviewed for renewal.

Kate Boucher, Manager of AMC, was present with new data that continued to show that Monday through Thursday are slow nights for the sale of alcohol. The BOS will be holding a public hearing in the near future to make a change to this and other regulations at a future public hearing.

267 Approval: Town Administrator Signatory

On advise of Town Counsel the BOS voted to authorize the Town Administrator to execute contracts on their behalf as per town bylaws, and to allow the Town Administrator to sign other documents on behalf of the BOS following a vote of approval by the BOS even when specifically addressed in the main motion.

Motion: Selectman Priest voted to allow the Board of Selectmen to authorize the Town Administrator to execute contracts as may be approved by the Board of Selectmen. Seconded by Selectman Tigges and approved. (5-0-0)

268 Public Hearing: Update on Status of Transfer of All Alcohol Liquor License

Continued from 9/9/19, 11/4/19

Besito Restaurants Burlington LLC
Formerly of 75 Middlesex Turnpike, Burlington
dba Besito Restaurant

The public hearing continued with Attorney Mark Vaughan, Riemer & Braunstein present to provide an update and stated that negotiations continue for the transfer of the license with the same restaurant, and he will continue to keep the board up to date. There is a change for the license transfer location from Besito site to the former Sears location.

Motion: Selectman Tigges moved to continue the public hearing for Besito restaurant to March 23, 2020 at 6:30 p.m.. Seconded by Selectman Priest and approved. (5-0-0)

269 Public Hearing Approval: Transfer of All Alcohol Liquor License

New

To: Fung Sat Incorporated d/b/a Karma Restaurant

Floor Plan

New Manager

75 Middlesex Turnpike, Burlington

From: Uno Restaurant, Inc. d/b/a Uno Chicago Grill

75 Middlesex Turnpike, Burlington MA

The public hearing opened with Attorney Vaughan present representing Fung Sat Incorporated d/b/a Karma Restaurant. Karma is seeking approval for a Transfer of an All Alcohol Liquor License from Uno Restaurant, Inc. d/b/a Uno Chicago Grill. Karma will be an Asian fusion style restaurant and will be situated within a portion of the
former Uno Restaurant at the Burlington Mall. An upper mezzanine level will be for employees only. There will be an entrance door/vestibule area constructed but no access would be available from within the mall.

The floor plan was approved by Building and Fire and indicated that seating will be divided into three dining rooms with tables and a high-top counter dining area as well as a sushi table. Seasonal seating will be available for fifteen patrons. It was noted that the first page describing the floor plan did not match the second page with floor plan and a new plan was asked to be submitted clarify the seating. They are hopeful to have some short term parking spaces for takeout. Opening date is expected

Proposed manager Amanda Nicolosi was present. She is TIPS certified and understands the town's alcohol rules and regulations. A Special Permit was issued by the Planning Board.

There were no comments from the public.

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

**Motion:** Selectman Hogan moved to approve the transfer of All Alcohol Liquor License to Fung Sat Incorporated d/b/a Karma Restaurant from Uno Restaurant, Inc. d/b/a Uno Chicago Grill to be located within a portion of the former Uno's Restaurant. Seconded by Selectman Tigges and approved. (5-0-0)

**Motion:** Selectman Hogan moved to approve the floor plan with the condition that a new set of floor plans be submitted that better clarifies the total seating plan. Seconded by Selectman Tigges and approved. (5-0-0)

**Motion:** Selectman Priest moved to approve Amanda Nicolosi as the manager. Seconded by Selectman Tigges and approved. (5-0-0)

**270 Approvals:**

**Local Initiative Program Regulatory Agreement and Declaration of Restrictive Covenants for Rental Project/Location Action units for The Residences at Simonds Park LLC.**

The petitioner is seeking votes from the BOS, and they approved of the Town Administrator signing the tracked changes draft.

**Motion:** Selectman Hogan moved to allow the Town Administrator to sign the draft document approved by the BOS on August 12, 2019 for the Local Initiative Program Regulatory Agreement and Declaration of Restrictive Covenants for Rental Project/Location Action units for The Residences at Simonds Park LLC. Seconded by Selectman Priest and approved. (5-0-0)

Town Counsel approved the final agreement after viewing the incorporated tracked changes.

**Motion:** Selectman Tigges moved to approve as submitted the final Local Initiative Program Regulatory Agreement and Declaration of Restrictive Covenants for Rental Project/Location Action units for The Residences at Simonds Park LLC and to allow the Town Administrator to sign on behalf of the Board of Selectmen. Seconded by Selectman Runyan and approved. (5-0-0)
271 Public Hearing
Continued from 3/11/19, 10/7/19, 10/28/19
Update on Status: Slesar Bros. Inc. dba Burlington Beer Works
34 Cambridge Street
Attorney Paul Sporn was present represent Joseph Slesar, Licensee, Burlington Beer Works. He explained that the license is up for public auction and that it has not yet been sold. The landlord he said agrees that the licensee be granted more time to transfer the license. The 2020 renewal fee has been received. The BOS agreed to allow more time with the condition that updates be provided. A discussion on how best to move forward will take place at the next continued hearing date.

Motion: Selectman Priest moved to continue the public hearing to March 23, 2020 at 6:35 p.m.. Seconded by Selectman Runyan and approved. (5-0-0)

272 Approval: Northwest Park Housing Committee Selections
T.A. Sagarino said that the committee selections were handled by the individual boards. As requested by Town Meeting Resolution this committee will review the housing recommendations being put forward by the proponent for housing at the Northwest Park Housing development.

Northwest Park Housing Committee
Board of Selectmen: Mike Runyan
Housing Partnership: Jim Doherty
Planning: Barbara L’Heureux
Zoning Bylaw Review Committee
Town Meeting: Dan DiTucci
Disability & Veterans: Chris Hanafin
COA: Marge McDonald

Motion: Selectman Tigges moved to appoint the above members to the Northwest Park Housing Committee and approved. (5-0-0)

273 Approval: 2020 License Renewals:
- Alcohol
- Amusement
- Auto Class I
- Auto Class II
- Cafeteria
- Entertainment
- Inn Holder
- Livery
- Theater
- Victualler
- Weigher

The BOS reviewed the information provided. All fees had been received in a timely manner. Inspections were conducted by staff as requested. There were no issues to report. Staff continues to remind restaurants to have all staff serving alcohol registered with the Burlington Police Department. It was agreed to approve all licenses together.

Motion: Selectman Tigges moved to approve the licenses for Alcohol, Amusement, Auto Class I Auto Class II, Cafeteria, Entertainment, Inn Holder, Livery, Theater, Victualler, and Weigher. Seconded by Selectman Hogan and approved. (5-0-0)
274 Approval: **January 2020 Town Meeting Warrant**
The deadline to receive all articles has passed. The BOS reviewed the submitted list of articles and were satisfied with the items submitted. The articles under the Selectmen's jurisdiction and others would be voted upon at a future meeting.

**Motion:** Selectman Hogan moved to hold the Town Meeting on January 27, 2020. Seconded by Selectman Tigges and to accept the submitted January 2020 Town Meeting warrant articles as submitted. Seconded by Selectman Tigges and approved. (5-0-0)

275 Approval: **Minutes: November 18, 2019**
Postponed.

245 **Subcommittee Reports**
Selectman Hogan said that he attended productive FY21 budget guideline meetings with staff and schools.
Selectman Priest said applications have been received for the sculpture park project. ISAAC continues to meet with regard to cyber security.
Selectman Runyan was pleased with the events that occurred during the year of 2019 and recognized those members who have retired and welcomed new employees. Volunteers were thanked for the time they give to the town.
Selectman Tigges reported that the Recreation did a fine job with the Town Common lighting and ceremony.

246 **Chairman’s Report:**
Town Common lighting was very successful. The town did a good job plowing. We do not have the help we need and residents were asked to be patient.

247 **Town Administrator’s Report:**
T.A. Sagarino also commented on the meetings with Ways and Means, Schools, and Town Staff on FY1 budget guidelines.
A grant was received for the EV charging stations for $3800 because of the creation of a station for persons with disabilities. Waiting for electric company to install the wiring.
A grant from the state was received to replace a COA van. The town will match the amount.
Employees from town and school were thanked for the work done over the year for residents.

248 **Old/New Business:** None.
249 **Citizens’ Time:** No one spoke.

**ADJOURN**
**Motion:** Selectman Priest moved to adjourn at 7:10 p.m. Seconded by Selectman Tigges and approved. (5-0-0)

Submitted by,

Betty McDonough, Recording Clerk
263 Appointment: Board and Committees - Burlington Cultural Council - email from Michael Murphy recommending appointment
264 Appointments: DPW-Jr. Civil Engineer - recommendation from John Sanchez; pump station operator recommendation from J Sanchez; special heavy motor equipment operator - recommendation from J Sanchez; economic development director - resume; Fire Chief - resume
265 Approval: Subsidized Transportation Pilot Program - Policy from J Sanchez
266 Review: AMC Theater Alcohol Policy, Allow Patrol Staff Additional Duties - request from manager; data backup for request - letter from TA re temporary change for 3 months, AMC additional policy
267 Approval: Town Administrator Signatory - Town Counsel recommendation for motion to approve TA as signatory
268 Public Hearing Continued from 9/9/19, 11/4/19 Update on Status of Transfer of All Alcohol Liquor License, Besito Restaurants Burlington LLC dba Besito Restaurant Formerly of 75 Middlesex Turnpike, Burlington -
269 Public Hearing Approval (New): Approval: Transfer of All Alcohol Liquor License, New Fung Sat Incorporated d/b/a Karma Restaurant; Approval: Floor Plan; Approval: New Manager, 75 Middlesex Turnpike, Burlington Mall From: Uno Restaurant, Inc. d/b/a Uno Chicago Grill 75 Middlesex Turnpike, Burlington MA - public hearing notice; memo to staff for comments and staff comments; application for transfer of license; required state and town backup; Planning Board Special Permit; floor plan; application for new manager and required backup for state and town
270 Approvals: Local Initiative Program Regulatory Agreement and Declaration of Restrictive Covenants for The Residences at Simonds Park LLC draft and final - 7/18/19 signature page with TA signature to reapprove; finalized from track changes approved by Town Counsel
271 Public Hearing Continued from 3/11/19, 10/7/19, 10/28/19 Update on Status: Slesar Bros. Inc dba Burlington Beer Works, 34 Cambridge Street - Dec 2019 reminder letter to licensee; copy from 10/28/19 minutes re: slesar
272 Approval: Northwest Park Housing Committee Selections - email from planning re: their selection for NWPHC
273 Approval: 2020 License Renewals, Alcohol Amusement, Auto Class I, Auto Class II, Cafeteria, Entertainment, Inn Holder, Livery, Theater, Victualler, Weigher - letter from office manager to BOS - state's quota breakdown for Burlington; list of alcohol licenses from state; list of alcohol license from dept; renewal fees chart; staff reminder letter of requirements; server registration letter and info from police; renewal reminder letters to licensees; general licenses under BOS jurisdiction; letter from Officer McDonough re Class II licenses; email re: no issues in 2019 re Class II licenses; MGL re taxes due
274 Approval: January 2020 Town Meeting Warrant - list of articles received.
275 Approval: Minutes: November 18, 2019 - POSTPONED
276 Subcommittee Reports -
277 Chairman’s Report -
278 Town Administrator’s Report -
279 Old/New Business -
280 Citizens’ Time -