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

EXECUTIVE SESSION
Motion: Chairman Hogan recommended the Board of Selectmen convene into executive session to conduct strategy sessions in preparation for negotiations for non-union Administrative and Professional Classification and Compensation Plan for FY16 and to reconvene for the 7:00 p.m. General Session. Seconded by Selectman Hartling at 6:35 p.m. Chairman Hogan, aye, Vice Chairman Grattan, aye, Selectman Runyan, aye, Selectman Patuto, aye, Selectman Hartling, aye. Motion carried 5-0-0.

GENERAL SESSION

Pledge of Allegiance/Moments of Reflection

The Board of Selectmen (BOS) reconvened the General Session meeting 7:00 p.m. followed by the Pledge of Allegiance and a moment of silence for the members of the armed forces and emergency responders.

062 Reorganization of the Board of Selectmen

Motion: Selectman Hartling moved to nominate Selectman Runyan to serve as Chairman. Seconded by Selectman Morandi and approved. (5-0-0)

Motion: Selectman Morandi moved to nominate Selectman Hartling to serve as Vice-Chairman. Seconded by Chairman Grattan and approved. (5-0-0)

Selectmen Hogan and Grattan were thanked for doing fine service as Chairman and Vice Chairman, respectively.

063 Public All Alcohol License/New Hearing and New Manager BW-Burlington, LLC, d/b/a Buffalo Wild Wings 15 South Avenue

All Alcohol License: Present to address the BOS was Andrew Gallinaro representing National Development and Pat Lennox and Scott Neri from Buffalo Wild Wing. This restaurant is seeking approval for a new All Alcohol License as well as approval for a general manager.

BOARD OF SELECTMEN:  
MICHAEL RUNYAN, CHAIRMAN • CHRISTOPHER HARTLING, VICE CHAIRMAN • ROBERT HOGAN • DANIEL GRATтан • JOSEPH MORANDI
Buffalo Wild Wings is a casual, sports themed restaurant that will appeal to all age groups and has been in operation as a franchise for more than 24 years. There are four locations in three states. One presently is open in Danvers.

In response to Selectman Hartling’s inquiry, Mr. Lennox said there will be no outdoor seating, but they will have unscreened, roll out doors to the outside. Selectman Hogan recommended they contact the Board of Health to confirm potential open window regulations. T.A. Petrin asked if there would be a barrier to prevent walking through the open windows, and Mr. Lennox said there will be a barrier to prevent passing through.

Chairman Runyan asked about the location of the site, and Mr. Lennox said they will be on the south side of South Avenue behind Chili’s Restaurant.

Town Administrator John Petrin (T.A. Petrin) asked if they and staff understood the town's alcohol policy with respect to alcohol consumption being a subsidy to the function of eating, and they said they did and staff is aware of the seriousness of the regulations. All employees will be ServSafe Certified.

If approved, T.A. Petrin recommended a condition of approval be that no access will be available through the open, roll out windows.

There were no comments from the public and the public hearing was closed.

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

**Motion:** Selectman Grattan moved to approve the new All Alcohol License for BW-Burlington, LLC, d/b/a Buffalo Wild Wings, 15 South Avenue with the condition that the roll out doors to the outside are restricted and cannot be breached. Seconded by Selectman Hartling and approved. (5-0-0)

**New Manager:** Present was Brad Hodgson who grew up in Wilmington and has worked and served alcohol at Buffalo Wild Wings in Danvers for more than ten years. He said he fully understands the town’s alcohol rules and regulations.

**Motion:** Selectman Grattan moved to approve Brad Hodgson as the general manager of Buffalo Wild Wings, 15 South Avenue. Seconded by Mr. Morandi and approved. (5-0-0)

**064 Approval: Disability Access Commission**

**Use of Handicapped Parking Fines**

At their recent meeting, the Disability Access Commission (DAC) approved four community based expenditures relating to the handicapped to be paid for using the handicapped parking fine fund. It was before the BOS for approval to use the funds as follows:
- $3,000.00 – Request received from DPW Maintenance. Approximate amount needed to make one of the annex doors handicapped accessible;
- $3,024.00 - Request from the Recreation Department to cover the cost for portable handicap bathroom stations for the summer programs. This was approved by the DAC and the BOS in 2014.
- $1,571.54 - Unexpected cost to replace ticketing books after the handicapped parking ticketing program, Operation Access. (total of 5,000 tickets).
- $5,000.00 – Administrative fees for handling of appeals

**Motion:** Selectman Hartling moved to approve DPW’s request no more than $3,000.00 to make door at Annex building handicapped accessible. Seconded by Selectman Grattan and approved. (5-0-0)

**Motion:** Selectman Morandi moved to approve $1,571.54 for Police Department ticketing books, as requested. Seconded by Selectman Grattan and approved. (5-0-0)

**Motion:** Selectman Grattan moved to approve the request from Recreation for $3,024.00 for portable handicap bathroom stations, as requested. Seconded by Selectman Morandi and approved. (5-0-0)

**Motion:** Selectman Morandi moved to approve $5,000 for administrative fees for handling appeals, as recommended. Seconded by Selectman Grattan and approved. (5-0-0)

Selectman Hogan thanked the Disability Access Commission members Tom Carlson and Maura Mazzocca for attending the meeting.

**065 Approval: Curb Cut/The Marketplace, Lexington Street**

Present representing the applicant was Attorney Mark Vaughan, Riemer & Braunstein. Also present was Stephen Matorano, Bohler Engineering and Joseph Kadis and Bryan Furze from Linear Retail. Att. Vaughan said the applicant is seeking approval of a curb cut to create a secondary access onto Lexington Street from the commercial property located at 68-110 Burlington Mall Road.

Currently the single point of access is off Burlington Mall Road, and access to Lexington Street would alleviate internal congestion and reduce vehicular trips at the Burlington Mall Road access point. It will also serve as a second emergency access to the property.

The applicant is working with the Planning Board on site improvements for both vehicle and pedestrian traffic on Burlington Mall Road, The Marketplace, and New England Executive Park. Traffic advisory, Fire, DPW were satisfied with the proposal for the second egress. A peer traffic review report indicates that the second access would not create a public safety hazard.

Mr. Matorano described how the second egress would assist with the points of conflict in the parking lot. Plans also include storm water drainage improvements.
Selectman Grattan asked about blocking vehicles from using the egress to make a U-turn, and Att. Vaughan said an island is being installed. Concerns were raised about the line of site for pedestrians walking on Lexington Street. Att. Vaughan said they will study this safety concern. Upon a question about deliveries, Selectman Morandi was informed that deliveries would continue to be at the Burlington Mall Road entrance.

Chairman Runyan asked if a line of site would be maintained along the sidewalk, and Att. Vaughan said it is required. He also asked that due diligence be done to keep the area behind the buildings clean. Att. Vaughan said some pruning may be done, but it is a protected area.

**Motion:** Selectman Hogan moved to approve the requested curb cut for a second egress at Lexington Street for The Marketplace located at 68-110 Burlington Mall Road. Seconded by Selectman Morandi and approved. (5-0-0)

**066 Approval:** 6th Annual Garden Club Plant Sale
The Burlington Garden Club's new president, Kelly Tchorz, was present seeking BOS approval to use the grass/lawn area in front of the Human Services Building on May 16 from 12 noon to 3:00 p.m. for the Garden Club’s 6th annual plant sale. This club, she said, is also responsible for the planters on the Town Common, the colonial garden near the fire station, and they are involved with the community garden.

**Motion:** Selectman Hogan moved to approve the use of the grass/lawn area in front of the Human Services Building on May 16 from 12 noon to 3:00 p.m. for the 6th Annual Garden Club Plant sale. Seconded by Selectman Grattan and approved. (5-0-0)

Selectman Hogan recommended a plan be considered in order to coordinate events at the Human Services building considering the BOS might approve an event on the green in front of the Human Services building and Recreation might approve another event on that same area with neither knowing the other had approved its use. Selectmen Hogan asked that only one of those departments be responsible for these approvals.

**067 Approval:** 33 Center Street Plan Review
John Sanchez, Director, DPW, was present. The BOS reviewed the layout of the design plan for 33 Center Street as submitted by KBA Architects. There are three floors and the Board of Health (BOH) and Burlington Youth and Family Services (BYFS) will move to this building thus freeing up much needed programming space for the Recreation and Council on Aging Departments (COA). The BOH and BYFS were included in the design discussion. The BOH will be located on the first floor, BYFS, second floor, and both departments will share areas in the basement.

T.A. Petrin said KBA Architects have reviewed and made general recommendations for the Human Services building but much planning is still required by the Recreation and COA Departments to ensure proper programming sites.

If the design for 33 Center Street is approved by the BOS, it will be submitted to Ways & Means for approval, then Town Meeting. The estimated renovation cost is $1.65 million, which is within the budget.
discussed at Town Meeting. Mr. Sanchez said the entire building will be upgraded and energy efficient. T.A. Petrin said changes can be made to the design moving forward.

**Motion:** Selectman Hogan moved to approve the design plans as submitted for 33 Center Street and to continue to move forward on the process. Seconded by Selectman Morandi and approved. (5-0-0)

Steve Stamm, Town Meeting Member, said he was under the impression that both design plans would be submitted together at Town Meeting, so the members will know what to expect. T. A. Petrin said the plans would not be presented together. Thus far costs are within budget and a description of the plans for the Human Services Building will be provided as they move forward with meetings with the department heads.

068 **Approval:** A & P Classification and Compensation Plan
Postponed until the next meeting.

069 **Approval:** Warrant
The Warrant is ready and a BOS vote of approval is required for posting.

**Motion:** Selectman Grattan moved to approve the posting of the Town Meeting Warrant for the May 2015 Town Meeting. Seconded by Selectman Morandi and approved. (5-0-0)

070 **Approval:** Minutes
February 23, 2015, General Session

**Motion:** Selectman Hartling moved to approve the minutes of General Session of February 23, 2015 as submitted. Seconded by Selectman Hogan and approved. (4-0-1 with Selectman Morandi abstaining)

071 **Subcommittee Reports**

**Selectman Hogan:** In January legislation was signed allowing disability access commissions to participate in remote meetings without approval of the governing body. A quorum is still required at the meeting and the person running the meeting must be in the meeting room. The town's DAC is in the process of investigating types of systems to use.

Recruit Firefighter Brandon Gonzalez is graduating from the Fire Academy on May 1 and will receive additional training in Burlington. Also over the next four weeks firefighters will be involved with annual training with Lahey. Training has been taking place with the forestry brush truck. ....

**Selectman Morandi** is looking forward to his role as Selectman.

072 **Town Administrator's Report**

Mr. Morandi was congratulated as the newest member of the BOS.

MMA sent notification that the second anniversary of the Boston Marathon Bombing is April 15, 2015, and Mayor Walsh of Boston is encouraging municipal leaders to allow for participation in a moment of silence at 2:49 p.m. The day is being recognized as One Boston Day to show unity and remember the tragic events.
Motion: Selectman Hogan moved that employees be notified that a moment of silence will be taking place in recognition of the second anniversary of the Boston Marathon Bombings at 2:49 p.m. on Wednesday, April 15. Seconded by Selectman Morandi and approved. (5-0-0)

073 Chairman’s Report
Chairman Runyan said the July 4th Committee is holding a chili tasting fund raiser event at the American Legion function hall Sunday, April 19 from 1:00 to 4:00 p.m. He added that this committee is seeking nominations for a grand marshal for the parade.

074 Old/New Business
The BOS were invited to wear ugly ties to this meeting in support of National Child Abuse Awareness month. Adrianne Simeone was present to describe the national tie-one-on program stating that abuse itself is an ugly topic yet community leaders and others wearing the ties creates conversation and gives the opportunity for people to become aware of the issue. Ms. Simeone thanked the BOS and the Town Administrator for their support.

Citizen’s Time: No one spoke

Motion: Selectman Hartling moved to adjourn at 8:30 p.m. Seconded by Selectman Morandi and approved. (5-0-0)

Submitted by,

[Signature]

Betty McDonough
Recording Clerk
Agenda

062 Reorganization of the Board of Selectmen-

063 Public Hearing: All Alcohol License/BW-Burlington, LLC, d/b/a Buffalo Wild Wings, 15 South Avenue- 4/1/15 memo from J Petrin to staff and staff responses re new all alcohol license for BWW; public hearing notice for posting on 4/2/15; 3/25/15 ltr to P Gillingham from BW Burlington; application for alco bev lic; BW Burlington construction budget; Improvements Description; applicant's statement; Michigan Licensing bureau articles of organization; IRS assignment of employer i.d. number; floor plan; personal information form; manager application; passport; resume; BW Burlington members written consent; ServSafe;

064 Approval: Disabilities Access Commission, Use of Handicapped Parking Fines-ltr from R Hogan DAC coordinator re: request from J Sanchez for funding for hp access button at annex; copy of invoice from Source4 for police tickets; 2/18/15 ltr from Recreation to BH re req for hp port-a-potties; 4/3/15 memo from BH to DAC re Admin costs relative to HP ticketing

065 Approval: Curb Cut/The Marketplace, Lexington Street - 4/3/15 memo to staff and responses from JP re curb cut the Marketplace Lexington St.; Plan Review form from Chief Yetman; 4/3/15 ltr to JP from Riemer & Braunstein re curb cut; site plans

066 Approval: 6th Annual Garden Club Plant Sale-4/1/15 email from Garden Club re plant sale request for space for May 16 plant sale

067 Approval: 33 Center Street Plan Review-

068 Approval: A&P Classification and Compensation Plan-

069 Approval: Warrant-Monday, May 11, 2015 12 page Burlington Town Meeting Warrant

070 Approval: Minutes-February 23, 2015, General Session

071 Subcommittee Reports-

072 Town Administrator's Report-

073 Chairman's Report-

074 Old/New Business-

Citizen's Time