Town of Burlington, MA
Board of Selectmen
Minutes
General Session - 7:00 p.m.
Burlington Town Hall, Main Hearing Room

Monday, July 13, 2015

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

Pledge of Allegiance/Moments of Reflection

The Board of Selectmen (BOS) meeting was called to order at 7:00 p.m. followed by the Pledge of Allegiance.

125  Recognition:  Selectmen
1. Town Administrator’s Office
2. Veterans’ Services

1.  Town Administrator's Office
Office Manager - Pauline Gillingham:  Town Administrator John Petrin (TA Petrin) thanked Ms. Gillingham for her 17 years with the Town and for the outstanding work done as Office Manager in the Selectmen's/Town Administrator's Office.  She was presented with a gift from the town as the BOS gave their congratulations.

2.  Veterans’ Services
Veterans’ Director - Bob Hogan:  Mr. Hogan retired after 19 years as the Veterans’ Agent.  T.A. Petrin said that Mr. Hogan was appointed in 1997, and is highly spoken of for his work with veterans and for community and veterans' events.  He was presented with a gift as the BOS gave their congratulations, and he was also thanked for his work with the Selectmen, Burlington Rotary and Board of Health.

126  Approvals:  Appointments
1.  Boards and Committees
2.  Fire Department
3.  DPW
4.  Youth and Family Services

1.  Boards and Committees:
Board of Registrars – Joan Kennedy-Constant:  The Board of Registrars has nominated Joan Kennedy-Constant for the open position on this board.  T.A. Petrin agreed with the nomination and appointed Ms. Kennedy-Constant to the position and recommended the BOS waive the standard 15 day waiting period.

Motion:  Selectman Hogan moved to waive the standard 15 day waiting period for the appoint of Joan Kennedy-Constant to the open position on the Board of Registrars.  Seconded by Selectman Morandi and approved.  (5-0-0)
2. Fire Department - Two Open Positions:

Firefighter - Tyler Falconer: Fire Chief Steve Yetman recommended Mr. Falconer as a permanent Firefighter. He was previously appointed as a permanent-intermittent Firefighter. He is a Burlington resident, a Navy veteran, and has completed the Fire Academy. T.A. Petrin agreed with this recommendation and appointed Mr. Falconer to the position of Firefighter and recommended the BOS waive the standard 15 day waiting period.

Motion: Selectman Hogan moved to waive the standard 15 waiting period for the appointment of Tyler Falconer to the position of permanent Firefighter. Seconded by Mr. Morandi and approved. (5-0-0)

Administrative Secretary-Stacey Hindle: Chief Yetman said his Administrative Secretary, Joanne Arbing, was retiring, and he was recommending the current Fire Department Principal Clerk be promoted to the position of Administrative Secretary. Ms. Arbing has worked for the Town for more than 30 years. T.A. Petrin agreed with this recommendation and appointed Ms. Hindle to the position of Administrative Secretary and recommended the BOS waive the standard 15 day waiting period.

Motion: Selectman Hogan moved to waive the standard 15 waiting period for the appointment of Stacey Hindle to the position of Administrative Secretary. Seconded by Mr. Morandi and approved. (5-0-0)

Selectman Hogan noted the large contingent of Firefighters present in support of the appointments.

3. DPW/Facilities Maintenance

Special Equipment Operator - James Bieren: John Sanchez, Director, DPW, said he is in need of more assistance in the Cemetery Division because of the changes within this department. He recommended James Bieren to the position of Special Equipment Operator for the Cemetery Division. T.A. Petrin agreed with this recommendation and appointed Mr. Bieren to the position of Special Equipment Operator and recommended 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 James Bieren to the position of Special Equipment Operator. Seconded by Mr. Morandi and approved. (5-0-0)

Maintenance Craftsman/Electrician - Billy Bouley: Mr. Sanchez recommended Billy Bouley to fill the position of Maintenance Craftsman/Electrician. Mr. Bouley, he said, is a licensed journeyman in electricity and also has experience as a carpenter. T.A. Petrin agreed with this recommendation and appointed Mr. Bouley to the position of Maintenance Craftsman and recommended the BOS waive the standard 15 day waiting period.

Motion: Selectman Hogan moved to waive the standard 15 waiting period for the appointment of Billy Bouley as Maintenance Craftsman. Seconded by Mr. Morandi and approved. (5-0-0)
4. Youth and Family Services
Social Worker - Emily Hall-Hampton: Present was Christine Shruhan, Director, Youth and Family Services recommending Ms. Hall-Hampton be appointed to the position of Social Worker. Ms. Hall-Hampton has a Masters Degree in social work, and she has experience with family therapy. T.A. Petrin agreed and appointed Emily Hall-Hampton and recommended the BOS waive their standard 15 day waiting period.

**Motion:** Selectman Hogan moved to waive the standard 15 day waiting period. Seconded by Mr. Morandi and approved. (5-0-0)

127 Appointment: Board of Appeals
James Halloran is an active, regular member of this board and is seeking annual reappointment by the BOS for a full five years. Mr. Morandi recommended he be reappointed.

**Motion:** Mr. Morandi moved to reappoint James Halloran to the Board of Appeals for the five year term. Seconded by Selectman Grattan and approved. (5-0-0)

128 Approval: Election Pollworker List
The BOS reviewed the list as presented by the Town Clerk, Amy Warfield. The community is invited to contact the Town Clerk if interested in serving as a pollworker. There will be four elections in 2016 including the Presidential primary in March and Presidential election in November.

**Motion:** Selectman Grattan moved to approve the Election Pollworker List as submitted. Seconded by Selectman Hogan and approved. (5-0-0)

129 Approval: Return of Funds/Census
Ms. Warfield explained that payment was made to Copley Business System for a three year contract, and they were unable to complete the contract. An agreement was formed for repayment requiring BOS signatures.

**Motion:** Selectman Grattan moved to approve and sign the Repayment Agreement Between the Town of Burlington and Copley Business System. Seconded by Selectman Hogan and approved. (5-0-0)

130 Approval: Disabled and Limbless Veterans 4th Annual Support our Vets Run
Michael McNulty and Andy Giordano were present representing the organization which is having their 4th Annual Disabled and Limbless Support Our Vets Run which will have a Middlesex Sheriff's police escort. This is a fund raiser to help needy veterans and they have many sponsors. The event is Saturday, July 18, 2015 and starts and ends at the Burlington American Legion. They will also coordinate with the Burlington Police. The rain date is July 19. Selectman Hogan thanked Mr. Giordano for his continued service to veterans and noted that he was recently awarded as "Man of the Year" by the organization.

**Motion:** Selectman Hogan moved to approve the Disabled and limbless 4th Annual Vets Run. Seconded by Selectman Morandi and approved. (5-0-0)
Approval: Pilgrimage Procession/Wilmington Road

Rath Yatra was present seeking approval for their Pilgrimage Procession on Wilmington Road on July 18, 2015. They expect approximately 50 people. The Police Department recommended two officers be present to assist with traffic as they will be partially in the street. If police are unable to be present the group agreed to request to hold the event in the parking lot.

Selectman Hogan said it is imperative that they follow the rules of the Police Department.

Motion: Selectman Hogan moved to approve the Pilgrimage Procession on Wilmington Road on July 19, 2015 contingent that they follow the plan of the Police Department. Seconded by Selectman Grattan and approved. (5-0-0)

Continued Paul Burlington, LLC d/b/a Paul Bakery/62 Second Avenue

Public Hearing: Wine & Malt License/New

Present were Kevin Barry, Manager, Todd Freemont-Smith, property owner and Robert Buckley, Reimer & Braunstein representing Paul Burlington seeking approval of a beer and malt liquor license. Mr. Barry said that Paul opened on this date and are a French-based full menu restaurant that deals with high end products prepared on site. There will be outdoor seating. This is a new license as approved by special legislation for this district.

Mr. Freemont-Smith said Paul will be an important addition for the 3rd Avenue assemblage. Mr. Buckley said that staff are TIPS certified. All alcohol will be served by staff and stored in locked cabinets.

T.A. Petrin said there is to be no access to the outdoor seating area from the outside. He added that the serving of alcohol is secondary to the serving of food. Attorney Buckley said that this is understood.

There were no comments from the public.

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

Motion: Selectman Hartling moved to approve the New Wine & Malt License for Paul Burlington, LLC, d/b/a Paul Bakery, 62 Second Avenue. Seconded by Selectman Morandi and approved. (5-0-0)

T.A. Petrin said manager credentials need to be presented for the BOS's approval. Mr. Barry said he oversees all of Paul's and the final design. There will be a well trained manager with a strong background in restaurant management.

Motion: Selectman Hogan moved to approve Kevin Barry as the Manager of Record. Seconded by Selectman Grattan and approved. (5-0-0)
133 Approval: One-Day Liquor License, Carters Diamonds 15 3rd Avenue
T.A. Petrin explained that Carters had contacted the office to withdraw their request for approval as they would be seeking a state approved vendor for their upcoming one-day event. Since a notable figure is expected, they will work with the Police Department.

134 Approval: Bond & Sale Note
     Bond Anticipation Note
Brian Curtin, Town Treasurer, was present to explain the nine bids received from bond and note underwriters for an $11,270,000 general obligation bond issue and a $750,000 358-day general obligation note issue. Century Bank was the winning bidder on the Notes with a net interest rate of 0.40%. The Bond and Notes proceeds will be used to finance capital improvements at the Marshall Simonds Middle School and High School, land acquisition (Great Meadow Road), plans for 33 Center Street, road work, and municipal parking lots. As part of the Bond, the Town is also able to refinance existing bonds saving the Town interest.

Mr. Curtin also presented for BOS approval necessary documents and Bond Anticipation Note for the refinancing for the human services building and water mains.

Mr. Curtin said that the municipal credit rating agency affirmed its AAA rating on Burlington's bonds, which is the highest attainable rating which the Town has held for two years.

The BOS congratulated the finance team.

Motion: Selectman Hogan moved to approve the Bond Issue-Town Sale of $11,270,000 General Obligation Bonds and the Bond Anticipation Note for financing two Capital Projects. Seconded by Selectman Morandi and approved. (5-0-0)

135 Discussion: Solar Agreement
T.A. Petrin informed the BOS of the ongoing discussions to potentially place solar equipment on the roofs of the Middle and High School. It is also hopeful the Town can partner with businesses in Town for solar parking lot canopies. John Sanchez, Director of DPW, was thanked for the work he has been doing on plan concepts.

Community aggregation with Colonial Power was also discussed. The state has approved the Town’s concept. If the final plan is approved by the State, the Town can possibly go out to bid in September. All questions from residents will be handled by Colonial Power and there will be a mailing describing the aggregation and how to opt out.

136 Discussion: 33 Center Street
Kevin Buckley, KCBA Architects, was present to report that the bids to upgrade 33 Center Street unfortunately came in over the Town Meeting approved amount of $1,650,000. Some of the issues, Mr. Buckley said, are the age of the building, its small size, the need for an elevator and generator. KCBA is looking into what can be done to reduce renovation costs and consideration is being made to combine future bids for this address with 61 Center Street to attract more contractors.
137 Discussion: Medical Marijuana Dispensary
T.A. Petrin said the Town was approached by Mission Massachusetts to discuss a medical marijuana distribution dispensary in a State approved area. Chairman Runyan and Jim Doherty of the Assessors' Office met with representatives. The Town cannot say no to a dispensary, but they can work to create a community agreement with the establishment. The Town is allowed to send a letter of support to the State or they may choose not to send any comment, but they cannot say no to a dispensary. A task force will be created with members of the various boards and departments.

138 Approval: Alcohol Policy/Amendments
The BOS continue to review and update the Alcohol Policy. It was agreed that a stronger regulation is necessary to prevent the sale of alcohol to minors. Each member shared their concern with the recent nine failures, many being new restaurants, and discussed ways to avoid noncompliance. It was agreed to study this section further for discussion at the August 17 BOS meeting.

139 Approval: Minutes
Monday, May 18, 2015 General Session
Motion: Selectman Hogan moved to approve the Monday, May 18, 2015 General Session minutes. Seconded by Selectman Morandi and approved. (5-0-0)

Wednesday, June 17, 2015 Strategic Planning Session
Motion: Selectman Hogan moved to approve the Wednesday, June 17, 2015 Strategic Planning Session. Seconded by Selectman Morandi and approved. (5-0-0)

Subcommittee Reports
Selectman Hogan announced that the Special Olympics Softball tournament sponsored by the Recreation Department and Burlington Rotary would be held on Saturday, July 25 from 9 am to 2 pm.

The 4th of July Committee was congratulated for a wonderful celebration.

Selectman Hartling said he attended the Lahey Clinic 5K Road Race for the Lahey Oncology Department and was very impressed with how well it was run.

Selectman Morandi stated that the DPW Department is moving along well within their paving project schedule.

The Town will hold a 2015 bow hunting season for deer in the Landlocked Forest, and applications will be available at the Conservation Department August 3 and are to be returned by September 1. Safety courses are required as necessary.

Town Administrator’s Report
The July 4th parade was a great Town event, and all who assisted were thanked.
The Middlesex Sheriff’s Youth Public Safety Academy was held the previous week. Chief Michael Kent and Officer Steve Cross were thanked for their help in getting youths into the program.

**Chairman’s Report**
Chairman Runyan said he is pleased the Sheriff's Public Safety group are utilizing the Town Common, and commended the Recreation Department on their summer events.

He thanked all for attending the July 4th parade and for their kind comments.

**Old/New Business Citizen’s Time**

**Eagle Scout Project:**
Selectman Grattan said he was contacted the previous week by Scout Sinji Coram, Troop 103. Mr. Coram is working on his Eagle Scout award and seeking BOS approval to install signs at the Landlocked Forest to mark certain landmarks with signs to make the trails easier to navigate. The signs will be placed in cement. He is working with Martha Simon for suggestions and will have a group of scouts assisting. The marked trails will also be marked on a map on the Landlocked Forest website. Selectman Hogan recommended that the Conservation Department be contacted.

T.A. Petrin recommended the concept be approved by the Selectmen on the condition that there be a selectman liaison to the BOS to receive guidance from the Conservation Director, John Keeley. Selectman Grattan agreed to be the liaison.

**Motion:** Selectman Grattan moved to approve Sinji Coram's Eagle Project request at the Landlocked Forest with Selectman Grattan working with the scout and the Conservation Department on how best to place and set the signs. Seconded by Selectman Hogan and approved. (5-0-0)

**Police Incident Update:**
Police Chief Michael Kent was present. The BOS commended members of the Police Department for their diligence in searching a building into the late hours for a potential victim after a murder was reported. They worked with Billerica and Bedford.

**Adjourn:**

**Motion:** Selectman Hartling moved to adjourn at 9:35 p.m. Seconded by Selectman Hogan and approved. (5-0-0)

Submitted by,

Betty McDonough
Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – MONDAY, JULY 13, 2015

Agenda
125 Recognition: Selectmen/Town Administrator’s Office; Veterans’ Services -
126 Appointments: Board and Committees/Fire Department/ DPW/Youth & Family Services -
6/22/15 email from A Warfield to JPetrin re board of registrar's nomination; fire department: resume Tyler Falconer; fire department clerk application and resume Stacy Hindle; DPW resume James Bieren; DPW maintenance Billy Bouley; YFS Emily Hall-Hampton
127 Appointment: Board of Appeals - 2/12/15 ltr from JP to James Halloran re BOA expiration of term; committee application from JH
128 Approval: Election Pollworker List - 2015 Pollworker List
129 Approval: Return of Funds/Census - Repayment agreement between TOB and Copley Business System
130 Approval: Disabled and Limbless Veterans 4th Annual, Support our Vets Run - outline of route to be taken; 7/7/15 em from MKent to BM re police will escort; poster for Disabled and Limbless Veterans 4th Annual Support Our Vets Run
131 Approval: Pilgrimage Procession/Wilmington Road - 7/7/15 email from GMcDonough re total cost of event - 2 officers recommended; event description from contact person; map of procession;
132 Hearing: Paul Burlington, LLC d/b/a Paul Bakery/62 Second Avenue Continued Wine & Malt License/New - DISTRIBUTED: Backup for request for Paul's Liquor License
133 Approval: One-Day Liquor License, Carters Diamonds 15 3rd Avenue - note that requested documents not received; 7/9/15 email from Thomas Duffy to BM re Carters event and concern for high profile celebrity and 2 details recommended email from this office to police department describing event; description of Burlington wine and spirits; certificate of insurance; tips certification
134 Approval: Bond & Sale Note - 7/13/15 memo from B Curtin to BOS re town sale of general obligation bonds; bid results; 7/8/15 info doc from BCurtin re refunding savings; 7/13/15 ltr from BCurtin to BOS re bond anticipation note and results for financing for 2 capital projects; sale data;
135 Discussion: Solar Agreement -
136 Discussion: 33 Center Street -
137 Discussion: Medical Marijuana Dispensary -
138 Approval: Alcohol Policy/Amendments -
139 Approval: Minutes, Monday, May 18, 2015 General Session and Wednesday, June 17, 2015 Strategic Planning Session -
  Subcommittee Reports -
  Town Administrator’s Report -
  Chairman’s Report -
  Old/New Business -
  Citizen’s Time -