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

MONDAY NOVEMBER 5, 2018

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

GENERAL SESSION
The Chairman called the Board of Selectmen (BOS) meeting to order followed by the Pledge of Allegiance followed by a moment of silence in recognizing the recent passing of Virginia Mooney.

221 Appointments:

Board of Appeals
With the resignation of Rob Paccione, there was an opening for a full member. The BOS and Town Administrator John Petrin (T.A. Petrin) thanked Mr. Paccione for the time he put in on this board and for his fine service to his fellow citizens on the Zoning Board of Appeals. The subcommittee referred to the pool of candidates from the previous openings on this board.

Motion: Selectman Runyan moved to appoint John Sullivan from an alternate to a full member to serve the remainder of the term until June 30, 2020. Seconded by Selectman Hogan and approved. (4-1-0 with Selectman Morandi against)

Motion: Selectman Morandi moved to appoint new member Michael Espejo to the open alternate seat. Seconded by Selectman Runyan and approved. (5-0-0)

222 Discussion:

Liquor Licenses – Burlington Mall
Present were Jon Murphy, Development and Leasing, Justin Feldhouse, Burlington Mall Manager as well as Attorney Mark Vaughan representing the mall to provide an update to the BOS on plans for the Burlington Mall, following the Home Rule Petition at the September 2019 Town Meeting approval of nine additional liquor licenses to be used at the Burlington Mall, five all alcohol and four wine and malt. The BOS had voted unfavorably (3-2) for these licenses. Chairman Hartling commented that outstanding assessments were settled by the petitioners

Selectman Hogan asked if the mall would be following through with commitments, including allowing for assessments, as promised at Town Meeting. Mr. Murphy agreed they would be supporting Town Meeting requests, but that he is not in a position to respond to questions on taxes.

Jim Doherty, Assistant Assessor, explained that Simonds has been unresponsive to requests for financial documentation for a property assessment making it difficult to set the proper and fair assessment and is requesting that

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CHRISTOPHER HARTLING, CHAIRMAN • ROBERT HOGAN, VICE-CHAIRMAN • JOSEPH MORANDI • MICHAEL RUNYAN • JAMES TIGGES
going forward they comply with the MGL. Mr. Murphy said he would convey this message back to management and that they had nothing to do with the assessment issue brought forth by Sears.

Selectman Hogan commented on the promises made at Town Meeting, and Mr. Murphy replied that certain areas needing sidewalks are in their plans. They are communicating with Middlesex 3 with respect to transportation for employees and residents. A commitment for a specific area for emergency personnel in planned, and T.A. Petrin recommended this be discussed with the fire and police departments.

Selectman Tigges asked about potential public safety issues. Mr. Murphy replied that traffic was addressed at Town Meeting. Attorney Vaughan added that needs will be addressed as necessary.

Selectman Runyan asked they provide information about economic development and the mall's long-term plans, and Mr. Murphy agreed.

The subcommittee will meet and provide recommendations to the Town Administrator in order to accompany the letter to the state to request these additional licenses.

**223 Approval:**  
**Life Time Commitment Day 5K**

Wes Meserve, Run Coach at Life Time, was present seeking permission to hold a 5K road race on New Year's Day, January 1, 2019. He has been working with Police and BOS staff. The original submitted plan was to run within Northwest Park but since it includes running on private property, the Police Department recommended they instead use a different run that is easier on traffic and has been approved many times by the Police and the BOS for other groups. Mr. Meserve did not have an issue with the change to the route. They anticipate 200 people for the race. DPW comments included that they if it snows, they would not be able to make a special trip to plow for the event.

**Motion:** Select Morandi moved to approved the Life Time Commitment Day 5K on January 1, 2019 using the alternate route as discussed. Seconded by Selectman Tigges and approved. (5-0-0)

**224 Approval:**  
**Easement at City of Boston**  
**Installation of Water Line in Existing Utility Easement**

T.A. Petrin explained that this easement acceptance is a housekeeping issue in order to have the document recorded properly. It needs BOS approval and

**Motion:** Selectman Morandi moved to approved the Easement at City of Boston for the Installation of water line in existing utility easement as submitted. Seconded by Selectman Hogan and approved. (5-0-0)

**225 Approval:**  
**Annual Lion’s Club Christmas Tree Sales at Shaws - 180 Cambridge Street**

The Lion's Club submitted their annual request for a permit to sell Christmas trees at the Shaw's parking lot from November 23, 2018 through December 24, 2018 from 5:00-8:00 p.m. weekdays and from 9:00-8:00 p.m. on weekends. An approval letter from Shaw's was supplied.
Motion: Selectman Hogan moved to approve a permit for the Lion's Club to sell Christmas trees at the Shaw's parking lot from November 23, 2018 through December 24, 2018 from 5:00-8:00 p.m. weekdays and from 9:00-8:00 p.m. on weekends. Seconded by Selectman Morandi and approved. (5-0-0)

226 Approval: Holiday 24 Hour Store Openings
Kohl's retail establishment, 150 Lexington Street, submitted their annual request for a temporary 24-hour license to remain open for twenty-four hours during the December holidays as follows:
Saturday, December 22, 2018: 12AM-12AM; 12AM TO 9AM AND 11PM TO 12AM
Sunday, December 23, 2018: 12AM-12AM; 12AM TO 9AM AND 9PM TO 12AM
Monday, December 24, 2018: 12AM- 6PM; 12AM TO 9AM

Motion: Selectman Morandi moved to approve Kohl's annual request to remain open for 24 hours as submitted. Seconded Selectman Hogan and approved. (4-1-0 with Chairman Hartling opposed)

227 Approval: Minutes
September 17, 2018 Special Session on Small Cells
Motion: Selectman Morandi moved to approve the BOS special session on small cells minutes of September 17, 2018 as submitted. Seconded by Selectman Hogan and approved. (5-0-0)

September 24, 2018 Regular Session
Motion: Selectman Morandi moved to approve the regular session minutes of September 24, 2018 as submitted. Seconded by Selectman Runyan and approved. (5-0-0)

October 1, 2018 Regular Session
Motion: Selectman Morandi moved to approve the regular session minutes of October 1, 2018 as submitted. Seconded by Chairman Hartling and approved. (5-0-0)

October 22, 2018 Regular Session
Motion: Selectman Morandi moved to approve the regular session minutes of October 22, 2018 as submitted. Seconded by Selectman Tigges and approved. (4-0-1 with Selectman Runyan abstaining)

228 Subcommittee Reports
Selectman Morandi said three deer have been harvested at the Landlocked Forest.

Selectman Hogan congratulated Town Clerk Amy Warfield, her staff and volunteers for a successful early voting event with 4187 residents voting early.

Selectman Runyan announced that the Conservation Commission's nature photo contest would be taking place on Tuesday, November 3 at Grand View Farm. More than 120 entries have been received.

Burlington resident Ramesh Naidu was congratulated for being inducted into the Massachusetts State Cricket League's Hall of Fame. Mr. Naidu has spent over 40 years in cricket both as a player and an umpire.

229 Town Administrator’s Report
T.A. Petrin was present with Chief Kent at the well attended Burlington interfaith clergy event memorializing the many lives lost at the Pittsburgh temple.
Chairman’s Report: None.

Old/New Business: None.

Citizens’ Time
Mildred Nash, Town Meeting Member and attendee of COA events was present with COA member Valerie Weldon to request that the door on the Kelly Murray Wing continue to be accessible and not locked. She was disappointed that this change was not communicated to COA attendees. T.A. Petrin said this was a decision made by the COA staff for various reasons. Staff who assist visitors are now located at that end of the building which is where visitors are now to sign in. Selectman Morandi and T.A. Petrin said that Marge McDonald, Director, is currently unavailable, and no changes would be taking place without first discussing it with her.

Adjourn:
Motion: Selectman Runyan moved to adjourn at 7:54 p.m. Seconded by Selectman Hogan and approved. (5-0-0)

Submitted by,

Betty McDonough
Recording Clerk