Pledge of Allegiance/Moments of Reflection
The General Session of the Board of Selectmen (BOS) was called to order at 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.

078 Presentation: Marine Corp League
Art Enos, Commander and Larry Rice, Adjutant, Burlington Marine Corp League presented distinguished service awards on behalf of the Burlington Marine Corps League to Elaine Zuccaro of the Burlington Beatification Committee; Recreation Maintenance Supervisor, Doug Gillingham; and the Recreation Department staff in appreciation of their work and contributions to the five service flag section of the Town Common in October 2013. Also recognized was Herb Chambers for his generous financial donation to assist in the completion of the project.

079 Recognition: Part Time Craftsmen
Assistant Town Administration, Tom Hickey, presented the five former part-time craftsmen, David Madigan, John Reale, John Harrigan, John O'Keefe, Peter O'Keefe, and John Kelly, with certificates of appreciation for bringing their unique set of valuable skills to their jobs in the town as well as for their expertise and professionalism in the work place. The BOS thanked them for their service to the town.

080 Approval: Tavern in the Square Request
Matthew Beals, Managing Partner, was present seeking BOS approval to serve draft beer in the parking lot of Tavern in the Square on the morning of September 14, 2014 following the second annual 5k race to benefit the Bicuspid Aortic Foundation. The alcohol will be served by Tavern staff. Town Administrator John Petrin (T.A. Petrin) explained that this would be an extension of their existing liquor license and that a similar request was approved in the past. Kori Doherty was also present representing the foundation, and she said they are expecting 500 participants.

Chairman Hogan said Chief Michael Kent had reviewed the request and was satisfied with the submitted comprehensive plan and all his questions had been answered. Selectman Runyan was impressed with the amount of sponsors for this worthy cause.

Motion: Selectman Hartling moved to approve the serving of draft beer in the parking lot of Tavern in the Square following the 5k race for Bicuspid Aortic Foundation as an extension of their existing liquor license. Seconded by Selectman Grattan and approved. (5-0-0)

BOARD OF SELECTMEN:
ROBERT HOGAN, CHAIRMAN • MICHAEL RUNYAN, VICE CHAIRMAN • RALPH PATUTO • DANIEL GRATAN • CHRISTOPHER HARTLING
Discussion: Community Garden

Jane McInish, Co-coordinator of the Food Pantry was present seeking BOS comments and/or support with respect to an agricultural initiative for a community garden. Ms. McInish said the parcel is located within an unused three-acre area behind the athletic fields of the Francis Wyman School. The BOS reviewed the submitted report which stated the Recreation Department, in cooperation with the high school science center, had prepared the site after receiving approval from the School Committee. There will be approximately twenty gardens and fees will be collected for seasonal ownership by members of the community.

Selectman Runyan asked about the concerns of the Lauren Lane resident with respect to increased activity on this street, and he was advised that access is now only through the school.

Chairman Hogan asked about the Recreation Department taking on responsibilities for assisting with the garden. Ms. McInish said they are assisting with managing, leasing, and ground prep. Those who are using their plot are responsible for weeding and planting. Current needs include a water line from Laurel Lane to the garden plots.

Ms. McInish asked if support could be received from the BOS, and Chairman Hogan said it is first necessary to receive comments from the DPW regarding running a water line.

Public Hearing

Wine & Malt License/Change of License Type
Wine & Malt to Wine & Malt with cordials/liqueurs
Lester's Roadside Bar B-Q
376A Cambridge Street

Attorney Tom Murphy, Shea, Murphy & Gulde was present representing Lester's. Also present was owner, Theodore Menounos. Attorney Murphy said Lester's is seeking to upgrade their Wine & Malt License to include the serving of cordials and liqueurs which will assist with requests for functions. Orders would be taken at the customer's table with wait staff serving the drinks.

Although town staff did not have issues with the request, T.A. Petrin said he is concerned with storage given the extensive amount of cordials and liqueurs available per the current list provided by the ABCC. He recommended that approval be contingent upon the site being checked for adequate storage in the service area. Mr. Menounos said he would only be serving a select few of these items and does not expect storage to be an issue. Attorney Murphy said Mr. Menounos would make contact when the site is ready for inspection.

No comments were received from the public.

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

Motion: Selectman Patuto moved to approve the change of license on the Wine & Malt License to include the serving of cordials and liqueurs contingent upon approval of the storage area for these items. Seconded by Selectman Runyan and approved. (5-0-0)
Chairman Hogan thanked Mr. Menounos for supplying food to the DAV for the activities for veterans.

083 Vote: Statement of Interest/High School
Burlington High School is applying for grants and/or funding commitments from the Massachusetts School Building Authority and Chairman Hogan read into the record the motion for the required BOS authorization for the Statement of Interest.

Motion: Selectman Patuto moved the motion - Resolved: Having convened in an open meeting on March 24, 2014 prior to the closing date, the Board of Selectman of Burlington, in accordance with its charter, by-laws, and ordinances, authorizes the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 28, 2014 for the Burlington High School located at 123 Cambridge Street which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future. Priority #5 Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating, and ventilation systems, to increase energy conservation and decrease energy related cost in a school facility. The specific project will replace aged out heating ventilation and cooling equipment that is original construction (1971) providing increased energy conservation and decreased energy related cost which will extend the life of the existing facility; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

Seconded by Selectman Grattan and approved. (5-0-0)

084 Approval: Sewer Allocation Transfer Waiver
The Gutierrez Company submitted a request for a waiver from the Town of Burlington Sewer Allocation Policy to allow for the transfer of previously reserved sewer capacity from the Burlington Research Center, 43-63 South Avenue to 400-600 Wheeler Road and 4 Burlington Woods. T. A. Petrin said the request is recommended by staff.

Motion: Selectman Patuto moved to approve the sewer allocation transfer waiver request from Gutierrez Company. Seconded by Selectman Hartling and approved. (5-0-0)

085 Review: DPW Pavement Management
John Sanchez, Director, DPW and Tom Hayes, Town Engineer, gave a presentation on pavement management, surveys for road selection, design, construction, preservation and performance curve. They explained the process of planning the maintenance in order to optimize pavement conditions. Pavement inventory is conducted to prioritize and retain the life cycle of the roads and budget projections are considered before projects are executed. Pavement management encompasses many tasks to maintain quality pavement. Levels of cost effective pavement preservation include crack sealing, micro surfacing and patching to avoid heavy maintenance and reconstruction.
Chairman Hogan asked how pavement is evaluated after snow and ice damage and how Burlington compares to other communities. Mr. Hayes explained that some streets are damaged more than others requiring the pavement management schedule to be adjusted. Mr. Sanchez said Burlington is in good shape because Chapter 90 funds are used for pavement management and, additionally, a pavement management budget is included in the overall budget planning. Many other communities use only Chapter 90 funds.

086 Approval: Capital Plan

Capital Plan
Paul Sagarino, Town Accountant, was present to review with the BOS the capital plan outline in place. T.A. Petrin said the town's financial team and financial consultants are working on finalizing the plan and reviewing the debt schedule for bonding items.

Selectman Runyan asked about paving at the schools as shown on the capital request, and Mr. Sanchez explained that the pavement management for government and school side are now grouped. Mr. Sagarino added that the town prefers to allocate bond money towards road improvements.

Motion: Selectman Hartling moved to approve the Capital Budget plan, not to exceed $1.2 million. Seconded by Selectman Grattan and approved. (5-0-0)

Fire Station 2
T. A. Petrin said he was seeking BOS approval to submit $700,000 for the design plan of Fire Station 2.

Motion: Selectman Hartling moved to approve $700,000 for the Fire Station 2 design plan. Seconded by Selectman Patuto and approved. (4-0-1 with Selectman Runyan abstaining)

33 Center Street and Human Services Building
Selectman Runyan asked about estimates for 33 Center Street, and T.A. Petrin said they are expecting information for the redesign of this as well for the work to be done at the Human Services Building. BOS support was sought for the expected estimate for the design of 33 Center Street and for work to be done at the Human Services Building contingent upon the receipt of the estimate.

Motion: Selectman Patuto moved to support the design for the Human Services Building and 33 Center Street with the number yet to be determined. Seconded by Selectman Hartling and approved. (5-0-0)

4th of July
Ways and Means will be informed that it is anticipated $10,000 will be put forward for Fourth of July activities.

Payroll
T. A. Petrin said he expects there will be warrant articles for the request for a purchasing handler, an increase in the Administrative and Professional plan, and an increase in two outstanding union plans. The items will be discussed further at the BOSâ€™ next meeting.
Selectman Patuto asked if funds could be withdrawn from the health insurance public trust fund for other purposes if there were sufficient funds in the account. T.A. Petrin said this cannot be done as it is a trust fund and the funds no longer belong to the town. Selectman Patuto requested confirmation from town counsel and Chairman Hogan agreed with making the request. T.A. Petrin said he would contact town counsel.

087 Discussion: 24 Hour Bylaw Warrant Article
The BOS reviewed the Retail Establishments-Temporary Twenty-Four Hour Operation with Special License Warrant Article.

T. A. Petrin said this bylaw is being requested for the safety of the town as retail establishments have submitted requests to remain open for 24 hours. The town presently does not have a bylaw on the books to address such requests. There are safety concerns because the Police Department does not have the sufficient staff on board to cover these hours.

T.A. Petrin said the bylaw would set conditions and limits to the type of establishment and would require a ninety day advance request. Each store in a mall setting would be required to submit a separate request.

Selectman Patuto recommended removing the word "most" under Definitions because it is unclear who would make the determination. T.A. Petrin said this would be reviewed as it could be wording as taken from another section of the bylaw.

Chairman Hogan asked that section 1.41.2 General Provision be checked as there is wording that appears to be saying the same thing but differently. He expressed concern for small businesses that are unable to be open 24 hours.

(Selectman Hartling was excused at 8:30 p.m.)

Chairman Hogan asked if fees for public safety could be imposed and who would be keeping track of store openings. T. A. Petrin said a condition could be put in place in the bylaw to cover the cost for public safety officers, and the stores would be tracked through the Selectmen's office. If the bylaw is approved, conversations on coverage would be held with the Fire, Police, and DPW.

Motion: Selectman moved to add a placeholder for Town Meeting for the Retail Establishments-Temporary Twenty-Four Hour Operation with Special License bylaw. Seconded by Selectman Grattan and approved. (4-0-0)

088 Approval: Minutes
March 10, 2014, General Session
Motion: Selectman Patuto moved to approve the minutes of March 10, 2014 as submitted. Seconded by Selectman Grattan and approved. (4-0-0)

089 Subcommittee Reports
Selectman Patuto reminded the community to keep an eye on senior residents.
Selectman Runyan
The Eagle Scout ceremony for Alan Judd was attended. A presentation was presented to the scout.

After twenty-five years of service in the Recreation Department, Nancy Pondelli was retiring on March 26, 2014.

The public library is seeking donations of baskets to be raffled in May.

090 Town Administrator’s Report
The Chopp’s Restaurant at the Marriott Hotel is accepting nominations for a community-wide contest to salute local Burlington Heroes under six different categories. They are seeking individuals who have gone above and beyond for the community. The winners will receive an award from Marriott and $1,000 for their charity of choice.

The request for eight new liquor licenses at the Burlington Mall was approved by legislature and will next go before the Governor.

The Middlesex 3 Coalition will be hosting an economic development conference on March 26 to promote business development in Burlington followed by a trade show.

The group health insurance is doing well and the trust fund is expected to be at approximately $4 million. Staff members who work on benefits were commended.

Benefit Strategies is conducting a diabetic program and is working on putting affordable Canada Rx in place.

091 Assistant Town Administrator’s Report: None.

092 Chairman’s Report: None.

093 Old/New Business: No one spoke.

094 Citizen’s Time: No one spoke.

Adjourn
Motion: Selectman Patuto moved to adjourn at 8:45 p.m. Seconded by Selectman Runyan and approved. (4-0-0)

Respectfully submitted,

Betty McDonough
Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING \( \text{MONDAY, MARCH 24, 2014} \)

078 Presentation: Marine Corp League ï 4 commendations from the MCL
079 Recognition: Part Time Craftsmen -
080 Approval: Tavern in the Square Request ï 3/13/14 memo from JP to Chief Kent re request; 3/12 email from Chief Yetman to PG; 3/10/14 memo from JP to distribution, 3/6/14 ltr to NEEP from Matt Beals Tavern in the Sq w layout and description of event
081 Discussion: Community Garden ï information sheet w pictures
082 Public Hearing: Wine & Malt License/Change of License Type/Wine & Malt to Wine & Malt with Cordials/Liqueurs/Lester's Roadside Bar B-Q/376A Cambridge St. ï 3/18/14 e mail from Chf Kent to PG re response; 3/14/14 memo to Chf Kent from JP re permit change request; public hearing notice published 3/12/14; Petition for Change of License application; approval from board of directions dated 1/21/14; ABCC important notice dated 1/14/94 re sale of liq and cordials by wine and malt rest licensees; list of cordials; 1/25/10 town meeting notice re selling of cordials under Wine & Malt License
083 Vote: Statement of Interest High School ï statement of interest
084 Approval: Sewer Allocation Transfer Waiver ï 3/21/14 email from Brian White, engineer, to PG; 3/20/14 ltr from Gutierrez Co. re private sewer bank transfer request; 10/26/10 letter to Scott Weiss of Gutierrez Co. from Tom Hayes re private sewer bank approval;
085 Review: DPW Pavement Management -
086 Approval: Capital Plan
087 Discussion: 24 Hour Bylaw - Bylaw
088 Approval: Minutes/March 10, 2014, General Session
072 Subcommittee Reports -
073 Town Administratorû Report -
074 Assistant Town Administratorû Report -
075 Chairmanû Report -
076 Old/New Business -
077 Citizenû Time -

TND#2

Burlington Board of Selectmen Minutes
March 24, 2014 7.