The general session of the Board of Selectmen (BOS) was called to order at 6:30 p.m. by Chairman Hogan who then asked for a motion to enter into executive session to discuss updates on collective bargaining. The general session would reconvene at the conclusion of the executive session.

Motion: Selectman Grattan moved the BOS adjourn to executive session to discuss updates on Collective Bargaining followed by the reconvening of the general session. Seconded by Selectman Hartling, with Selectman Patuto voting aye, Chairman Hogan voting aye, Selectman Hartling voting aye and Selectman Grattan voting aye. (4-0-0)

General Session

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.

095 Reorganization of the Board of Selectmen
Motion: Selectman Patuto moved to nominate Chairman Hogan to serve a second year as Chairman. Seconded by Selectman Grattan and approved. (5-0-0)

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

096 Approval: Personnel Appointment
Special Police Officer
Police Chief Michael Kent put forth the name of Stephen Howard for the position of Special Police Officer. Town Administrator John Petrin (T.A. Petrin) agreed with the selection and said the Burlington resident holds the appropriate qualifications, and he appointed Mr. Howard to the position of Special Police Officer. The BOS were requested to waive the standard 15-day waiting period.

Motion: Selectman Patuto moved to waive the standard 15-day waiting period for the appointment of Stephen Howard as Special Police Officer in the Burlington Police Department. Seconded by Selectman Hartling and approved. (5-0-0)
Review: Levels of Inspections (Building Department)

John Clancy, Inspector of Buildings, was present and described the increased level of activity in the Building Department. In reviewing and planning for expected acceleration of future major construction projects for the upcoming year, he said it would be difficult for the inspectors to maintain the current level of inspection workload.

T.A. Petrin said this discussion was also held with Town Accountant Paul Sagarino and the option of adding additional funds for the inspectors and to bump up their hours from 35 to 40 a week in an effort to avoid hiring additional inspectors is recommended. He added that $15,000 was already budgeted for overtime for the next fiscal year, and this request is for an additional $20,000.

Selectman Patuto recommended summer interns. Mr. Clancy agreed but said interns can only set up appointments but are not certified to do inspections. He also explained efficiency plans to implement already purchased iPads for the inspectors to use in the field.

Motion: Selectman Patuto moved to support the request for an additional $20,000 for the upcoming fiscal year in addition to the already requested $15,000 for overtime to take care of the split in inspections from 35 hours to 40 hours and with the use of interns where possible and to make account for the split as requested. Seconded by Selectman Hartling and approved. (5-0-0)

Approval: Use of the Town Common

Youth Police Safety Academy Community Day
Middlesex Sheriff's Office

Ken Doucette, Director of Community Affairs for the Middlesex Sheriff's office, was present seeking BOS approval to use part of the town common for their youth public safety academy community day with public safety activities taking place on Wednesday, July 16, 2014 from 8:30 a.m. to 2:30 p.m. Selectman Hartling said it is a wonderful youth program.

Motion: Selectman Patuto moved to approve of the use of the Burlington Town Common as requested on Wednesday, July 16, 2014 from 8:30 a.m. to 2:30 p.m. Seconded by Selectman Hartling and approved. (5-0-0)

Approval: Entertainment License

King's Bowl of Burlington, LLC d/b/a Kings
52 Second Avenue

T.A. Petrin said that because of the recent two-alarm fire which destroyed the building, Kings Bowl representatives were not in attendance to move forward with their request for an Entertainment License. Fire crews were called in from several communities to help put out the blaze and to cover the station, and the BOS thanked the surrounding communities for their assistance.

The establishment was set to open in two weeks, and the fire is under investigation by the State Fire Marshal. It is the owner's intent to rebuild.

T.A. Petrin said he would review with town counsel how this situation affects their liquor license.
Approval:  Transfer of I/I Removal Credit  
Robert W. Murray Real Estate  
The BOS received a request from Robert W. Murray Real Estate for a transfer of I/I removal credit in the amount of 100gpd received for redirecting a sump pump at 28 Gedick Road. They wish to apply the credit to property located at 9 Lexington Street.

Motion:  Selectman Patuto moved to approve the transfer of I/I Removal Credit in the amount of 100gpd as requested by Robert W. Murray Real Estate. Seconded by Selectman Hartling and approved. (5-0-0)

Approval:  Three-Day Liquor License  
Princess Jewelers, 34 Cambridge Street  
Chairman Hogan noted that although a portion of the proceeds received would be directed to the Burlington Rotary Club, he said he would remain to follow the proceedings.

Frederic Gerges, an owner of Princess Jewelers, was present seeking BOS approval for a three-day, full Liquor License for the dates of Friday and Saturday, April 25 and 26 from 12:00 p.m. to 8:00 p.m. and Sunday, April 27 from 12:00 p.m. to 6:00 p.m. All liquor would be served by one or two members of Boston Bartending.

T.A. Petrin said Chief Kent recommended a detail officer.

It was noted by the BOS that Burlington's alcohol policy limits a Special One Day per each three month period or four a year. The State's regulation also limits the request to one day. The applicant originally did not know this, but said he understood and selected the one day license be granted for Saturday.

Motion:  Selectman Hartling moved to approve a Special One Day Liquor License for Princess Jewelers, 34 Cambridge Street, for Saturday from 12:00 p.m. to 6:00 p.m. Seconded by Selectman Patuto.

Discussion:  To amend the motion to extend the time to 10:00 p.m.

Amendment to Motion:  Selectman Patuto moved to amend the time to Saturday from 12:00 p.m. to 10:00 p.m. Seconded by Selectman Grattan and the amended motion was approved. (5-0-0)

Review:  Grandview Rules and Regulations  
T.A. Petrin described the draft Rules of Use and Rate Schedule for Marion Tavern at Grandview Farm. The facility features a variety of meeting rooms and function facilities. The rate schedule describes options and prices for business meetings and private events. Research included viewing similar facilities in other communities. Separate pricing is available for non-profit and/or Burlington residents.

Also discussed were custodial coverage and reservation responsibilities of the staff in the Town Administrator's office.
Grandview Farm is expected to be open for full service by September 1, and changes may be made to the policy as necessary after opening.

A member of the Grandview Farm Committee was present for the rules and regulation meeting, and upon approval by the BOS, the draft will be released to the entire committee for review.

**Motion:** Selectman Patuto moved to support the 3-31-2014 draft of the *Rules of Use and Rate Schedule for Marion Tavern at Grandview Farm* (effective May 2014). Seconded by Selectman Hartling (5-0-0)

A question arose about furnishing the facility, and T.A. Petrin said his office staff and members of Grandview Farm Committee are selecting quality period type pieces for the first floor. The upstairs rooms will have conference room furniture.

**103 Review: 24 Hour (Retail Establishments) Bylaw**

Present was Police Chief Michael Kent to discuss the draft *Retail Establishments-Temporary Twenty-Four (24) Hour Operation or Temporary Operation at Any Time between the Hours of 12:00 a.m. and 7:00 a.m. with Special License*. At their meeting of December 16, 2013, the BOS agreed there were valid reasons for concern and voted to support moving forward with studying a change in the town's bylaws to include the regulation of hours of operation for retail establishments, which currently are silent on this subject. The bylaw was reviewed and approved by town counsel.

Chief Kent is satisfied that previously discussed areas of concern are addressed in the bylaw and preventative measures are in place. Chairman Hogan asked for confirmation that the town would not be responsible for the cost of police detail. T.A. Petrin said the bylaw addresses conferring with public safety to assess potential traffic safety, and Chief Kent said moving forward the BOS could stipulate that detail requests be at the expense of the establishment as part of the special permit.

The BOS and T.A. Petrin agreed that requests from retail establishments and contact with necessary departments be handled with consistency within the office of the Town Administrator. This item will be on the May Town Meeting Warrant.

**Motion:** Selectman Patuto moved to approve to add new Section 1.41 as discussed, *Retail Establishments - Temporary Twenty-Four (24) Hour Operation or Temporary Operation at any time between the Hours of 12:00 a.m. and 7:00 a.m. with Special License* to Article XIII of the General Bylaws of the Town of Burlington. Seconded by Selectman Hartling and approved. (5-0-0)

**104 Review: Eliminate Civil Service for Police**

**Warrant Article 24**

A discussion ensued regarding Warrant Article 24: Eliminate Civil Service for Police. The Police Patrol unit are still negotiating their contract but do support eliminating Civil Service.

T.A. Petrin said the state is phasing out the system, and there are approximately two representatives for the state, and it takes a great deal of time to receive a list.
By eliminating Civil Service, the town will have the capacity to administer the various interviews and tests. This was discussed and agreed upon during union negotiations.

Other Civil Service positions have already been eliminated including Fire and Police Chief, clerical, Recreation and DPW maintenance and truck drivers.

Selectman Runyan and other members concurred that the system is archaic. Residency will be discussed during the hiring process. If approved by Town Meeting, the BOS would next petition the General Court for special legislation.

Selectman Patuto recommended working with other communities who are no longer using Civil Service. He asked about veteran's preference, and T.A. Petrin said there would be a system in place for both residential and veteran's preference.

Motion: Selectman Patuto moved to support the removal of the Civil Service hiring system within the Town of Burlington as discussed. Seconded by Selectman Hartling and approved. (4-0-1 with Selectman Runyan abstaining)

105 Approval: Warrant

Financial Articles
Article 6 - $3,000,000: Pavement Management/Change of Funding Source OR
Article 7 - $3,000,000: Create and Fund Capital Stabilization Fund

Paul Sagarino, Town Accountant, was present and explained the choice between the two articles.

Article 6 would require a vote to transfer $3,000,000 from free cash to pay for maintenance and repaving of roadways and municipal parking lots and would change the funding source from borrowing as approved at May 2013 Town Meeting.

Article 7 relates to a change in the MGL wherein a "Special" Capital Stabilization Fund is created solely for the purpose of funding Capital Projects requested through the town's Capital Plan, and project criteria for funds would be required to set up funds in the stabilization account.

Mr. Sagarino said Article 6 would allow bands coming due in July to be paid off to free-up debt allowing future debt to be eliminated on numerous capital projects. Article 7 regarding Stabilization Fund is included in the event Town Meeting did not approve of Article 6.

Chairman Hogan recommended clarity be provided for Town Meeting.

Motion: Selectman Patuto moved to support Article 6 at $3,000,000 for the Change of Funding Source for Pavement Management in order to pay off bands. Seconded by Selectman Hartling and approved. (4-1-0 with Selectman Grattan opposed)
Article 8 - $1,300,000: Inflow/Infiltration - Project 7 Construction ($900,000 per Chapter 44 and $400,000 transfer from I/I Fund)

This article relates to the receipt of grant money from the MWRA to assist with I/I work along with town sewer allocated funds. Mr. Sagarino said the town becomes involved every two years and it is a very good program.

Motion: Selectman Patuto moved to approve the appropriation of $1,300,000 for the purpose of funding Sewer Inflow/Infiltration Mitigation - Project 7 Construction with $900,000 being borrowed per Chapter 44 and $400,000 being transferred from town's I/I Fund. Seconded by Selectman Hartling and approved. (5-0-0)

Article 9 - $950,000: Burlington/Woburn Regional Inflow/Infiltration

T.A. Petrin explained that the town is working on an agreement with the City of Woburn, and the purpose of this request is to raise funds to do sewer interceptor work using funds transferred from the town's I/I Account.

Motion: Selectman Patuto moved to support Article 9 in the amount of $950,000 for the Burlington/Woburn Inflow/Infiltration project. Seconded by Selectman Hartling and approved. (5-0-0)

Article 10 - $5,036,610: Sewer Services Enterprise Fund/MWRA Assessment

Article 11 - $98,560: MWRA I/I Debt Service

Article 12 - $82,108: Grandview Farm Debt Service

These three articles were discussed and voted upon as a group. Mr. Sagarino said Article 10 relates to the sewer assessment from MWRA from sewer receipts; Article 11 relates to paying the FY 2015 debt service on the town's three existing MWRA I/I loans, and Article 12 relates to repaying the Grandview Farm FY 2015 debt service obligation from 2009 for renovations from funds received per the land swap.

Motion: Selectman Patuto moved to support Article 10 in the amount of $5,036,610, Article 11 in the amount of $98,560 and Article 12 in the amount of $82,108. Seconded by Selectman Hartling and approved. (5-0-0)

Article 15 - $3,000,000: Bond Authorization/Pavement Management

This item was discussed at prior meetings, but no vote has been taken. Selectman Runyan requested that further discussions be held with DPW on future requests.

Mr. Sagarino said this is part of a continuing process to borrow pursuant to Chapter 44 for the maintenance and repaving of municipal and school roadways and parking lots.
Motion: Selectman Patuto moved to support Article 15 in the amount of $3,000,000 for a Bond Authorization for roadways and municipal parking lots. Seconded by Selectman Hartling and approved. (5-0-0)

Article 16 - $1,000,000: Bond Authorization/Water Main Upgrades

Mr. Sagarino explained that this request for upgrades occurs approximately every two years.

Motion: Selectman Patuto moved to support Article 16 in the amount of $1,000,000 for Bond Authorization/Water Main Upgrades. Seconded by Selectman Hartling and approved. (5-0-0)

Article 17 - $1,100,000: Chapter 90

T.A. Petrin said projects for this funding will be presented at a future date to the BOS.

Motion: Selectman Patuto moved to support the acceptance of Chapter 90 Funds from the state for the use of work on the town's roads. Seconded by Selectman Hartling and approved. (5-0-0)

Capital Line Item - Five Year Program to Upgrade Infrastructure - Internet and Phone Service

T.A. Petrin said the first five years of this program to replace outdated internal systems for internet service has passed. The next stage of the program is to upgrade and improve computers and phones. Bob Cunha, MIS Director will present a report to the BOS, and a vote will be taken after the presentation.

Discussion: Special Legislation Concerning Liquor Licenses

T.A. Petrin said the Governor signed legislation for eight additional liquor licenses with three being reserved for the New England Executive park, three for Burlington Mall and two for the area of the redeveloped theatre complex and future restaurant. He added that he wanted the public to be aware that it will be the policy of the office to only accept those applications that have received site approval.

The members of the BOS were satisfied with this recommendation.

Approval: Minutes

March 24, 2014, General Session

Motion: Selectman Patuto moved to approve the minutes of the March 24, 2014 General Session as submitted. Seconded by Selectman Hartling and approved. (5-0-0)

Subcommittee Reports

Selectman Runyan

The town's routine maintenance hydrant flushing program will commence on Saturday, April 26, 2014.

The DPW is extremely busy with clean up after winter. The yard waste program begins April 14 and ends May 23, 2014.
Selectman Grattan was congratulated for being re-elected. All who participated and cast votes were thanked and all others who won their respective seats were congratulated.

**Selectman Patuto**
The 128/3C Transportation Committee meeting scheduled for March was cancelled.

Selectman Grattan and other newly elected and re-elected officials during the recent town voting day were congratulated.

**Selectman Hartling**
Burlington Police Officer Ryan Griffin was congratulated for saving a life and for bringing another into the world in back-to-back shifts.

**Vice-Chairman Grattan**
Vice Chairman Grattan thanked everyone for their support on election day, and he thanked his family for their help during the campaign.

An ISAAC committee meeting is planned for May. It is hoped they will meet quarterly. He will be submitting reports for past meetings.

**109 Town Administrator’s Report**
The Fire Department was congratulated for their fine work during the very dangerous fire at Kings Bowl, and it was gratifying that there were no injuries.

Burlington resident Joyce Deliyiannis, founder of the Burlington-based nonprofit Helpis (Help Me Help Someone), has been selected by the Massachusetts Commission on the Status of Women as one of the commonwealth’s “Unsung Heroines of 2014.” Ms. Deliyiannis service as part of emergency task force is appreciated.

Those in the community who came out to vote were commended along with Amy Warfield, Town Clerk, and her staff. Congratulations were given for those elected and re-elected.

T.A. Petrin, Chairman Hogan and Selectman Runyan were present at the recent Board of Health meeting to wish Terry McSweeney well on his retirement.

The Council on Aging’s "Senior Prom" was well attended and enjoyed by all. T.A. Petrin attended and said it was a great event, and Marge McDonald, Director, and her staff were congratulated on a job well done.

**110 Assistant Town Administrator’s Report:**
A good steady process continues at the Marion Tavern at Grandview Farm and a grand opening could take place in mid May.
Chairman’s Report:
There was a recent death of a newborn and the community was reminded about the Safe Haven Act of Massachusetts which allows a parent to legally surrender a newborn to police or manned fire station without facing criminal prosecution.

Several members of Burlington's Fire Department attended services held for Lt. Edward Walsh and his fallen colleague, firefighter Michael Kennedy, a Marine sergeant and Iraq war veteran who both perished in the tragic fire in Boston.
Training is taking place on the Fire Department's new forest truck.

Terry McSweeney was congratulated for his 37 years of service to the Town of Burlington.

Old/New Business: No one spoke.

Citizen’s Time: No one spoke.

Adjourn

Motion: Selectman Patuto moved to adjourn at 8:22 p.m. Seconded by Selectman Hartling and approved. (5-0-0)

Respectfully submitted,

Betty McDonough
Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING ï MONDAY, APRIL 14, 2014

Agenda

095 Reorganization of the Board of Selectmen -

Approval: Personnel Appointment/Special Police Officer - 3/25/14 memo from Chf Kent to T.A. Petrin re selection of special police officer appointment

097 Review: Levels of Inspections -

Approval: Use of the Town Common/ Youth Police Safety Academy Community Day/Middlesex Sheriff's Office - Ltr of request from Ken Doucette, Director of Community Affairs for the Middlesex Sheriff's office

Approval: Entertainment License/King's Bowl of Burlington, LLC d/b/a Kings/52 Second Avenue - copy of Patch article after BOS approval of liquor license for incoming Kings Bowl, 4/8/14 ltr from Riemer/Braunstein re approval of an Entertainment License; town general license application;

100 Approval: Transfer of I/I Removal Credit/Robert W. Murray Real Estate - 4/7/14 email from Tom Hayes to Ms. Gillingham re request for I/I credit - 9 Lexington St; 3/27/13 ltr from Murray Real Estate re request for transfer of I/I removal credit; sewer allocation request w calculations; 6/25/14 ltr from T.A Petrin to Murray Real Estate re former (2013) approval of sewer allocation; 3/5/13 email from Christopher Davin to Michael Murray re 28 Gedick Rd and town engineering acceptance; 6/14/13 memo from engineering to BOS re Sewer Allocation request for Oakridge at Burlington Townhouses development; sewer allocation request with calculations for townhouses; 3/27/14 e mail from Tom Hayes to T.A. Petrin re Request for Transfer of I/I removal credit

101 Approval: Three-Day Liquor License/Princess Jewelers, 34 Cambridge Street - 2007 approval for one day license; town's alcohol rules and regulations; states alcoholic FAQs; 4/11/14 email to Pauline from Chf Kent re request from Princess Jewelers for 3-day special liquor license; 4/10/14 ltr from Princess Jewelers for special license; Boston's Best Bartending contract noting mass general laws; ServSafe info; certif of liability ins for Boston's Best

102 Review: Grandview Rules and Regulations - draft 3-31-14 Rules of Use and Rate Schedule for Marion Tavern at Grandview Farm (eff May 2014)

103 Review: 24 Hour (Store Opening) Bylaw - new retail establishment general bylaw going before Town Meeting

104 Review: Eliminate Civil Service for Police

105 Approval: Warrant - Full Warrant Article

106 Discussion: Special Legislation Concerning Liquor Licenses

107 Approval: Minutes/March 24, 2014, General Session

108 Subcommittee Reports

109 Town Administrator's Report

110 Assistant Town Administrator's Report:

111 Chairman's Report:

112 Old/New Business:

113 Citizen's Time

TND#2