BOARD OF SELECTMEN
MINUTES - GENERAL SESSION
MAIN MEETING ROOM 2ND FLOOR
TOWN HALL, 29 CENTER STREET
BURLINGTON, MA

MONDAY, NOVEMBER 18, 2013 - 7:00 P.M.

Board of Selectmen Present: Robert Hogan, Chairman; Michael Runyan, Vice-Chairman; Ralph Patuto; Daniel Grattan; Christopher Hartling

Also Present: John Petrin, Town Administrator, Tom Hickey, Assistant Town Administrator

The general session of the Board of Selectmen (BOS) was called to order at 6:30 p.m. by Chairman Hogan.

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

GENERAL SESSION

Pledge of Allegiance/Moments of Reflection

The General Session of the Board of Selectmen (BOS) was reconvened 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. The BOS reviewed the submitted, required documentation.

282 Hearing: All Alcohol License/Change of Manager
Rainforest Café, Inc. d/b/a/ Rainforest Café
One Burlington Mall Road

Attorney Tom Murphy, Shea, Murphy & Gulde was present representing new Rainforest Café manager, Richard Lambiase. Mr. Lambiase, he said, has more than twenty years of experience and has been training at the Burlington location.

Motion: Selectman Patuto moved to approve the All Alcohol License/Change of Manager for Rainforest Café, Inc., One Burlington Mall Road. Seconded by Selectman Hartling.

Comments: Selectman Patuto advised Mr. Lambiase that violations had occurred at this location in the past, and Mr. Lambiase said he does not expect there to be any violations while he is manager.

Motion approved. (5-0-0)

283 Continued
Public Hearing: Grant of Location
(from 10/7/13, 10/28/13 & 11/4/13) Verizon/NStar, Princeton Road

T.A. Petrin said this public hearing had been continued awaiting Verizon to address the concerns of the neighbors for the proposed grant of location.
Edward Bryant was present representing Verizon and NSTAR with petition #6AB01T for wires, cables and fixtures as necessary to be attached to Verizon and NSTAR poles at a height of not less than 18 feet from the ground at highway crossings and not less than 12 feet from the ground elsewhere. Mr. Bryant was present at the first hearing at which time Town Engineering had no significant comments or concerns. The petitioner reviewed the installation of a stub pole and anchor to support wire loads in place of the existing guy wires on a tree which is being removed at 15 Princeton Road.

Originally, the abutter at 17 Princeton Road, Anargyros Skantzaris, had concerns about underground pipes. Mr. Hayes explained the proposal to Mr. Skantzaris, and he was now in agreement with the proposal.

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

**Motion:** Selectman Patuto moved to approve the Grant of Location, Verizon/NSTAR, Princeton Road. Seconded by Selectman Grattan and approved. (5-0-0)

**284 Public Hearing: Vote/Tax Classification**

Jim Doherty, Town Appraiser/Assistant Assessor; Paul Sagarino, Accountant, as well as Brian Curtin, Treasurer, were present to present the final summarization of the town's tax classification options for FY 2014. This issue was first discussed at the BOS meeting of November 4, 2013 at which time the BOS reviewed the available options.

Mr. Doherty explained that the six classification options reflect discussions and concerns during previous year's meetings. Mr. Sagarino added that all options provide the appropriate amount of tax dollars required to balance the budget.

T.A. Petrin explained the tax rate period and said the rates are separately classified for residential and commercial and recommended Option D for a tax rate increase of 3.28% for residential and 4.40% for commercial. This would set the tax rate at a reasonable rate, and on the commercial side, it would be competitive with respect to other communities. Mr. Curtin agreed with the recommendation. During the previous tax period, he said, the residents were affected more than commercial, and Option D would be less difficult for those on low, fixed incomes.

Selectman Patuto asked about a scenario to avoid any tax increase and instead use funds from stabilization or free cash. Mr. Curtin replied that it would not be realistic to expect no tax increase. T.A. Petrin explained that the stabilization account is required to have the proper reserves for emergencies and offset economic setbacks, and free cash must be available for upcoming capital projects. The tax rate, he added, is balanced to avoid setting fees for services while keeping services at the same level with Option D being the most favorable to the homeowner with a FY2014 tax increase of 3.28% for residential and 4.40% for commercial.
Chairman Hogan said opportunities were made available for these discussions with the budgeting staff prior to the final vote at the public hearing. Selectman Grattan added that tax planning discussions are productive but recommended they take place throughout the year.

Mr. Doherty explained the process of setting and developing values for properties stating that the value has no affect on the tax levy, which is developed through the budgeting process.

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

**Motion:** Selectman Patuto moved to select Town of Burlington Classification Option D for a FY2014 tax rate increase of 3.28% for residential and 4.40% for commercial. Seconded by Selectman Grattan and approved. (5-0-0)

### 285 Approval: Committee Handbook

The BOS reviewed the draft 30-page Committee Handbook. T.A. Petrin said the handbook simply gives an overview of expected work of the various town committees and no rules have changed.

**Motion:** Selectman Patuto moved to approve the Town of Burlington Committee Handbook. Seconded by Selectman Runyan and approved. (5-0-0)

### 286 Discussion: 1. Northern Middlesex Stormwater Collaborative Grant 2. Middlesex 3 Coalition Transportation Grant

1. **Northern Middlesex Stormwater Collaborative Grant:** T.A. Petrin said the town has been offered the opportunity to join the Northern Middlesex County Stormwater Collaborative Grant. He recommended BOS approval of this grant as it will assist with services to meet stormwater management goals and associated costs with the implementation of a stormwater management plan, data collection and required staff training opportunities. There is no negative to joining the collaborative, and it will aid in strengthening the state's grant application.

**Motion:** Selectman Hartling moved to approve joining the Northern Middlesex Stormwater Collaborative Grant. Seconded by Selectman Runyan and approved (5-0-0)

2. **Middlesex 3 Coalition Transportation Grant:** T.A. Petrin also recommended BOS approval to join the Middlesex 3 Coalition Transportation Grant, a Community Innovation Challenge grant, with the four other Middlesex 3 Coalition communities: Bedford, Billerica, Chelmsford and Lowell, in order to support efforts to evaluate current transportation, educate the public about available services and coordinate resources within the existing towns.

**Motion:** Selectman Patuto moved to approve joining the Middlesex 3 Coalition Transportation Community Innovation Challenge grant. Seconded by Selectman Hartling and approved. (5-0-0)
287  Discussion:  4th of July Parade
T.A. Petrin informed the BOS that he met with the 4th of July Parade Committee Chairman, Kevin McKelvey, and was informed that the Burlington Breakfast Rotary Club will not be able to sponsor and plan the parade in 2014. At this time they are seeking new sponsorship and volunteers to plan future 4th of July Parades and events. Typically they begin securing donations in January and this is followed up with lining up participants. Mr. McKelvey has offered to assist those willing to take over the responsibilities.

Chairman Hogan said the parade and events are enjoyable and commended the work done by the Burlington Breakfast Rotary Club and Mr. McKelvey. He encouraged the community and others to step forward to take over.

T.A. Petrin said he would bring this issue to the Burlington Area Chamber of Commerce and added that he enjoyed attending the parade.

288  Minutes

Motion: Selectman Patuto moved to accept the October 28, 2013 joint meeting with the Recreation Commission minutes as submitted. Seconded by Selectman Hartling and approved. (5-0-0)

October 28, 2013, BOS General Session, Part 2 of 2
Motion: Selectman Patuto moved to accept the October 28, 2013 General Session minutes as submitted. Seconded by Selectman Runyan and approved. (5-0-0)

November 4, 2013, BOS General Session
Motion: Selectman Patuto moved to accept the November 4, 2013 General Session minutes as submitted. Seconded by Selectman Grattan and approved. (5-0-0)

289  Subcommittee Reports:

Selectman Grattan:
Audit Committee: Meetings are held monthly, good progress is being made, and a preliminary report has been received. The next meeting will focus on police detail.

Scouts: On December 23, Burlington scouts will collect funds to purchase pies for holiday meals, with the goal being 200 pies.

Selectman Patuto:
NSTAR received a ruling from state regulators that the use of herbicides on NSTAR easements is approved, and they may resume spraying herbicides on rights of way across the Cape regardless of Cape petitions against spraying. Selectman Patuto noted that Burlington residents have also voiced concern about spraying on easements, but approval of the spraying of herbicides on NSTAR easements has been approved throughout the state.
Selectman Runyan:
Yard Waste collection will cease next week.

Grandview Farm: It was noted that outdoor work is complete and LED parking lot lighting is in place and all looks very attractive.

Veterans Day: Selectman Grattan was thanked for representing the BOS.

Orange Leaf was welcomed to town and thanked for holding a town employee day.

Bonefish Grille, Wayside Commons: The ribbon cutting ceremony was well attended.

Healthedge Software: Headquarters have moved to Corporate Drive.

Selectman Hartling:
Mr. Hickey was congratulated on the final appearance of the Grandview Farm.

290 Town Administrator’s Report
Veterans Day/Burlington High School: T.A. Petrin appreciated the honor paid to veterans at the high school ceremony for Veterans Day noting that the students were respectful and appeared to recognize the importance of Veterans Day. Burlington High School Principal, Mark Sullivan, was commended for holding the event.

Veterans Day/Town Ceremony: T.A. Petrin said he was impressed with the Veterans Day ceremony operated by the Office of Veterans Services held on the Town Common. Many attendees expressed pleasure with the five new service flagpoles and the beauty of the common. All participating town departments were thanked for their participation and assistance as well as the scouting community.

291 Assistant Town Administrator’s Report
Grandview Tavern: Good progress has been made on Phase IV of the project.

292 Chairman’s Report
Lester's Roadside BBQ: Chairman Hogan thanked the new owners of Lester's for being supportive of veterans organizations. Lester’s has been providing food for events for veterans’ organization sponsored events at the veteran hospitals.

293 Old/New Business
Proposed 2014 Board of Selectmen Meeting Dates: Meeting dates for the calendar year 2014 was submitted for review with no discussion or vote.

Citizen’s Time: None.

Adjourn:
Motion: Selectman Patuto moved to adjourn at 8:15 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 – NOVEMBER 18, 2013

282 Hearing: All alcohol License/Change of Manager, Rainforest Café, Inc. d/b/a Rainforest Café, One Burlington Mall Road – Petition for change of license; manager application; birth certificate; personal information form; written action in lieu of a meeting of the board of directors of Rainforest Café, Inc.; Certificate of completion for responsible beverage server training, Richard Lambiase; ServSafe certification, Richard Lambiase

283 Continued Public Hearing (from 10/7/13, 10/28/13 & 11/4/13): Grant of Location, Verizon/NSTAR, Princeton Road - No new documents provided

284 Public Hearing: Vote/Tax Classification - classification options A-F fy-2014; sample average single family tax bill fy-2013; average single family value and tax rate fy-1974 to fy-2014; Burlington elected officials tax comparison fy-2013 and fy-2014;

285 Approval: Committee Handbook - 30 page committee handbook

286 Discussion: Northern Middlesex Stormwater Collaborative Grant - 11/8 ltr from j petrin to nmcg; 10/30 ltr to j petrin from nmcg re invitation; expansion proposal; Middlesex 3 Coalition Transportation Grant - community innovation challenge grant application

287 Discussion: 4th of July Parade - no backup


289 Subcommittee Reports -

290 Town Administrator's Report -

291 Assistant Town Administrator's Report -

292 Chairman's Report -

293 Old/New Business - Proposed Board of Selectmen 2014 meeting dates