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.

Discussion: Fire Department
Fire Chief Steve Yetman was present with members of the Fire Department as well as DPW to update the BOS and community on the tremendous job done by the departments on three recent emergency events.

Town Administrator John Petrin (T.A. Petrin) publicly thanked all emergency management, the Dispatcher and DPW employees, the Building Department and all who were involved in the events for their commitment and involvement. The members of the BOS thanked the employees for their active role in the emergency situations.

Approval: Personnel Appointments
1. Building & Cemeteries
2. Facilities Superintendent
3. Town Accountant
4. Assistant Town Administrator

John Sanchez, Public Works Director, was present. Town Meeting recently approved several changes within the town’s organization. The following appointments were announced as a result of the changes.

1. Building & Cemeteries
The Facilities Department responsibilities will be merged with the Department of Public Works, and the Cemeteries Division will be changed to Buildings and Cemeteries Division. This change will entail new responsibilities and Mr. Sanchez submitted his recommendations which were approved by Joanne Faust, Human Resource Director. All changes will take place January 1, 2014.

Buildings and Cemeteries Superintendent - Paul Cauldwell
Mr. Sanchez recommended Paul Cauldwell be appointed to the position of Buildings and Cemeteries Superintendent stating he has worked with the town since 1982, has advanced to Cemetery Manager, and been successful at maintaining buildings and grounds at the cemeteries. T.A. Petrin said he is pleased with the work performed and said he was appointing Mr. Cauldwell to that position and recommended the BOS waive the standard 15 day waiting period.
Motion: Selectman Patuto moved to waive the standard 15-day waiting period for the appointment of Paul Cauldwell to the position of Buildings and Cemeteries Division Superintendent. Seconded by Selectman Grattan and approved. (5-0-0)

Buildings and Cemeteries Lead Foreman - Richard Reid
Mr. Sanchez recommended Richard Reid be appointed to the position of Buildings and Cemeteries Lead Foreman stating that he is the current working foreman and has established substantial building and construction experience. T.A. Petrin said he is pleased with his commitment to his work and said he was appointing Mr. Reid to that position and recommended the BOS waive the standard 15-day waiting period.

Motion: Selectman Patuto moved to waive the standard 15-day waiting period for the appointment of Richard Reid to the position of Buildings and Cemeteries Division Lead Foreman. Seconded by Selectman Grattan and approved. (5-0-0)

Buildings and Cemeteries Working Foreman - Michael Quinones
Mr. Sanchez recommended Michael Quinones be appointed to the position of Buildings and Cemeteries Working Foreman stating he has demonstrated supervisory qualities during his five years at the division and does a fine job leading the summer crew. T.A. Petrin agreed and said he was appointing Mr. Quinones to that position and recommended the BOS waive the standard 15-day waiting period.

Motion: Selectman Patuto moved to waive the standard 15-day waiting period for the appointment of Michael Quinones to the position of Buildings and Cemeteries Division Working Foreman. Seconded by Selectman Grattan and approved. (5-0-0)

2. Facilities Superintendent
T.A. Petrin also recommended that John Sanchez be appointed as Facilities Superintendent stating Mr. Sanchez has worked very closely with administration developing Facilities Management and recommended the BOS waive the standard 15-day waiting period.

Motion: Selectman Patuto moved to waive the standard 15-day waiting period for the appointment of John Sanchez to the position of Facilities Superintendent. Seconded by Selectman Grattan and approved. (5-0-0)

3. Town Accountant
Town Accountant Paul Sagarino has been with the town for eight years. He reports to the BOS, is currently up for reappointment and willing to remain as Town Accountant.

Motion: Selectman Patuto moved to approve reappointment of Paul Sagarino as Town Accountant. Seconded by Selectman Hartling and approved. (5-0-0)

Mr. Sagarino thanked the BOS and was appreciative of the board’s current and past professionalism.
4. Assistant Town Administrator
With the retirement of Assistant Town Administrator Tom Hickey in June and the previously discussed alterations in administration, T.A. Petrin was pleased to report that along with his regular duties as Town Accountant, he was appointing Mr. Sagarino to assist as second in commend to the Town Administrator effective January 1, 2014 and recommended the BOS waive the standard 15 day waiting period.

Motion: Selectman Patuto moved to waive the standard 15 day waiting period for the appointment of Paul Sagarino as second in command to the Town Administrator with the transition taking effect January 1, 2014. Seconded by Selectman Hartling and approved. (5-0-0)

296 Approval: South Bedford Street Release
T.A. Petrin stated that a vote that was to occur on this release in 2002 inadvertently did not take place and is being corrected.

Motion: Selectman Patuto moved to approve the release of 135 South Bedford Street. Seconded by Selectman Grattan and approved. (5-0-0)

297 Public All Alcohol License/Change Hearing: New Officer/Director, New Stockholder, Transfer of Stock
Jai Ho Sai, Corp. d/b/a The Mughals
184 Cambridge Street

298 Public All Alcohol License/Change Hearing: New Officer/Director, Transfer of Stock
Jai Ho Sai, Corp. d/b/a The Mughals
184 Cambridge Street

These two public hearings were discussed together. Attorney Tom Murphy, Shea, Murphy & Gulde was present representing the current owner of the Bombay Club Restaurants. Attorney Matthew Byrnes, Law Office of Peter T. DaMore, Jr., was also present representing the Jai Ho Sai, Corp. and explained the error of two unreported transfers of stock and changes of directors/officers, discovered by the ABCC, that had taken place and was seeking BOS approval of past transactions in order to correct the records.

Attorney Murphy said it was done in error, and he was not aware of any other changes or transfers, and the previous owner is working with the current manager while awaiting approvals.

T.A. Petrin said the first order of business was agenda item #297: approval of new officer/director, new stockholder and transfer of stock and the second order of business was agenda item #298: approval of new officer/director and transfer of stock

The public hearings were open to the public and no one spoke.

Motion: Selectman Patuto moved to close the public hearings. Seconded by Selectman Grattan and approved. (5-0-0)
Motion: Selectman Patuto moved to approve the All Alcohol License application for Jai Ho Sai d/b/a as The Mughals for the new officer/director, new stockholder and transfer of stock as submitted and discussed from Kalaivanan Chadrasekaran to Mohinder Pal as 50% owned. Seconded by Selectman Grattan and approved. (5-0-0)

Motion: Selectman Patuto moved to approve the All Alcohol License application of Jai Ho Sai d/b/a as the Mughals for the new officer/director and transfer of stock as submitted and discussed from Mohinder Pal to Dharmesh Rana at 100% owned. Seconded by Selectman Grattan and approved. (5-0-0)

299 Hearing: All Alcohol License/Change of Manager
Papa Razzi Trattoria of Burlington, Inc. d/b/a Papa Razzi
2 Wall Street
Sean Sullivan was present and explained that the manager of record had left the restaurant, and he would be taking over as manager of record. His background, he said, included twenty years in the restaurant business, including Legal Seafood and Beacon Grill. T.A. Petrin reviewed the town’s alcohol rules and regulations and Mr. Sullivan replied that he understood.

Motion: Selectman Patuto moved to approve the All Alcohol License/Change of Manager for Papa Razzi Trattoria of Burlington, Inc., d/b/a Papa Razzi, 2 Wall Street with the new manager as Sean Sullivan. Seconded by Selectman Grattan and approved. (5-0-0)

300 Discussion: Town Meeting Warrant Articles
Hours of Operation – Retail Sales
Solicitation
Fingerprinting
The BOS reviewed the Town Meeting Warrant Articles for the January 27, 2014 Town Meeting which included transfers to various funds and accounts, funding of union contracts, and purchase of recycling totters. The Planning Board will also have a Zoning Bylaw request.

Other items to review for Town Meeting consideration are hours of operation for retail establishments, solicitation, and fingerprinting regulations.

Hours of Operation – Retail Sales
Present was Police Chief Michael Kent. T.A. Petrin discussed retail stores requesting to remain open 24 hours this past holiday season. The town’s bylaws are silent on the hours of operation for retail. Chief Kent said the concern is adequate public safety during these non-typical hours if this request builds. Other communities, he said, are experimenting with a bylaw. Town Counsel was consulted and it is hopeful that a bylaw format limiting hours of operation will be prepared for discussion at the first BOS meeting in January.

Motion: Selectman Patuto moved to approve moving forward with studying a change in the bylaws to include the regulation of hours of operation for retail establishments. Seconded by Selectman Hartling and approved. (5-0-0)
Solicitation and Fingerprinting

Fingerprinting: Chief Kent also described a Civil Fingerprinting Bylaw which authorizes the Police Department to check fingerprints for criminal history for those who apply for solicitation licenses, including door-to-door salespeople. Town Counsel has reviewed the bylaw and made recommendations. Selectman Grattan asked if the presented list of solicitors can be modified by the BOS, and Chief Kent said it can. T.A. Petrin asked that the BOS submit their comments and suggestions to Chief Kent prior to the January 13, 2014 BOS meeting in order to have it complete for the January Town Meeting.

The issue of street panhandling was raised, and Chief Kent said panhandling is not to be confused with solicitors, and T.A. Petrin said this may be discussed at a future meeting.

Chairman Hogan recommended looking for the best way to protect the citizens, and all members agreed with putting in more safety controls.

Solicitation: The BOS reviewed the Regulation and Licensing of Solicitors and Canvassers making it mandatory to obtain a license from the Chief of Police with the Police Department being able to enforce the bylaw. Selectman Patuto recommended a close examination of the definitions and other members had concerns. T.A. Petrin suggested holding the solicitor regulation until the May Town Meeting in order to create a committee to discuss it further, and he will request Town Counsel’s opinion.

Motion: Selectman Patuto moved to move forward with the Civil Fingerprinting By-Law for review at the January Town Meeting. Seconded by Selectman Hartling and approved. (5-0-0)

Motion: Selectman Patuto moved to move forward to continue with the plan for the Regulation and Licensing of Solicitors and Canvassers for potential submission to the May Town Meeting. Seconded by Selectman Grattan and approved. (5-0-0)

301 Approval: License Renewals:

| Alcohol | Inn Holder |
| Amusement | Livery |
| Auto Class I | Theater |
| Auto Class II | Victualler |
| Cafeteria | Weigher |
| Entertainment |

The BOS reviewed the provided alcohol license renewal reports and lists. Some establishments have not yet paid their fees. T.A. Petrin recommended BOS approval of all licenses with a follow up discussion in January on those who have not yet paid their fees or have outstanding taxes.

Motion: Selectman Patuto moved to approve all reviewed licenses as follows: Alcohol, Amusement, Auto Class I, Auto Class II, Cafeteria, Entertainment, Inn Holder, Livery, Theater, Victualler, and Weigher pending payment of license fees and any outstanding taxes. Seconded by Selectman Grattan and approved. (5-0-0)
302 Discussion: Alcohol Compliance Report
The BOS was informed that a total of 32 establishments were involved in an alcohol compliance check by the Burlington Police Department with two of those establishments selling alcohol to minors. Per the town’s Alcohol Rules and Regulations, they will attend a public hearing in January for a one-day closing enforcement.

Chairman Hogan and Selectman Patuto discussed an option to impose a fine in lieu of a one-day closing as the state had recently allowed in another case. T.A. Petrin said his office would review the state’s guidelines.

303 Approval: Budget Operating Guidelines for FY15
T.A. Petrin said he recently met with Ways and Means, School Department, and financial officials and reviewed the discussed FY15 budget scenarios. In order to provide a consistent level of service, the recommended consensus was 4% for the Operating Budget, 5% for the Accommodated Accounts and no more than 4.5% for the Levy.

Motion: Selectman Patuto moved to accept the budget operating guidelines for FY15 at 4% for Operating Budget, 5% for Accommodated Account and no more than 4.5% Levy. Seconded by Selectman Grattan and approved. (5-0-0)

304 Approval: Personnel Rules and Regulations
The BOS reviewed the highlighted changes made to the regulation with T.A. Petrin explaining that adjustments to the Personnel Rules and Regulations were made to conform to current practice and to clarify language in certain areas. He also explained the Deferred Compensation Plan for A & P. Ms. Faust was present and reviewed the calculation of vacation time. Sick and vacation time is expected to be tracked by Payroll in the near future.

Motion: Selectman Patuto moved to accept the changes as outlined to the Personnel Rules and Regulations as submitted and discussed. Seconded by Selectman Hartling and approved. (5-0-0)

305 Approval: Minutes, November 18, 2013, General Session
Motion: Selectman Patuto moved to approve the minutes of November 18, 2013 as submitted. Seconded by Selectman Hartling and approved. (5-0-0)

306 Subcommittee Reports
Selectman Grattan – The Police detail budget deficit and recommended changes and solutions were discussed at the recent audit committee meeting.

Selectman Patuto wished all a Merry Christmas and Happy New Year.

Selectman Runyan warned that there have been recent coyote attacks on domestic animals. He also recognized the many volunteers throughout the town and wished happy holidays to everyone.
Selectman Hartling congratulated the Police Department for a successful program to collect unwanted guns.

307 Town Administrator’s Report
T.A. Petrin reported that Burlington, along with four other regional communities, was recognized with the Kenneth E. Pickard Award for Regional Development by the Mass. Municipal Association for their part in the Middlesex 3 Coalition.

The holiday lighting was a great event and was well attended. Recreation and all others involved with the event, fireworks, and the tree lighting were commended.

A reminder was made that the snow season is upon us and to be aware and assist neighbors. A Merry Christmas and Happy Holidays message was sent to citizens and employees.

308 Assistant Town Administrator’s Report
Happy holidays were wished to all.

309 Chairman’s Report
The Chairman also extended holiday wishes.

310 Old/New Business
None.

311 Citizen’s Time: No one spoke.

Adjourn:

Motion: Selectman Patuto moved to adjourn at 9:01 p.m. Seconded by Selectman Runyan and approved.
(5-0-0)

Respectfully submitted,

Betty McDonough
Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – DECEMBER 16, 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

294 Discussion: Fire Department: -

295 Approval: Personnel Appointments:
Building & Cemeteries: 12/11/13 ltr of recom from J. Sanchez for Paul Cauldwell to Superintendent; Michael Quinones to Working Foreman; Richard Reid to Buildings & Cemeteries Lead Foreman
Facilities Superintendent: -
Town Accountant: -
Assistant Town Administrator: -

296 Approval: South Bedford Street Release: Certificate of Release

297 Public Hearing: All Alcohol License/Change/New Officer/Director, New Stockholder, Transfer of Stock/Jai Ho Sai, Corp. d/b/a The Mughals/184 Cambridge Street: public hearing notice published 12/2/13, 11/26/13 ltr to BOS re Jai Ho Sai, Corp from Law Office of Peter T. DaMore, Jr. explaining in full the two transfers to be approved; application for retail alcoholic beverage license w applicant’s signed statement; petition for transfer of ownership, transfer application; personal information (PI) form on Mohinder Pal dba the Mughals; PI form on Dharmesh Rana dba the Mughals; PI form on Sheetal Rana dba the Mughals; seating plan; Jai Ho Sai, Corp signed Action of Shareholders

298 Public Hearing: All Alcohol License/Change: New Officer/Director, Transfer of Stock/Jai Ho Sai, Corp. d/b/a The Mughals/184 Cambridge Street: public hearing notice published 12/3/13; 11/26/13 ltr to BOS re Jai Ho Sai, Corp from Law Office of Peter T. DaMore, Jr. explaining in full the two transfers to be approved; petition for transfer of ownership; application for retail alcoholic beverage license; signed applicant’s statement; PI form for Dharmesh Rana dba the Mughals; PI form for Sheetal Rana dba the Mughals; seating plan; Jai Ho Sai, Corp signed Action of Shareholders

299 Hearing: All Alcohol License/Change of Manager: Papa Razzi Trattoria of Burlington, Inc. d/b/a Papa Razzi/2 Wall Street: Petition for Change of License; Manager Application; PI form for Sean Sullivan dba Papa Razzi; Certification from Papa Razzi board of directors; ID and ServSafe certification for new manager

300 Discussion: 1.) Index of Town Meeting Warrant Articles: General Articles, Financial Articles, and zoning bylaw articles; 2.) Hours of Operation – Retail Sales: - Board of Health Control of Retail Sale of Food regulation; 3.) Solicitation: regulation and licensing of solicitors and canvassers; 4.) Fingerprinting: Civil Fingerprinting bylaw warrant article

301 Approval: License Renewals: 12/12/13 memo to BOS from JP re Alcohol license renewal reports & license Lists for renewal; 10/25/13 memo to appropriate staff re department check/alcohol license renewal for 2014 and 12/12/13 memo to JP from Burl PD re license renewal and grant of 5,000; 10/8/13 memo from Officer Cross to JP re efforts to register alcohol servers response; lists of licenses for: Alcohol, Amusement, Auto Class I, Auto Class II, Cafeteria, Entertainment, Inn Holder, Livery, Theater, Victualler Weigher

302 Discussion: Alcohol Compliance Report

303 Approval: Budget Operating Guidelines for FY15: Financial Discussion 12/6/13
<table>
<thead>
<tr>
<th></th>
<th>Approval:</th>
</tr>
</thead>
<tbody>
<tr>
<td>304</td>
<td>Personnel Rules and Regulations for review</td>
</tr>
<tr>
<td>305</td>
<td>Minutes: November 18, 2013, General Session</td>
</tr>
<tr>
<td>306</td>
<td>Subcommittee Reports: -</td>
</tr>
<tr>
<td>307</td>
<td>Town Administrator’s Report: -</td>
</tr>
<tr>
<td>308</td>
<td>Assistant Town Administrator’s Report: -</td>
</tr>
<tr>
<td>309</td>
<td>Chairman’s Report: -</td>
</tr>
<tr>
<td>310</td>
<td>Old/New Business: -</td>
</tr>
<tr>
<td>311</td>
<td>Citizen’s Time: -</td>
</tr>
</tbody>
</table>

TND#1