



**KOPELMAN AND PAIGE, P.C.**  
*The Leader in Municipal Law*

101 Arch Street  
Boston, MA 02110  
T: 617.556.0007  
F: 617.654.1735  
www.k-plaw.com

April 17, 2008

**John W. Giorgio**  
jgiorgio@k-plaw.com

Town Meeting Representatives  
Burlington Town Hall  
29 Center Street  
Burlington, MA 01803

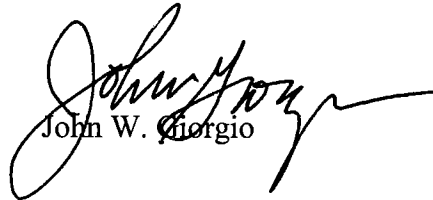
Re: May 12, 2008 Town Meeting

Dear Members of Town Meeting:

I have reviewed the warrant for the Town Meeting to be held on May 12, 2008, and I am hereby approving the warrant as to form.

Since Articles 9, 10, 11, and 12 involve amendments to the Town's Zoning Bylaw, a two-thirds vote will be required. In addition, a two-thirds vote will be required for any motion where the funding source is borrowing or a transfer from the Stabilization Fund.

Very truly yours,

  
John W. Giorgio

JWG/bp  
344006/burl/0001

**THE COMMONWEALTH OF MASSACHUSETTS**

To either of the Constables of the Town of Burlington in the County of Middlesex Greeting.

You are hereby directed to serve this warrant by posting up attested copies thereof at the billboard at the Town Hall, in said Town, at least fourteen days before the Town Meeting of May 12, 2008 at Fogelberg Auditorium, Burlington High School.

HEREOF FAIL NOT, to make due return of the warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting as aforesaid

Given under our hands this 25th day of April in the year of our Lord 2008

Sonia Rollins, Chairman  
Gary J. Gianino, Vice Chairman  
Albert L. Fay, Jr.  
Ralph C. Patuto  
Walter T. Zenkin

SELECTMEN OF BURLINGTON, MASSACHUSETTS

A true copy attest.

\_\_\_\_\_ Constable

Dated \_\_\_\_\_

Middlesex ss

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Burlington by posting up an attested copy of the same at the billboard in the Town Hall and as within directed, at least fourteen days before Town Meeting of May 12, 2008.

s/s \_\_\_\_\_  
Constable of Burlington

A copy of the warrant was mailed to each Town Meeting Member, the Town Moderator and the Town Clerk on the 25th day of April, 2008.

Attest: Jane L. Chew, Town Clerk

# **WARRANT**

**Burlington Town Meeting**



**May 12, 2008  
7:30 P.M.**

**Burlington High School  
Fogelberg Auditorium  
123 Cambridge Street  
Burlington, MA**

**INDEX OF ARTICLES**  
**Burlington Town Meeting**  
**May 12, 2008**

<b>ARTICLE NUMBER</b>	<b>SUBJECT</b>	<b>PAGE NUMBER</b>
1	Reports of Town Officers and Committees	1
 <b>GENERAL ARTICLES (yellow paper)</b>		
2	September 24, 2007 Funding Source	2
3	Collaborative Collection/Disposal/Five-Year Municipal Solid Waste Contract	2
4	Accept Chapter 61 of the Acts of 2008 Real Estate Exemption for Veterans	2
5	Accept Chapter 31, Section 58A Civil Service Municipal Police Officers/Firefighters/Maximum Age Restrictions	3
6	Middlesex Turnpike Drainage and Roadway Easements (Lexigen & MITRE)	3
7	Middlesex Turnpike Drainage Easement	3
8	Redevelopment of Landlocked Parcel, Appointment of Town Meeting Committee and Subcommittee of Board of Selectmen	4
 <b>ZONING BYLAW ARTICLES (green paper)</b>		
9	Amend Zoning Bylaw Article III, Section 8.5.0 Town Center Overlay Districts Subsection 8.5.5.5 Minimum Buffer to Adjoining RO Districts/	5
10	Amend Planned Development (PD) District Zoning Provisions, Use, Table and Concept Plan	5
11	Rezone One Mountain Road	6
12	Rezone City of Boston Property	6
 <b>FINANCIAL ARTICLES (golden paper)</b>		
13	Transfer of Funds FY 2008 Various Accounts	7
14	2 <sup>nd</sup> (Final) Payment for Accu-Vote Voting Equipment	7
15	Tennis Court Renovation at Simonds Park	7
16	Purchase Field Grooming Machine	8
17	Internet Access/Board of Health	8
18	Fund FY 2009 Operating Budget	8
19	Fund FY 2009 Capital Budget	9
	<u>FROM CEMETERY SALE OF LOTS 09-1 thru 09-2</u>	
	09-1 DPW/Restore Stonewalls at Chestnut Hill Cemetery	9
	09-2 DPW/Repave Cemetery Roadways	9

*(FINANCIAL ARTICLES CONTINUED)*

**INDEX OF ARTICLES**  
**Burlington Town Meeting**  
**May 12, 2008**  
**Page2**

**FINANCIAL ARTICLES (continued)**

19	Fund FY 2009 Capital Budget (continued)	
	<u>FROM FREE CASH 09-3 thru 09-11</u>	
	09-3 Town Hall/Cupola and Roof	9
	09-4 Human Services/Police Station Clean Air Exchange	9
	09-5 COA/Chairs/Murray Kelly Wing	9
	09-6 DPW/Sander Truck Body	9
	09-7 DPW/Wells 1 & 2 Electrical Improvement and Connection	9
	09-8 DPW/Vinebrook Treatment Plant Paint Filter Room and Piping	9
	09-9 DPW/Traffic Light Inventory and Preventive Maintenance	9
	09-10 Police/Purchase 32 Portable Radios	9
	09-11 Police/Upgrade Video Monitoring and Recording Systems	9
	<u>FROM SEWER ENTERPRISE 09-12 thru 09-14</u>	
	09-12 DPW/Corrosion/Odor Control	10
	09-13 DPW/20KW Diesel Generator Lexington Street Pumping Station	10
	09-14 DPW/Terrace Hall Pump Station #1 Pump Rehabilitation	10
20	Amend the Administrative & Professional Classification Plan	10
21	Fund the Administrative & Professional Compensation Plan	10
22	Fund the Part-time Compensation Plan	10
23	Drug and Alcohol Task Force	11
24	Will of Marshall Simonds	11
25	Sewer Services Enterprise Fund	11
26	Town Common Sidewalk	11
27	Fund Revolving Account	12
28	Traffic Light Repair	12
29	Ice Palace Enterprise Fund	12
30	Ice Palace Dehumidification Unit	13
31	Chapter 90	13
32	Culvert/Stream Cleaning	13
33	DPW-Vehicle Replacement/Various Cars & Trucks	14
34	Feasibility Study for New DPW Facility	14
35	Filter Media Replacement Vinebrook Treatment Plant	14
36	Town-wide Water Valve Replacement Program	15
37	Deconstruction/Demolition of Wildwood School	15
38	Sale of Lots/Wildwood School Site	15
39	Recreation Planner/Wildwood School Site	15
40	Upgrade Fire Department Fire Alarm System	16
41	Fire Department Brush Truck	16
42	Town-wide Vehicle Replacement	16
43	Fire Department Repairs to Kitchen/Day Room	17

*(FINANCIAL ARTICLES CONTINUED)*

**INDEX OF ARTICLES**  
**Burlington Town Meeting**  
**May 12, 2008**  
**Page3**

**FINANCIAL ARTICLES (continued)**

44	School Community Custodial Services	17
45	Performing Arts/Auditorium Improvements at Burlington High School	17
46	Fire Alarm System Upgrades at Burlington High School	18
47	Fire Alarm System at Pine Glen School	18
48	Student Bathroom Renovations at Marshall Simonds Middle School	18
49	Pavement Replacement & Installation at Fox Hill School	19
50	Exterior Lighting Replacement at Burlington High School	19
51	Gutter Replacement at Pine Glen School	19
52	Student Locker Replacement at Marshall Simonds Middle School	20
53	Francis Wyman Playground Improvements	20
54	Computer Technology Replacement System-wide	20
	CONSTABLE'S REPORT	21
	TOWN COUNSEL'S OPINION	22

**WARRANT**

**BURLINGTON TOWN MEETING**

**MONDAY May 12, 2008**

In accordance with the provisions of Chapter 686 of the Acts of 1970 of the Commonwealth of Massachusetts, you are hereby notified that the Town Meeting Representatives of the Town of Burlington will meet in general assembly at the Burlington High School, Fogelberg Auditorium, in said Town, the 12th of May 2008 at seven-thirty o'clock in the evening then and there to act on the following articles of the warrant:

**ARTICLE 1**

**RE: Reports of Town Officers and Committees**

To hear and act on the reports of the Town Officers and Committees, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of the Rules Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**GENERAL ARTICLES**

**ARTICLE 2**

**RE: September 24, 2007 Funding Source**

To see if the Town will vote to amend the action taken at the September 24, 2007 Town Meeting, by changing the funding source from “raise and appropriate” to “transfer from overlay surplus” for the following warrant articles: Article 11 (Francis Wyman Playground Improvements); Article 12 (Pavement Replacement/High School); and Article 17 (Wildwood School/Engineering for Demolition); or to act in any other manner in relation thereto.

AMOUNT: \$221,000

Submitted by the Board of Selectmen at the request of the  
Town Accountant

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 3**

**RE: Collaborative Collection/Disposal  
Five-Year Municipal Solid Waste Contract**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$\_\_\_\_\_ or any other amount for the purpose of the collaborative collection/disposal Five-Year Municipal Solid Waste Contract, or to act in any other manner in relation thereto.

Amount: \$\_\_\_\_\_

Submitted by Board of Selectmen at the request of the  
Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 4**

**RE: Accept Chapter 61 of the Acts of 2008  
Real Estate Exemption for Veterans**

To see if the Town will vote to accept Chapter 61 of the Acts of 2008/House Bill 3045, an act increasing the local property tax relief to nonprofit veterans’ organizations from \$700,000 to \$1,500,000, which was signed into law March 19, 2008, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of the  
Director of Veterans’ Services

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**GENERAL ARTICLES (continued)**

**ARTICLE 5**

**RE: Accept Chapter 31, Section 58A  
Civil Service Municipal Police  
Officers/Firefighters/Maximum Age Restriction**

To see if the Town will vote to accept Chapter 31, Section 58A, “Any veteran shall be allowed to exceed the maximum age provision of this section by the number of years served on active military duty, but in no case shall said candidate for appointment be credited more than four years of active military duty.”, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of the  
Director of Veterans’ Services

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 6**

**RE: Middlesex Turnpike Drainage and Roadway  
Easements (Lexigen & MITRE)**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain the following rights on properties located at 45 Middlesex Turnpike (**Billerica, MA**) (Map 26 Parcel 1-0) and 202 Burlington Road (Bedford, MA) (Map 26 Parcel 2-0) for the purpose of obtaining secure permanent drainage and roadway easements, for the construction and maintenance of roadways on the Middlesex Turnpike; or act in any other manner in relation thereto.

Submitted by Board of Selectmen at the request of the  
Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 7**

**RE: Middlesex Turnpike Drainage Easement**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain the following rights on properties located at 1 Wheeler Rd (Map 56 Parcel 22-0) for the purpose of obtaining secure permanent drainage easements, for the construction and maintenance of roadways on the Middlesex Turnpike; or act in any other manner in relation thereto.

Submitted by Board of Selectmen at the request of the  
Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**GENERAL ARTICLES (continued)**

**ARTICLE 8**

**RE:   Redevelopment of Landlocked Parcel  
      Appointment of Town Meeting Committee  
      and Subcommittee of Board of Selectmen**

To see if Town Meeting will have a discussion and expression of views pertaining to the future development concepts of Patriot Partners, the holders of the interest in the option agreement for the so-called "Landlocked Parcel" located on the southerly side of Route 3 and bordered by Route 128 and Route 62, Burlington, Massachusetts. To see also if Town Meeting will direct (i) the Town Moderator to appoint a committee of Town Meeting Members (up to five members); and (ii) the Board of Selectmen, Planning Board, Board of Health and Conservation Commission each appoint to the aforementioned committee of Town Meeting Members a member to participate with this review of proposals by Patriot Partners in anticipation of a future presentation to Town Meeting, or to act in any other manner in relation thereto.

Submitted by Board of Selectmen at the request of the  
Town Moderator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ZONING BYLAW ARTICLES**

**ARTICLE 9**

**RE: Amend Zoning Bylaw Article III, Section 8.5.0  
Town Center Overlay Districts/Subsection  
8.5.5.5 Minimum Buffer to Adjoining RO  
Districts**

To see if the Town will vote to amend Article VIII, Section 8.5.0 Town Center Overlay Districts, Subsection 8.5.5.5 Minimum Buffer to Adjoining RO Districts as follows:

The minimum buffer to adjoining residentially zoned property shall be 20% of the average depth and/or width of the lot as applicable, with a minimum of 25' and a maximum requirement of 50'. This buffer shall also apply to side yards and rear yards even where the adjoining RO District is located across a private or public way. The buffer shall consist of natural vegetation and/or landscaping designed and constructed to mitigate the impact of any commercial use within the CC or CBD Districts on the abutting residential district. The buffer shall be designed and constructed to minimize the visual effect of the bulk and height of buildings, structures, parking areas, lights, or signs, and shall be kept free of encroachment by all buildings, structures, storage areas, and parking, except that bicycle paths and fences may be sited within such buffer area if approved pursuant to a site plan review by the Planning Board but subject to a minimum 20' back for bicycle paths, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of the  
Route 3A committee and Planning Board

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 10**

**RE: Amend Planned Development (PD)  
District Zoning Provisions, Use Table  
and Concept Plan**

To see if the Town will vote to approve the proposed amendments to the Zoning Provisions, Use Table and Concept Plan of the previously approved Planning Development (PD) District for the former Sun Microsystems campus, as filed with the Board of Selectmen on March 28, 2008, and as modified by the recommendations of the Planning Board. The proposed amendments are included as part of the backup material to this Warrant Article, which shall govern the use and development of the Planned Development (PD) District. The affected property is generally known as 10, 35, 45, 55, 65, 75, 85 & 95 Network Drive and is bounded by Route 3 and Kendall Road. The property is more specifically identified on the Town of Burlington Assessor's Maps by the following Map and Parcel numbers: 32-3-0, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of the  
Planning Board

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ZONING BYLAW ARTICLES (continued)**

**ARTICLE 11**

**RE: Rezone One Mountain Road**

To see if the Town will vote to rezone property located at One Mountain Road, said property being shown on Assessor's Map 43, Parcel 2, such that said property will be included as a Wireless Communication Overlay District, and to amend the Wireless Communications Overlay Districts Map to reflect such change, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of the Planning Board

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 12**

**RE: Rezone City of Boston Property**

To see if the Town will vote to rezone the following parcels from RO (One Family Dwelling) District to OS (Open Space) District, and amend the Town of Burlington Zoning Map accordingly, as follows: Property known as City of Boston land, also referred to as the Cummings Estate or Mary Cummings Park, comprised of lands shown on Assessor's Map 54 as Parcels 16 (148.0 acres), 13 (7.6 acres) and 18 (4.4 acres), or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of Seventeen Registered Voters

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL BYLAW ARTICLES**

**ARTICLE 13**

**RE: Transfer of Funds FY 2008  
Various Accounts**

To see if the Town will vote to transfer from available funds the sum of \$\_\_\_\_\_, or any other amount for the purpose of paying for expenses incurred in Fiscal Year 2008 to various accounts same to be expended under the direction of the appropriate authorities, or to act in any other manner in relation thereto.

AMOUNT: \$\_\_\_\_\_

Submitted by the Board of Selectmen at the request of the  
Town Accountant

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 14**

**RE: 2<sup>nd</sup> (Final) Payment for Accu-Vote  
Voting Equipment**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$22,750 for the purpose of paying the final installment for the Accu-Vote voting equipment purchased in 2007, same to be spend under the direction of the Town Clerk, or to act in any manner in relation thereto.

Amount: \$22,750

Submitted by the Board of Selectmen at the request of the  
Town Clerk

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 15**

**RE: Tennis Court Renovation  
at Simonds Park**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$40,000 or any other amount for the purpose of renovating the two Simonds Park tennis courts, same to be expended under the direction of the Recreation Commission, or to act in any other manner in relation thereto.

Amount: \$40,000

Submitted by the Board of Selectmen at the request of the  
Recreation Commission

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL BYLAW ARTICLES (continued)**

**ARTICLE 16**

**RE: Purchase Field Grooming Machine**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$15,000 or any other amount for the purpose of purchasing a baseball field grooming machine, same to be expended under the direction of the Recreation Commission, or to act in any other manner in relation thereto.

Amount: \$15,000

Submitted by the Board of Selectmen at the request of the Recreation Commission

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 17**

**RE: Internet Access/Board of Health**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$10,000 or any other amount for the purpose of internet and e-mail capabilities that are appropriate, and acceptable, to the Board of Health (public health emergencies), same to be expended under the direction of the Board of Health, or to act in any other manner in relation thereto.

Amount: \$10,000

Submitted by the Board of Selectmen at the request of the Board of Health

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 18**

**RE: Fund FY 2009 Operating Budget**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of money sufficient to cover the requests of the various departments for Fiscal Year 2009, or to act in any other manner in relation thereto.

AMOUNT: \$\_\_\_\_\_

Submitted by the Board of Selectmen at the request of the Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL BYLAW ARTICLES (continued)**

**ARTICLE 19**

**RE: Fund FY 2009 Capital Budget**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money or any other amount for the items contained within the following proposed Fiscal Year 2009 Capital Budget, same to be expended under the appropriate authorities as indicated:

<u>PROJECT NUMBER</u>	<u>DEPARTMENT</u>	<u>PROJECT NAME/DESCRIPTION</u>	<u>SPENDING AUTHORITY</u>	<u>APPROP. REQUEST</u>
-----------------------	-------------------	---------------------------------	---------------------------	------------------------

FROM CEMETERY SALE OF LOTS 09-1 thru 09-2

09-1	DPW	Restore Stonewalls at Chestnut Hill Cemetery	Selectmen	\$24,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				
09-2	DPW	Repave Cemetery Roadways	Selectmen	\$20,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				

FROM FREE CASH 09-3 thru 09-10

09-3	Town Hall	Cupola and Roof	Selectmen	\$25,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				
09-4	Human Services/ Police Station	Clean Air Exchange	Selectmen	\$35,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				
09-5	COA	Chairs/Murray Kelly Wing	Selectmen	\$8,628
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				
09-6	DPW	Sander Truck Body	Selectmen	\$16,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				
09-7	DPW	Wells 1 & 2 Electrical Improvement and Connection	Selectmen	\$7,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				
09-8	DPW	Vinebrook Treatment Plant Paint Filter Room and Piping	Selectmen	\$18,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				
09-9	DPW	Traffic Light Inventory and Preventive Maintenance	Selectmen	\$18,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				
09-10	Police	Purchase 32 Portable Radios	Selectmen	\$46,278
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				
09-11	Police	Upgrade Video Monitoring and Recording Systems	Selectmen	\$24,850
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				

**FINANCIAL BYLAW ARTICLES (continued)**

FROM SEWER ENTERPRISE 09-12 thru 09-14

09-12 DPW Corrosion/Odor Control Selectmen \$40,000  
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

09-13 DPW 20KW Diesel Generator Selectmen \$22,000  
Lexington Street Pumping Station  
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

09-14 DPW Terrace Hall Pump Station Selectmen \$15,000  
#1 Pump Rehabilitation  
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 20**

**RE: Amend the Administrative & Professional Classification Plan**

To see if the Town will vote to amend the current Administrative and Professional Classification Plan by removing from Group 15 the title of Assessor/Appraiser and placing said title in Group 16 of said plan and to do or act in any other manner in relation thereto.

Amount: \$0

Submitted by the Board of Selectmen at the request of the Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 21**

**RE: Fund the Administrative & Professional Compensation Plan**

To see if the Town will vote to adopt the Administrative & Professional Compensation Plan for Fiscal Year 2009, and transfer from the Negotiated Settlement Account a sum of money, for the purpose of funding the plan under the direction of the appropriate authorities, or to act in any other manner in relation thereto.

AMOUNT: \$\_\_\_\_\_

Submitted by the Board of Selectmen at the request of the Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 22**

**RE: Fund the Part-time Compensation Plan**

To see if the Town will vote to transfer from the Negotiated Settlement a sum of money, for the purpose of funding the Part-time Salary Plan (under 20 hours) for Fiscal Year 2009, same to be expended under the appropriate authority, or to act in any other manner in relation thereto.

AMOUNT: \$10,000

Submitted by Board of Selectmen at the request of the Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL BYLAW ARTICLES (continued)**

**ARTICLE 23**

**RE: Drug and Alcohol Task Force**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$2,500 or any other amount to fund the FY2009 expenses of the Burlington Drug and Alcohol Task Force, same to be expended under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

Amount: \$2,500

Submitted by Board of Selectmen at the request of the Drug and Alcohol Task Force

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 24**

**RE: Will of Marshall Simonds**

To see if the Town will vote to accept from the Trustees under the will of Marshall Simonds the sum of \$25,000 or any other amount for the maintenance and improvements of Simonds Park, same to be expended under the direction of the Recreation Commissioners, or to act in any other manner in relation thereto.

Amount: \$25,000

Submitted by Board of Selectmen at the request of the Recreation Commission

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 25**

**RE: Sewer Services Enterprise Fund**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of money sufficient to cover the Fiscal Year 2009 Sewer Services Enterprise Operating Budget, or to act in any other manner in relation thereto.

AMOUNT: \$\_\_\_\_\_

Submitted by the Board of Selectmen at the request of the Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 26**

**RE: Town Common Sidewalk**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$60,000 or any other sum for the purpose of construction of a sidewalk on the Bedford Street Side of the Town Common, or to act in any other manner in relation thereto.

AMOUNT: \$60,000

Submitted by the Board of Selectmen at the request of the Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL BYLAW ARTICLES (continued)**

**ARTICLE 27**

**RE: Fund Revolving Account**

To see if the Town will vote to authorize revolving funds for certain Town departments under Massachusetts General Laws Chapter 44, Section 53E½ for the fiscal year beginning July 1, 2009 or to take any other action relative thereto.

<b>Town Meeting sets \$ spending limit, not more than 10% of tax levy, employee benefit costs must be included.</b>					
<b>Revolving</b>	<b>Spending</b>	<b>Revenue</b>	<b>Allowed</b>	<b>Expenditure</b>	<b>Year End</b>
<b>Account</b>	<b>Authority</b>	<b>Source</b>	<b>Expenses</b>	<b>Limits</b>	<b>Balance</b>
<b>Home Composting/ Rainwater Recycling</b>	<b>Public Works</b>	<b>Fees charged for compost bins/Rainwater Recycling Barrels</b>	<b>Purchase of compost bins/Rainwater Recycling Barrels</b>	<b>\$5,000</b>	<b>Available for expenditure next year</b>
<b>Cross Connection- Backflow prevention</b>	<b>Public Works</b>	<b>Fees charged for testing devices that prevent mixing of potable and non-potable water</b>	<b>Contract services to EPA authorized vendors who perform the testing.</b>	<b>\$50,000</b>	<b>Available for expenditure next year</b>
<b>B-line Local Mini Bus</b>	<b>Public Works</b>	<b>Bus user fees</b>	<b>Salaries, expenses, contractual services to operate the in-town B- Line bus service.</b>	<b>\$45,000</b>	<b>Available for expenditure next year</b>
<b>Nursing Programs &amp; Services</b>	<b>Board of Health</b>	<b>Fees charged for medical diagnostic and screening services and Medicare or insurance reimbursements, i.e. Flu/Pneumonia vaccination</b>	<b>Medical equipment and supplies, immunizations, educational materials</b>	<b>\$20,000</b>	<b>Available for expenditure next year</b>
<b>Plan Imaging</b>	<b>Building Department</b>	<b>2% of Building Department Fees Not to exceed \$10,000 annually</b>	<b>Archival imaging of building permit drawings and specifications</b>	<b>\$20,000</b>	<b>Available for expenditure next year</b>
<b>Sale of Recyclable Materials</b>	<b>Board of Selectmen</b>	<b>Receipts from the Sale of Recyclable Material</b>	<b>May be used to offset the cost of curbside collection and disposal of solid waste</b>	<b>\$50,000</b>	<b>Available for expenditure next year</b>

**AMOUNT: \$190,000**

**Submitted by Board of Selectmen at the request of the  
Town Administrator**

**PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )**

**ARTICLE 28**

**RE: Traffic Light Repair**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$50,000 or any other sum for the purpose repairing various traffic lights in Town, or to act in any other manner in relation thereto.

Amount: \$50,000

Submitted by Board of Selectmen at the request of  
the Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL BYLAW ARTICLES CONTINUED**

**ARTICLE 29**

**RE: Ice Palace Enterprise Fund**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$812,997 or any other amount to operate the Burlington Ice Palace, of which the \$812,997 will come from the Burlington Ice Palace Estimated Revenue Account, same to be expended under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

Amount: \$812,997

Submitted by Board of Selectmen at the request of the  
Town Treasurer/Collector

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 30**

**RE: Ice Palace Dehumidification Unit**

To see if the Town will vote to transfer the sum of \$110,000 for the purpose of funding the purchase and installation of a dehumidification system for the Burlington Ice Palace, same to be expended under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

Amount: \$110,000

Submitted by Board of Selectmen at the request of the  
Town Treasurer/Collector

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 31**

**RE: Chapter 90**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$715,580 or any other amount, to pay for the purpose of funding roadway improvements, same to be spent under the direction of the Town Administrator, or to act in any other manner in relation thereto.

AMOUNT: \$715,580

Submitted by Board of Selectmen at the request of the  
Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 32**

**RE: Culvert/Stream Cleaning**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$100,000 or any other sum for the purpose of paying for the cleaning of culverts and streams in the Town, or to act in any other manner in relation thereto.

Amount: \$100,000

Submitted by Board of Selectmen at the request of  
the Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL BYLAW ARTICLES (continued)**

**ARTICLE 33**

**RE: DPW - Vehicle Replacement -  
Various Cars & Trucks**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$226,000 or any other sum for the purpose of replacing various DPW vehicles, or to act in any other manner in relation thereto.

Water & Sewer Pickup	\$25,000
Water - Heavy Duty Truck	\$35,000
Sewer - Truck	\$26,000
3-5 Ton Roller	\$35,000
Trackless Sidewalk Machine	\$115,000

Amount: \$236,000

Submitted by Board of Selectmen at the request of the  
Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 34**

**RE: Feasibility Study for  
New DPW Facility**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$35,000 or any other sum for the purpose developing a feasibility study for the replacement of the DPW facility, or to act in any other manner in relation thereto.

Amount: \$35,000

Submitted by Board of Selectmen at the request of the  
Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 35**

**RE: Filter Media Replacement  
Vinebrook Treatment Plant**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$70,000 or any other sum for the purpose of replacing the Filter Media needed to operate the Vinebrook Treatment Plant, or to act in any other manner in relation thereto.

Amount: \$70,000

Submitted by Board of Selectmen at the request of the  
Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL ARTICLES CONTINUED**

**ARTICLE 36**

**RE: Town-wide Water Valve Replacement Program**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$50,000 or any other amount for the purpose of valve replacement, or to act in any other manner in relation thereto.

Amount: \$50,000

Submitted by Board of Selectmen at the request of the  
Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 37**

**RE: Deconstruction/Demolition of Wildwood School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$1,000,000 or any other amount to pay for the deconstruction/demolition and remediation of the Wildwood School building, or to act in any other manner in relation thereto.

Amount: \$1,000,000

Submitted by Board of Selectmen at the request of the  
Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 38**

**RE: Sale of Lots/Wildwood School Site**

To see if the Town will vote to authorize the Board of Selectmen to sell buildable lots as laid out on a plan of land (Commonwealth Engineering Inc., dated 3/12/08 on file in the Town Clerk's Office) for single family residential homes along Bedford Street to pay for the cost of the deconstruction/demolition and remediation of the Wildwood School, or to act in any other manner in relation thereto.

Amount: \$\_\_\_\_\_

Submitted by Board of Selectmen at the request of the  
Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 39**

**RE: Recreation Planner/Wildwood School Site**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money for the purpose of hiring a recreation planner to design plans and cost estimates for the development of athletic fields and other outdoor recreation facilities at the Wildwood School site, same to be expended under the direction of the Recreation Commission, or to act in any other manner in relation thereto.

Amount: \$\_\_\_\_\_

Submitted by Board of Selectmen at the request of the  
Recreation Commission

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL ARTICLES CONTINUED**

**ARTICLE 40**

**RE: Upgrade Fire Department Fire Alarm System**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$60,000 or any other amount for the purpose of upgrading the fire alarm system, to be expended under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

Amount: \$60,000

Submitted by Board of Selectmen at the request of the Fire Chief

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 41**

**RE: Fire Department Brush Truck**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$130,000 or any other amount for the purpose of purchasing a brush truck, to be expended under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

Amount: \$130,000

Submitted by Board of Selectmen at the request of the Fire Chief

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 42**

**RE: Town-wide Vehicle Replacement**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$175,000 or any other amount to purchase the following department vehicles:

(2) Fire (2) DPW (1) Building (1) Town Hall Custodial (1) Town Hall Pool  
same to be expended under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

Amount: \$175,000

Submitted by Board of Selectmen at the request of the Town Administrator

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL ARTICLES (continued)**

**ARTICLE 43**

**RE: Fire Department Repairs to  
Kitchen/Day Room**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$25,000 or any other amount to do repairs in the Fire Department Headquarters' kitchen and day room (located at 21 Center Street), same to be expended under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

Amount: \$25,000

Submitted by Board of Selectmen at the request of the  
Fire Chief

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 44**

**RE: School Community Custodial Services**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$29,790 or any other amount for the purpose paying Community Custodial Fees for the events to be covered for Burlington Scout Organizations, PTO Meetings, Boosters, Citations, Youth Basketball, Youth Volleyball, Youth Baseball Association, Pop Warner, Hockey, Soccer and Skating Associations and other non-profit Burlington Civic Organizations, to be expended under the direction of the Burlington School Committee, or to act in any other manner in relation thereto.

Amount: \$29,790

Submitted by the Board of Selectmen at the request of the  
Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 45**

**RE: Performing Arts/Auditorium Improvements  
at Burlington High School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$40,000 or any other amount to fund the replacement and improvements to the Burlington High School stage mechanical infrastructure, lighting and sound equipment including the payment of all costs incidental and related, to be expended at the direction of the School Committee, or to act in any other manner in relation thereto.

Amount: \$40,000

Submitted by the Board of Selectmen at the request of the  
Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL ARTICLES (continued)**

**ARTICLE 46**

**RE: Fire Alarm System Upgrades  
at Burlington High School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$60,000 or some other amount, to fund the installation and modifications upgrade required to the existing Fire Alarm panel and zones at Burlington High School including the payment of all costs incidental and related, to be expended at the direction of the School Committee, or to act in any other manner in relation thereto.

Amount: \$60,000

Submitted by the Board of Selectmen at the request of the Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 47**

**RE: Fire Alarm System Upgrades  
at Pine Glen School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$35,000 or any other amount to fund the installation and modification upgrades required to replace the existing Fire Alarm panel and zones at the Pine Glen Elementary School, including the payment of all costs incidental and related, to be expended at the direction of the School Committee, or to act in any other manner in relation thereto.

Amount: \$35,000

Submitted by the Board of Selectmen at the request of the Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 48**

**RE: Student Bathroom Renovations  
at Marshall Simonds Middle School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$80,000 or any other amount, to pay the cost of renovating four student bathrooms at Marshall Simonds Middle School, including the payment of all costs incidental and related thereto, to be expended at the direction of the School Committee, or to act in any other manner in relation thereto.

Amount: \$80,000

Submitted by the Board of Selectmen at the request of the Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL ARTICLES (continued)**

**ARTICLE 49**

**RE: Pavement Replacement & Installation  
at Fox Hill School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$60,000 or some other amount to fund the repairs to the existing pavement and the installation of pavement on new access road at the Fox Hill Elementary School, including the payment of all costs incidental and related, to be expended at the direction of the School Committee, or to act in any other manner in relation thereto.

Amount: \$60,000

Submitted by the Board of Selectmen at the request of the Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 50**

**RE: Exterior Lighting Replacement  
at Burlington High School**

To see if the Town will vote raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$40,000 or some other amount to pay the cost of replacing existing exterior light poles and repairs to existing wiring for said pole lighting at Burlington High School, including the payment of all costs incidental and related, to be expended at the direction of the School Committee, or to act in any other manner in relation thereto.

Amount: \$40,000

Submitted by the Board of Selectmen at the request of the Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 51**

**RE: Gutter Replacement at Pine Glen School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$20,000 or some other amount to pay the cost of replacing the rain gutters at the Pine Glen Elementary School, including the payment of all costs incidental and related, to be expended at the direction of the School Committee, or to act in any other manner in relation thereto.

Amount: \$20,000

Submitted by the Board of Selectmen at the request of the Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**FINANCIAL ARTICLES (continued)**

**ARTICLE 52**

**RE: Student Locker Replacement  
at Marshall Simonds Middle School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$125,000 or some other amount to pay the cost of replacing one half of the student lockers at Marshall Simonds Middle School, including the payment of all costs incidental and related, to be expended at the direction of the School Committee, or to act in any other manner in relation thereto.

Amount: \$125,000

Submitted by the Board of Selectmen at the request of the Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 53**

**RE: Francis Wyman Playground Improvements**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$51,000 or some other amount, fund the installation and modifications of the existing playground area/equipment at the Francis Wyman Elementary School including the payment of all costs incidental and related, to be expended at the direction of the School Committee, or to act in any other manner in relation thereto.

Amount: \$51,000

Submitted by the Board of Selectmen at the request of the Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

**ARTICLE 54**

**RE: Computer Technology Replacement  
System-wide**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$TBD or some other amount to pay the cost of replacing existing computer technology equipment system-wide through a six year technology plan, including the payment of all costs incidental and related, to be expended at the direction of the School Committee, or to act in any other manner in relation thereto.

Amount: \$TBD

Submitted by the Board of Selectmen at the request of the Burlington School Committee

PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )