

**ADJOURNED TOWN MEETING
MONDAY, SEPTEMBER 22, 2008
FOGELBERG AUDITORIUM – BHS**

A quorum being present, the meeting was called to order at 7:40 P.M. with a musical performance of the BHS Select Singers under the direction of Mr. Middleton-Cox. A motion to adjourn to Wednesday, October 1, 2008 to complete the warrant, if necessary, was moved, seconded and so voted.

ARTICLE 1 RE: Reports of Town Officers & Committees

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

The Ways & Means and Board of Selectmen gave a brief financial overview. The Town Administration presented their debt plan report and an update on the Wildwood School. There was an update on the progress of the Francis Wyman playground. Planning Board updated the meeting on their initiatives for revising the zoning and sign bylaws. Dr. Conti presented an update to the integrated preschool program.

The Moderator announced that further committee reports would be heard when respective articles were discussed.

ARTICLE 2 RE: Set 2009 Annual Town Election Date

To see if the Town will vote to set the date of the 2009 Annual Town Election as Saturday, April 4, 2009 or to act in any other manner in relation thereto.

MAIN MOTION: as printed in the Warrant

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 3 RE: Jackie’s Law MGL Chapter 82A

To see if the Town will vote to designate the Building Inspector or his designee and the Public Works Superintendent or his designee as the trench permitting authority in accordance with Chapter 82A of the Massachusetts General Laws, or to act in any other manner in relation thereto.

MAIN MOTION: as printed in the Warrant

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 4 RE: Home Rule Petition/Police Officer

To see if the Town will vote to request and authorize the Board of Selectmen to file a Home Rule Petition with the General Court so as to permit Louis Magliozzi of 90 Drake Road to apply for the position of Police Officer in the Town’s Police Department notwithstanding the fact that the Town has not accepted the provisions of Section 61A and 61B of Chapter 31 of the General Laws and further notwithstanding the fact that Mr. Magliozzi’s age is in excess of 32 years, or to act in any other manner in relation thereto.

MAIN MOTION: as printed in the Warrant

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 5 RE: Acceptance of Real Estate Exemption Provisions/Chapter 73, Acts of 1986

To see if the Town will vote, pursuant to Chapter 73 of the Acts of 1986, as amended, to grant an additional exemption to taxpayers who otherwise qualify for an exemption under G.L. Chapter 59, Section 5, Clauses 17D, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41C, 42 or 43, of 100% of said exemptions, provided however, that in no instance shall the taxable valuation of such property, after all applicable exemptions, be reduced below ten percent of its full and fair cash valuation or result in any taxpayer paying less than taxes paid in the preceding fiscal year, except through the application of G.L. Chapter 58, Section 8A, or G.L. Chapter 59, Section 5, Clause 18, or to act in any other manner in relation thereto.

MAIN MOTION: as printed in the Warrant

Recommendations: Ways & Means voted 10-0-0.

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 6 RE: Adjustment of Real Estate Exemption Factors

To see if the Town will vote, pursuant to G.L. Chapter 59, Section 5, Clause 41C, as amended by Chapter 184, Section 51 of the Acts of 2002, to decrease from 70 to 65 the age at which seniors become eligible to be granted a tax exemption under said Clause 41C and to increase the amount of income allowed for said exemption from \$13,000 to \$20,000 annually for single and from \$15,000 to \$30,000 annually for married couple and to increase gross assets from \$28,000 to \$40,000 for a single applicant and from \$30,000 in gross assets to \$55,000 for a married couple.

MAIN MOTION: as printed in the Warrant

Recommendations: Ways & Means voted 10-0-0. Selectmen voted 5-0 in favor.

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 7 RE: Capital Items/General Obligation Bonds

To see if the Town will vote to appropriate \$8,100,000 or some other amount, to be expended at the direction of the Selectmen, to pay for the following Capital Projects, including any and all costs incidental and related thereto:

Road Construction and Paving	\$1,000,000
AMR (Install Town Wide Automated Meters)	\$1,500,000
Terrace Hall Force Main	\$3,000,000
High School/FWS roof(s)	\$1,600,000
Grandview Farm Complex	\$1,000,000

and to determine whether the appropriation described in the article should be raised by taxation, transfer from available funds, borrowing or otherwise or to take any other action in relation thereto

MAIN MOTION: To see if the Town will vote to appropriate the sum of \$5,100,000 to be expended at the direction of the Selectmen, to pay for the following Capital Projects, including any and all costs incidental and related thereto:

Road Construction and Paving	\$ 1,000,000
AMR (Install Town Wide Automated Meters)	1,500,000
High School/FWS Roof(s)	1,600,000
Grandview Farm Complex	1,000,000

and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7, clauses (1), (3a) AND (5) AND Section 8, clause (7A) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore.

Recommendations: Ways & Means voted in favor. Capital Budget voted in favor.

A motion to end debate was moved, seconded and so voted.

There was a division of the house and tellers were appointed.

ACTION: BY A VOTE OF 65 IN FAVOR AND 26 OPPOSED, THE MAIN MOTION CARRIED.

ARTICLE 8 RE: Sale of Town-owned Lot

To see if the Town will vote to authorize the Board of Selectmen to sell an existing single family lot on South Bedford Street identified as Parcel 4, Map 47 on the Assessor’s maps for construction of a single residential home to pay for the cost of remodeling/reconstruction of the Grandview Farm complex, or to act in any other manner in relation thereto.

MAIN MOTION: as printed in the Warrant

Recommendations: Ways & Means voted 9-2-0 in favor. Capital Budget voted 5-2 in favor. Selectmen voted 5-0 in favor.

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 9 RE: Fund the DPW Contract

To see if the Town will vote to transfer from the Negotiated Settlement Account a sum of money for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and Department of Public Works Union (Local 1703) for Fiscal Year 2009, same to be spent under the appropriate authority, or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to transfer from Fiscal Year 09 Negotiated Salary Account the sum of \$110,000 for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and the Department of Public Works Union (Local 1703) for Fiscal Year 2009.

Recommendations: Ways and Means voted 11-0-0 in favor.

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 10 RE: Fund the BMEA Contract

To see if the Town will vote to transfer from the Negotiated Settlement Account a sum of money for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and Burlington Municipal Employees Association (Local 1703) for Fiscal Year 2009, same to be spent under the appropriate authority, or to act in any other manner in relation thereto.

MAIN MOTION: to table until the October 1, 2008 meeting was moved, seconded and so voted.

ARTICLE 11 RE: Fund the BPPA Contract

To see if the Town will vote to transfer from the Negotiated Settlement Account a sum of money for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and Burlington Police Patrolmen’s Association for Fiscal Year 2009, same to be spent under the appropriate authority, or to act in any other manner in relation thereto.

MAIN MOTION: to Postpone Indefinitely

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 12 RE: Fund the IBPO Contract

To see if the Town will vote to transfer from the Negotiated Settlement Account a sum of money for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and International Brotherhood of Police Officers for Fiscal Year 2009, same to be spent under the appropriate authority, or to act in any other manner in relation thereto.

MAIN MOTION: to Postpone Indefinitely

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 13 RE: Fund the Burlington School Department Union Contracts

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to fund the contract settlement agreements for the Burlington School Department and the Burlington Educators Association, Burlington School Office Personnel, Burlington School Custodial, Burlington School Instructional Assistants, Burlington School Nurses Association, and Burlington School Administration Association including the payment of all costs incidental and related, same to be spent under the direction of the School Committee, or act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to raise and appropriate, the sum of \$320,338 to fund the contract settlement agreements for the Burlington School Department and the

Burlington Educators Association, Burlington School Office Personnel, Burlington School Custodial, Burlington School Instructional Assistants, Burlington School Nurses Association, and Burlington School Administration Association including the payment of all costs incidental and related, same to be spent under the direction of the School Committee.

Recommendations: Ways and Means voted 9-2-0 in favor.

ACTION: MAJORITY APPROVED MAIN MOTION

At 10:24, a motion to adjourn was moved, seconded and so voted.

Attest:

Jane L. Chew
Town Clerk