

**Tuesday, April 22, 2003
Town Hall**

At 6:30 P.M., the Town Meeting Members of Precincts 1 and 5 assembled to fill the vacancies created by the election of Paul Gedick and Sharon Sotiros to town wide office. The moderator swore in the newly elected Town Meeting Members.

Precinct 1 - Present and voting were: M. Austin, D. Gregorio, J. Ivas, R. Roberto, G. Ryan, M. Ryan, D. Woodilla

Nominations: Bruce A. Morey, 5 Ellery Ln. Unanimously voted to fill the vacancy until the next election.

Precinct 5 - Present and voting were: P. Angelo, S. Boari, R. Desharnais, J. Hanley, N. Hofferty, V. Igo, C. Lee, J. Morandi, C. Murphy, H. Paulsen, P. Roussell, D. Squeri, D. Tait

Nominations: Joanne Kinchla, 8 Arnold Ter.; Elaine Carpenter, 5 Dearborn Rd.; Janine Towle, 57 Macon Rd. who asked that her name be withdrawn. By a vote of Carpenter 9 and Kinchla 4, Elaine Carpenter was voted to fill the vacancy until the next election.

Attest:

Jane L. Chew
Town Clerk

**ADJOURNED (FIRST) TOWN MEETING
FOGELBERG AUDITORIUM, BHS
MONDAY, MAY 12, 2003**

A quorum being present, the meeting was called to order at 7:45 P.M. with a salute to the flag. The Moderator swore in new Town Meeting Members. A motion to adjourn to Wed. May 14, 2003 to complete the business of the Warrant, if necessary, was moved, seconded and so voted. The reading of the Warrant and Constable's Report was waived upon unanimous consent.

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 Town Administrator presented the body with the Outstanding Warrant Articles and Revolving Account Summaries and gave a brief update on Stream Cleaning. The Moderator announced that further committee reports would be heard when respective articles were discussed.

The Moderator announced his affiliation with the Knights of Columbus and that a disclosure statement is on file with the Town Clerk's Office.

ARTICLE 2 RE: Amend Zoning Map

To see if the Town will vote to amend the Zoning Map to rezone a certain parcel of land identified on Town Assessor's Map 46, Parcel 27-0, from General Business (BG) District to Planned Development (PD) District, the following described land owned by Burlington Forty-Niners, Inc. (operating as Knights of Columbus), in accordance with the Planned Development District zoning regulations and "Concept Plan" included as part of the backup material to this warrant article.

The land is located at 1301 Lexington Street. The total property consists of approximately 5.2± acres and is more particularly described as follows:

A certain parcel of land with the buildings thereon on the northern side of Lexington Street in Burlington, Middlesex County, Massachusetts, bounded and described as follows:

Beginning on the westerly end of a stone wall on the northerly side of the road to Bedford near the junction of said road and Lexington Street, and running slightly northerly by said road to Bedford and Lexington Street by a broken line two hundred and twenty (220.00) feet and one hundred and four (104.00) feet respectively to a corner in said wall at land of owners unknown;

Thence turning and running northwesterly by a stone wall one hundred (100.00) feet to a break in said wall;

Thence turning and running northerly and slightly northeasterly by the continuance of said stone wall one hundred five and 5/10 (105.50) feet and eighty-five (85.00) feet respectively to a post in said wall;

Thence turning and running in a northwesterly direction by an irregular line, being part by a stone wall, one hundred forty (140.00) feet, one hundred and one (101.00) feet, sixty-six (66.00) feet and one hundred and twenty-five (125.00) feet respectively;

Thence turning and running northerly by said wall, one hundred fifty-six (156.00) feet to a post at land of owners unknown;

Thence turning and running westerly two hundred and sixty-one (261.00) feet to a post at land of owner unknown;

Thence turning and running slightly southeasterly three hundred and eighty-one (381.00) feet to a post;

Thence continuing in the same direction generally two hundred eighty-four (284.00) feet to a post;

Thence in the same direction one hundred fifty-three (153.00) feet;

Thence turning and running southerly again two hundred and fifty-one (251.00) feet to a post;

Thence turning and running easterly eighty (80.00) feet to the point of beginning.

Said Premises are shown on a plan of land entitled, "Land in the Southern Part of Burlington Belonging to C.O. Hanson," dated February 1917, drawn by H.A. Millhouse, C.E., and recorded with said Middlesex South District Registry of Deeds in Plan Book 290, Plan 22.

EXCEPTING there from so much of the land as is included in a Taking by the Middlesex County Commissioners, recorded with said Middlesex South Registry of Deeds in Book 5657, Page 109.

EXCEPTING AND EXCLUDING, however, that portion of the above-described premises as shown as "Lot A 1.35 Acres" on a plan entitled, "Plan of the Land in Burlington, Mass.," dated July 30, 1962, drawn by E.J. Mulligan, Reg. Land Surveyor, and recorded with said Deeds in Book 10099, Page 315; or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

Recommendations: Planning Board voted 4-0-3 in favor. Land Use Committee voted 0-3-2 in opposition. Housing Partnership voted 5-0-0 in favor.

After considerable debate, a motion to move the question was moved, seconded and so voted.

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

ACTION: DEFEATED BY A VOTE OF 46 IN FAVOR AND 49 OPPOSED.

ARTICLE 3 RE: Amend Zoning Bylaw, Article VI Section 6.7.0/Signs

To see if the Town will vote to amend Article VI of the Zoning Bylaws, by adding the following new section to Section 6.7.0 "Signs":

6.7.1 One Family Dwelling Districts (RO)

- (a.) No political sign may be erected on any property without the permission of the owner of such property;
- (b.) Political signs shall be displayed no earlier than (30) days prior to a voting day and shall be removed within (7) days after a voting day;
- (c.) No political sign shall exceed (4) square feet per face;
- (d.) No political sign shall be permitted on trees or utility poles;
- (e.) No political sign shall be illuminated.

or to act in any other manner in relation thereto.

ACTION: WITHDRAWN

ARTICLE 4 RE: Zoning Bylaw Amendment Time Restriction to Implement Municipal Projects in a Planned Development (PD) District

To see if the Town will vote to amend Article XII "SPECIAL ZONING DISTRICTS", Section 12.1.0 Planned Development District, of the Zoning Bylaw, by adding the following additional text to the end of the third paragraph in Subsection 12.1.2 "General Requirements":

"The foregoing two (2) year time period shall not be applicable to any Planned Development (PD) District which was sponsored by the Town acting through any of its boards or authorities or under which the Town acting through any of its boards or authorities has an interest. For any Planned Development (PD) District sponsored by the Town acting through any of its boards or authorities or in which the Town acting through its boards or authorities has an interest, the zoning established by the Planned Development (PD) District shall be effective upon the date of approval by Town Meeting.", or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to amend Article XII "SPECIAL ZONING DISTRICTS", Section 12.1.0 Planned Development District, of the Zoning Bylaw, by adding the following additional text to the end of the third paragraph in Subsection 12.1.2 "General Requirements":

"The foregoing two (2) year time period shall not be applicable to any Planned Development (PD) District which involves Town-owned land or land to be conveyed to the Town as part of the PD rezoning proposal. For any Planned Development (PD) District involving Town-owned land or land to be conveyed to the Town as part of the PD rezoning proposal, the zoning established by the Planned Development (PD) District shall be effective upon the date of approval by Town Meeting." or to act in any other manner in relation thereto.

Recommendations: Planning Board voted 7-0-0. Land Use Committee voted 5-0-0 in favor.

A motion to postpone until Wednesday, May 14, 2003 as the first order of business was moved, seconded and so voted. The main motion was withdrawn.

ARTICLE 5 RE: Amend General Bylaw, Article XIV Section 3.0/Sign & Advertising Devices

To see if the Town will vote to amend Article XIV, Section 3.0 "Sign & Advertising Devices" of the General Bylaws, by adding the following new definition to Subsection 3.1 "Definitions":

3.1.15 A Political Sign: means any sign designated to influence the action of voters for the passage or defeat of a measure, or the election of a candidate to a political office at a national, state or local election.

AND further to amend Article XIV, Section 3.0 "Signs and Advertising Devices", Subsection 3.3 "Permitted Signs" by adding the following new criteria to Subsection 3.3.1 "One Family Dwelling Districts (RO)":

3.3.1.3 Political Signs

- (a.) No political sign may be erected on any property without the permission of the owner of such property;
 - (b.) Political signs shall be displayed no earlier than (30) days prior to a voting day and shall be removed within (7) days after a voting day;
 - (c.) No political sign shall not exceed (4) square feet per face;
 - (d.) No political sign shall be permitted on trees or utility poles;
 - (e.) No political sign shall be illuminated.
- or to act in any other manner in relation thereto.

ACTION: WITHDRAWN

ARTICLE 6 RE: Acceptance of Mass General Laws Chap 59 Section 5K

To see if the Town will vote to accept the provisions of MGL Chap 59 Section 5K (Senior Citizen Property Tax Work-Off Abatement Program) to be effective in Fiscal Year 2004, or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

ARTICLE 7 RE: Petition to Legislature - Parking Lot Fees

To see if the Town will vote to petition the General Court for a special act providing that legislation be adopted as set forth below; and further, to authorize the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto.

An Act Establishing a Parking Facility Fee in the Town of Burlington.

Section 1. Notwithstanding the provisions of any general or special law to the contrary, in the Town of Burlington each owner of property on which five or more vehicles are parked for a fee, excluding parking lots operated by a municipal or state agency, shall pay the Town a fee in the amount of \$1.00 per day per vehicle parked. The owner of such property shall make payment to the tax collector on a monthly basis, such payment to be received not later than 30 days after the last day of the month. In addition to the monthly payment, the owner of such property shall submit information, in a form to be approved by the Town, which shall include, but not be limited to, the number of cars parked on the property during the previous month. The books of the property owner shall be available for inspection by the town upon request. The Board of Selectmen may promulgate rules and regulations to implement this act.

Section 2. If the owner of property on which five or more cars are parked for a fee fails to make the payment required by this act, the Town shall assess the property owner a fee equal in amount to the highest monthly fee paid to the Town by the property owner, or, if no fee has been paid in accordance with this act, a fee equal to the number of parking spaces provided. The tax collector may collect the fee in the manner authorized for the collection of taxes. There shall be added to any fee or amount owed to the Town under this act which is in excess of \$50.00, and which is not paid within 30 days after the due date, interest at the same rate as charged on tax bills under the provisions of section fifty seven of chapter fifty nine of the general laws, Section 57. The Board of Selectmen shall have the authority to abate any such interest charges, in whole or in part.

Section 3. This act shall take effect upon passage. or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

AMENDMENT: To strike the words "in the amount of \$1.00 per day" and substitute therefore the words "in the amount of up to \$1.00 per day to be set by the Board of Selectmen" was moved, seconded and so voted. Amendment carried.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION AS AMENDED.

ARTICLE 8 RE: Transfer of Funds FY'03 Various Accounts

To see if the Town will vote to transfer from available funds the sum of \$300,000 or any other sum, to pay for expenses incurred in Fiscal Year 2003 to various accounts, same to be spent under the direction of the appropriate authorities, or to act in any other manner in relation thereto.

MAIN MOTION: To see if the town will vote to transfer from: Sewer Enterprise Surplus the sum of \$147,229; Water and Sewer Occupancy the sum of \$100,000, Water & Sewer Fulltime Salaries the sum of \$30,000, and Negotiated Settlements the sum of \$60,000 for a total of \$337,229 to pay for expenses incurred in Fiscal Year 2003 to the following accounts same to be spend under the direction of the appropriate authorities:

Sewer Enterprise, MWRA Assessment	\$147,229
Info Systems, Contracted Services	12,000
Town Facilities, Contracted Services	30,000
Police, Medical	12,000
Police, Overtime	15,000
Fire, Medical	10,000

Fire, Overtime	15,000
Water & Sewer, Contracted Services	35,000
Employee Benefits, FICA	26,000
Employee Benefits, Unemployment	35,000

Recommendations: Ways & Means voted 12-0-0 in favor.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

At 10:45 P.M., a motion to adjourn was moved, seconded and so voted.

Attest:
Jane L. Chew
Town Clerk

**ADJOURNED (FIRST) TOWN MEETING
FOGELBERG AUDITORIUM, BHS
WEDNESDAY, MAY 14, 2003**

A quorum being present, the meeting was called to order at 7:45 P.M. with a salute to the flag. A motion to adjourn to Mon. May 19, 2003 to complete the business of the Warrant, if necessary, was moved, seconded and so voted.

ARTICLE 4 RE: Zoning Bylaw Amendment Time Restriction to Implement Municipal Projects in a Planned Development (PD) District

MAIN MOTION: To see if the Town will vote to amend Article XII "SPECIAL ZONING DISTRICTS", Section 12.1.0 Planned Development District, of the Zoning Bylaw, by adding the following additional text to the end of the third paragraph in Subsection 12.1.2 "General Requirements":

"The foregoing two (2) year time period shall not be applicable to any Planned Development (PD) District established prior to January 1, 2003 and which involves land owned by the Town on January 1, 2003 as part of the original PD rezoning proposal. For any such Planned Development (PD) District involving such Town-owned land as part of the original PD rezoning proposal, the zoning established by the Planned Development (PD) District shall be effective upon the date of approval by Town Meeting." or to act in any other manner in relation thereto.

ACTION: UNANIMOUSLY VOTED TO APPROVE MAIN MOTION

Approved by A.G. . Pub. Daily Times .

The Town Administrator and Town Accountant presented a financial overview to the Town Meeting Members.

ARTICLE 9 RE: Funding FY'04 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 2004, or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the warrant and furthermore to fund said budget by raising and appropriating the sum of \$69,048,835 and transferring from FY03 Certified Free Cash the sum of \$1,541,678 for a total FY04 Operating Budget of \$70,590,513.

RAISE AND APPROPRIATE:

Treasurer/Collector - Line 1-3

Salaries	383,518
Expenses	15,473
Special Accts.	
Interest Fund	200
Total	399,191

Assessors - Line 4-6

Salaries	178,219
Expenses	101,900
Special Accts.	0
Total	280,119

Town Clerk - Line 7-9

Salaries	200,540
Expenses	14,575
Special Accts.-Elections	22,050

Total	237,165
Moderator - Line 10-11	
Salaries	150
Expenses	75
Total	225

Planning Board - Line 12-13

Salaries	153,003
Expenses	11,591
Total	164,594

Ways & Means - Line 14-15

Salaries	1,731
Expenses	350
Total	2,081

Capital Budget - Line 16-17

Salaries	900
Expenses	25
Total	925

Town Admin./Selectmen - Line 18-20

Salaries	309,614
Expenses	8,377
Special Accts.:	
Misc. Expenses	17,000
Local Trans. (B-line) (F)	174,000
Total	508,991

Human Resources - Line 20.1-20.3

Salaries	40,163
Expenses	7,888
Special Accts.:	
Computer Training Employees	6,000
BMEA/Education	3,500
Total	57,551

Legal - Line 21-24

Legal Fees	120,000
Collective Bargaining	60,000
Tax Title	2,000
Cable TV Negotiations	1,500
Total	183,500

Accounting - Line 25-26

Salaries	159,546
Expenses	1,150
Total	160,696

Management Info Systems - Line 27-28

Salaries	70,290
Expenses	160,485
Total	230,775

Town Meeting & Reports - Line 29-30

Salaries	3,720
Expenses	18,060
Total	21,780

Registrar of Voters - Line 31-32

Salaries	1,000
Expenses	5,950
Total	6,950

Town Facilities - Line 33-34

Salaries	240,001
Expenses	425,761
Total	665,762

Central Administration - Line 35-48

Central Supply	105,000
Central Machines	26,000
Surplus Buildings	10
Chapter 32B - Health Ins. (F)	6,360,000
Unemployment Comp. (F)	50,000
Pension Reimburse (F)	3,000
Town Insurance (F)	600,000
Financial Audit (F)	42,000
BMEA Education (see Human Resources)	0
Employee Assist. Program	0
Medicare Tax (F)	360,000
Charles George Settlement (F)	0
Memorial/Veterans Day(see Veterans Svcs)	0
4th of July	0
Total	7,546,010

Board Of Appeals - Line 49-51

Salaries	11,224
Expenses	275
Advertising & Mailing	3,700
Total	15,199
Conservation Commission - Line 52-54	
Salaries	130,993
Expenses	4,105
Special Accts:	
Land Mgmt/Legal ads	5,500
Stream Cleaning	10,000
Total	150,598
Historical Commission - Line 55	
Expenses	2,150
Total	2,150
Sealer of Weights - Line 56-57	
Salaries	5,092
Expenses	900
Total	5,992
Fire Department - Line 58-68.5	
Salaries	4,207,625
Expenses	296,484
Special Accounts:	
Medical & Hospital	20,000
Recertification of EMTs	2,730
Tuition & Books	6,500
Licenses & Certifications	1,000
Clothing Allowance	30,500
Fire Prevention	7,000
Arson Investigation	900
Training	18,000
HazMat Training/Mgmt.	3,000
Termination Buyback	10
Wellness Program	3,400
Total	4,597,149
Emergency Management Service - Line 69-73	
Salaries	5,000
Expenses	19,040
Special Accounts:	
Education	200
Surplus Property	10
Emergency Fund	10
Total	24,260
Building Inspector - Line 74-76	
Salaries	346,728
Expenses	25,050
Special Accts:	
Hazardous Structures	10
Total	371,788
Police Department - Line 77-83a	
Salaries	4,474,699
Expenses	369,425
Special Accounts:	
Clothing Officer/Traffic Supv.	73,530
Education	44,100
NEMLEC	4,300
Medical (411-F)	20,000
Dead Animal Disposal	1,680
Retirement Buyback	10
Total	4,987,744
Department of Public Works - Line 84-98	
Salaries	2,896,127
Expenses	1,519,128
Special Accounts:	
Administration	
Clothing	12,940
Physical Exams	2,000
Education	3,000
License Renewal	8,500
Highway	
Highway 1	80,647
Lane Painting	43,950
Snow & Ice	350,000
Tree Care	19,650
Water & Sewer	
Well Cleaning	40,000
Well Pumping	0
Mod. of Well Seal & Perco	8,000
Rubbish & Garbage (F)	2,490,720
Street Lights (F)	422,300
Swift Law (F)	18,000

Total	7,914,962
Community Life Center - Line 99-100	
Salaries	318,043
Expenses	16,610
Total	334,653
Council on Aging - Line 101-106	
Salaries	106,180
Expenses	12,684
Special Accounts:	
Holiday Baskets	400
Minuteman Homecare	4,322
Emergency Account	300
Property Tax Work-Off Program	20,000
Total	143,886
Disability Access - Line 107-108	
Salaries	1,418
Expenses	500
Total	1,918
Veteran's Services - Line 109-111.5	
Salaries	79,415
Expenses	6,100
Special Accounts:	
Veterans Aid	40,000
Memorial & Veteran's Day	2,500
Total	128,015
Board of Health - Line 112-122.5	
Salaries	273,386
Expenses	31,550
Special Accounts:	
Mosquito Control (F)	28,800
Clinics	3,350
TB Hospital	10
CMARC	10,200
Community Human Service	8,000
Home Health Service	2,100
Premature Babies	10
Hospice	1,500
Hazardous Waste Collection (F)	34,000
Lahey Community Clinic	580
Total	393,486
Recreation Director - Line 123-126	
Salaries	402,629
Expenses	34,290
Special Accounts:	
Fee Supported Programs	0
Transportation	12,000
Total	448,919
Recreation Maintenance - Line 127-128.a	
Salaries	547,159
Expenses	137,384
Special Accounts:	
Fence Replacement	16,565
Total	701,108
Library - Line 129-131.5	
Salaries	660,086
Expenses	121,998
Special Accounts:	
Library Materials	119,650
PC Replacement	0
Total	901,734
Shawsheen Valley School - Line 132 (F)	
	1,091,678
Local Education - Line 133	
	31,328,959
Debt Service - Line 134-136	
Principal (F)	1,993,000
Interest (F)	986,000
Temporary Interest (F)	0
Total	2,979,000
Reserve Fund - Line 137	
	200,000
County Retirement - Line 138 (F)	
	2,751,000
Negotiated Settlements - Line 139	
	400,000
Stabilization - Line 140	
	250,000
Recommendations: Ways & Means voted in favor.	

The budget was voted as a whole with the exception of the following line items that were voted individually: Assessor 4-6, MIS 27-28, Central Administration 35-48, Conservation 52-54, Fire 58-68.5, Police 77-83a, DPW 84-98, COA 101-106, Recreation Maintenance 127-128a, and Local Education 133.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

A motion to suspend the rules to take Article 30 out of order was moved without objection.

ARTICLE 30 RE: Grandview Farm Repairs

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow otherwise provide the sum of \$25,000 or any other sum to repair and maintain the Grandview Farm complex or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to transfer from Free Cash the sum of \$75,000 to conduct a structural engineering and design analysis of the Grandview Farm complex and to repair and maintain the integrity of the existing structure.

Recommendations: Ways and Means voted 12-0-0 in favor.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

At 10:45 P.M., a motion to adjourn was moved, seconded and so voted.

Attest:
Jane L. Chew
Town Clerk

**ADJOURNED (FIRST) TOWN MEETING
FOGELBERG AUDITORIUM, BHS
MONDAY, MAY 19, 2003**

A quorum being present, the meeting was called to order at 7:45 P.M. with a salute to the flag. A motion to adjourn to Wed. May 21, 2003 to complete the business of the Warrant, if necessary, was moved, seconded and so voted.

A motion to suspend the rules to take Article 27 out of order was moved without objection.

ARTICLE 27 RE: Pine Glen Elementary School Elevator Installation

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$500,000 or any other sum, to be expended at the direction of the School Committee, to pay cost of installing an elevator at the Pine Glen Elementary School, including the payment of all costs incidental and related thereto, and to determine whether the appropriation described in this article should be raised by taxation, transfer from available funds, by borrowing, or otherwise, or to take any other action relative thereto.

MAIN MOTION: To see if the Town will vote to appropriate the sum of \$565,000 to be expended at the direction of the School Committee to pay the costs of installation of an elevator at the Pine Glen Elementary School, including the payment of all cost incidental, and related thereto, and 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 (14) 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 5-3-1 in favor. Capital Budget voted 1-3-1 in opposition.

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 79 IN FAVOR AND 6 OPPOSED THE MAIN MOTION WAS APPROVED.

ARTICLE 10 RE: Administrative & Professional Compensation Plan

To see if the Town will vote to adopt the Administrative & Professional Compensation Plan for Fiscal Year 2004, and transfer from the Negotiated Settlement Account the amount of \$55,000 to fund the plan under the direction of the appropriate authorities, or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to transfer from FY04 Negotiated Settlement Account the sum of \$60,000 to fund the FY04 Administrative and Professional Compensation Plan.

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

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

ARTICLE 11 RE: Fund the BPPA Contract

To see if the Town will vote to transfer from the Negotiated Settlement Account the sum of \$125,000, or any other sum, to fund the approved Collective Bargaining Agreement between the Town of Burlington and the BPPA Union (Police Patrolmen), 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 FY04 Negotiated Settlement Account the sum of \$115,000 to fund the FY04 Burlington Police Patrolmen's Association (BPPA) contract, same to be spent under the appropriate authority.

Recommendations: Ways & Means took no vote.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

ARTICLE 12 RE: Fund the IBPO Contract

To see if the Town will vote to transfer from the Negotiated Settlement account the sum of \$40,000, or any other sum, to fund the approved Collective Bargaining Agreement between the Town of Burlington and Local 532 (Police Command Officers), 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 FY04 Negotiated Settlement Account the sum of \$35,000 to fund the FY04 International Brotherhood of Police Officers' (IBPO) contract, same to be spent under the appropriate authority.

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

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

ARTICLE 13 RE: Fund the BMEA Contract

To see if the Town will vote to transfer from the Negotiated Settlement account the sum of \$125,000, or any other sum, to fund the approved Collective Bargaining Agreement between the Town of Burlington and the BMEA (Local 1703), 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 FY04 Negotiated Settlement Account the sum of \$105,000 to fund the FY04 Burlington Municipal Employees' Association (BMEA) contract, same to be spent under the appropriate authority.

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

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

ARTICLE 14 RE: Fund/and Amend Part-time Salary Plan (under 20 hours)

To see if the Town will vote to adopt the Part-time Salary Plan (under 20 hours) for Fiscal Year 2004 in the amount of \$6,000 or any other sum, and furthermore to amend said plan by deleting the title of "Recording Clerk" from Category G of the plan and placing this title under Category I of the Fiscal Year 2004 plan, same to be spent under the direction of 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 2004 Negotiated Settlement Account the sum of \$6,000 to fund the Fiscal Year 2004 Part Time Salary Plan contract, and furthermore to amend said plan by deleting the title of "Recording Clerk" from Category G of the plan and placing this title under Category I of the Fiscal Year 2004 plan, same to be spent under the direction of the appropriate authority.

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

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

ARTICLE 15 RE: Trash Disposal Contract

To see if the Town will vote to authorize the Board of Selectmen to enter into a five year agreement (subject to annual appropriation) for the disposal of municipal solid waste for the Town of Burlington and to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will authorize the Board of Selectmen to enter into a contract agreement of up to five years (subject to annual appropriation) for the disposal of municipal solid waste for the Town of Burlington.

Recommendations: Ways & Means voted 12-0-0 in favor.

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

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

ARTICLE 16 RE: Street Light Purchase

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$600,000 or any other amount to be expended at the direction of the Board of Selectmen to purchase street lighting equipment located in the Town and which is presently owned by NSTAR, including the payment of all costs incidental and related thereto, and to determine whether the appropriation described in this article should be raised by taxation, transfer from available funds, by borrowing, or otherwise and to take any other action in relation thereto.

MAIN MOTION: To see if the Town will vote to appropriate the sum of \$600,000 to be expended at the direction of the Board of Selectmen to purchase street lighting equipment located in the Town and which is presently owned by NSTAR, including the payment of all costs incidental and related thereto, and 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 (14) 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 12-0-0 in favor. Capital Budget voted 5-0-0 in favor.

ACTION: UNANIMOUSLY VOTED TO APPROVE MAIN MOTION

ARTICLE 17 RE: Funding FY'04 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 sum, for the items contained within the following proposed Fiscal Year 2004 Capital Budget, same to be spent under the appropriate authorities as indicated:

PROJECT NUMBER	DEPT	PROJECT NAME/DESCRIPTION	SPENDING AUTHORITY	APPROP. REQUEST
FROM SEWER ENTERPRISE FUND 04-1 THRU 04-6:				
04-1	DPW	Backup Generators	Selectmen	46,000
04-2	DPW	Terrace Hall; Force Main Study	Selectmen	50,000
04-3	DPW	Town Line Pumping Station - Line Replacement	Selectmen	75,000
04-4	DPW	Odor Control	Selectmen	20,000
04-5	DPW	Stetco Dump Truck	Selectmen	52,000
04-6	DPW	I/I Removal	Selectmen	100,000
SALE OF GRAVES FUNDS: 04-7				
04-7	DPW	1-Ton Dump Truck	Selectmen	32,000
RAISE AND APPROPRIATE 04-8 THRU 04-14				
04-8	DPW	Snow Blower Accessories	Selectmen	6,500
04-9	DPW	Snow Removal Bobcat Accessories	Selectmen	5,000
04-10	DPW	Mill Pond Aeration Renovation	Selectmen	35,000
04-11	DPW	Truck-10 Wheeler	Selectmen	75,000
04-12	DPW	Trackless side arm mower	Selectmen	20,000
04-13	Fire	Ambulance	Selectmen	175,000

04-14	Facilities - Drainage/Kelly Murray Wing	Tile Replacement	Selectmen	50,000
RAISE AND APPROPRIATE 04-15 THRU 04-19				
04-15	BOH	Vehicle	Board of Health	15,000
04-16	Recreation	Tractor Mower	Rec. Comm.	62,000
04-17	Recreation	Baseball Field Construction	Rec. Comm.	TBD
04-18	Recreation	Basketball Court	Rec. Comm.	15,750
04-19	Schools	Fox Hill School Chimney Replacement	School	15,000

or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to raise and appropriate or transfer from available funds as indicated, the sum of \$819,421 for the items contained within the following proposed Fiscal Year 2004 Capital Budget, same to be spent under the appropriate authorities as indicated:

FROM SEWER ENTERPRISE FUND: 04-1 THRU 04-6:				
04-1	Generators for the Westwood Street and Town Line Road Pump Stations		Selectmen	46,000
04-2	Terrace Hall Pump Station; Force Main Study		Selectmen	50,000
04-3	Replace Town Line Road Pump Station		Selectmen	75,000
04-4	Eliminate Most of the Odor Problem at Francis Wyman Road Pumping Station		Selectmen	20,000
04-5	DPW - Purchase Stetco Dump Truck		Selectmen	52,000
04-6	Remove I/I from Sewer System		Selectmen	100,000
SALE OF GRAVES FUNDS: 04-7				
04-7	Cemetery Div. of DPW - 1-Ton Dump Truck		Selectmen	32,000
RAISE AND APPROPRIATE: 04-8 THRU 04-09				
04-8	DPW - Snow Blower Attachment		Selectmen	6,500
04-9	DPW - Snow Blower Attachment for Bobcat		Selectmen	5,000
OVERLAY SURPLUS: 04-10 THRU 04-11				
04-10	DPW - Mill Pond Aeration Renovation		Selectmen	35,000
04-11	DPW -10 Wheel Dump Truck		Selectmen	90,000
RAISE AND APPROPRIATE: 04-12				
04-12	DPW - Trackless side arm mower		Selectmen	20,000
OVERLAY SURPLUS: 04-13				
04-13	Fire - Ambulance		Selectmen	175,000
RAISE AND APPROPRIATE: 04-14 THRU 04-19				
04-14	Moisture Testing of Flooring Material At the Murray-Kelly Senior Center		Selectmen	7,500
04-15	Vehicle		Board of Health	Withdrawn
04-16	Tractor Mower		Rec. Comm.	62,000
04-17	Construct Youth Baseball Field at TRW		Rec. Comm.	12,671
04-18	Repaving Basketball Court		Rec. Comm.	15,750
04-19	Fox Hill School Chimney Replacement		School	15,000

The budget was voted as a whole with the exception of the following line items that were voted individually: 04-6, 04-10, 04-11, 04-12, 04-13, 04-17, 04-19

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

ARTICLE 18 RE: Sewer Easement at 20 Sunnyside Ave

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$10,000 for the purpose of paying damages to the owner of 20 Sunnyside Ave for a Town-owned Sewer line through the property and to properly record said easement in the Registry of Deeds or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to transfer the sum of \$10,000 from Free Cash for the purpose of paying damages to the owner of 20 Sunnyside Ave for a Town-owned Sewer line through the property and to properly record said easement in the Registry of Deeds.

Recommendations: Ways & Means voted 12-0-0 in favor.

A motion to amend by adding the words "and trail easement" after the words "Sewer line" was moved and seconded. The Moderator declared the amendment to be out of order.

ACTION: UNANIMOUSLY VOTED TO APPROVE MAIN MOTION

ARTICLE 19 RE: Ice Palace Enterprise Fund

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$673,538 or any other sum, to operate the Burlington Ice Palace, of which the \$673,538 will come from the Burlington Ice Palace Estimated Revenue Account, same to be spent under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to Raise and Appropriate the sum of \$673,538 to operate the Burlington Ice Palace, of which \$673,538 will come from FY04 Ice Palace Estimated Revenue Account.

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

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION**ARTICLE 20 RE: Sewer Services Enterprise Fund**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$3,315,462 or any other sum, for the Burlington Sewer Services Enterprise Account, of which \$3,315,462 will come from the Burlington Sewer Estimated Revenue Account, or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to raise and appropriate the sum of \$3,315,462 for the Burlington Sewer Services Enterprise Account, of which \$3,315,462 will come from the Burlington Sewer Estimated Revenue Account.

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

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION**ARTICLE 21 RE: Drug & 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 sum, to fund the expenses of the Burlington Drug & Alcohol Task Force, same to be spent under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will transfer from Free Cash the sum of \$2,500 to fund the expenses of the Burlington Drug & Alcohol Task Force, same to be spent under the direction of the Board of Selectmen.

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

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION**ARTICLE 22 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 \$9,500, or any other sum, for the maintenance and improvements of Simonds Park, same to be spent under the direction of the Recreation Commissioners, or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

Recommendations: Ways & Means voted 9-0-0 in favor.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION**ARTICLE 23 RE: Community Custodial Services**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$ 25,987 or any other sum, to be expended under the direction of the Burlington School Committee for the purpose of 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 or to act in any manner in relation thereto.

MAIN MOTION: To see if the Town will transfer from Free Cash the sum of \$25,987 for the purpose of 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.

Recommendations: Ways & Means voted 12-0-0 in favor.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION**ARTICLE 24 RE: Sale of Land**

To see if the Town will vote to transfer from the Board of Selectmen for general municipal purposes to the Board of

Selectmen for the purpose of conveyance and to authorize the Board of Selectmen to convey, for such consideration as the Selectmen may determine, all or any portion of the following properties:

Three parcels of land on Sleeper Drive, being a portion of the premises conveyed to the Town by Ann M. Ruping, Trustee of the Sleeper Drive Realty Trust, by deed recorded with the Middlesex District Registry of Deeds on November 23, 2002 as Instrument No. 69, which three parcels are shown on Town Assessors Map 30 as Parcels 35-10, 35-11, and 35-15, and are further identified as Lots 18, 19, and 23 on a plan entitled "Marion Estates Definitive Subdivision Plan in Burlington, Mass.," dated August 9, 1977, prepared by Raymond Engineering Service, recorded with the Middlesex District Registry of Deeds as Plan No. 588 of 1978 in Book 13456, Page 125, or to act in any manner in relation thereto.

ACTION: WITHDRAWN**ARTICLE 25 RE: System-wide Building Renovation/ Addition Authorization**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$45,000,000 or any other sum, to be expended at the direction of the School Committee, to pay cost of implementing a building renovation and addition program at the Marshall Simonds Middle School, Wildwood School and Memorial School, including the payment of all costs incidental and related thereto, and to determine whether the appropriation described in this article should be raised by taxation, transfer from available funds, by borrowing or otherwise, or to take any other action relative thereto.

ACTION: WITHDRAWN**ARTICLE 26 RE: Modular Classroom Installation and Lease**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$TBD or any other sum to be expended under the direction of the Burlington School Committee for the purpose of installing and leasing modular classrooms at the elementary school level (sites to be determined) or to act in any manner in relation thereto.

ACTION: WITHDRAWN**ARTICLE 28 RE: Registration of Historical Buildings**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$5,000, or any other sum, for the purpose of securing a consultant to submit applications to register three historical buildings with the National Historical Register, same to be spent under the direction of the Historical Commission, or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will transfer from Free Cash the sum \$5,000 for the purpose of securing a consultant to submit applications to register three historical buildings with the National Historical Register, same to be spent under the direction of the Historical Commission.

Recommendations: Ways & Means voted 12-0-0 in favor.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION**ARTICLE 29 RE: Continuation of Peer Review Varsity Field, Anna Road and Cambridge Streets**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$30,000 or any other sum, for the purpose of funding the continuation of the peer review of environmental releases impacting Varsity Field, Anna Road and a portion of Cambridge Street located between 108 and 118 Cambridge Street, same to be spent under the direction of the Board of Health, or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to transfer from Free Cash the sum of \$30,000 for the purpose of funding the continuation of the peer review of environmental releases impacting Varsity Field, Anna Road and a portion of Cambridge Street located between 108 and 118 Cambridge Street, same to be spent under the direction of the Board of Health.

Recommendations: Ways & Means voted 12-0-0 in favor.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

ARTICLE 31 RE: Vulnerability Assessment of the Public Water Supply

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$45,000 or any other sum to fund a Vulnerability Assessment and develop an Emergency Response Plan for the Burlington Public Water supply as required by Public Law 107-188 (Federal Bioterrorism Act), same to be spent under the authority of the Board of Selectmen, or to act in any other manner in relation thereto.

MAIN MOTION To see if the Town will vote to transfer from Free Cash the sum of \$45,000 to fund a Vulnerability Assessment and develop an Emergency Response Plan for the Burlington Public Water supply as required by Public Law 107-118 (Federal Bioterrorism Act), same to be spent under the authority of the Board of Selectmen.

Recommendations: Ways & Means voted 12-0-0 in favor.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

ARTICLE 32 RE: Evaluation of the Mill Pond Treatment Facility

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$72,000 or any other sum to fund an analysis of the Mill Pond Water Treatment facility to determine improvements needed to comply with new requirements of the EPA, same to be spent under the authority of the Board of Selectmen, or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to transfer from Free Cash the sum of \$72,000 to fund an analysis of the Mill Pond Water Treatment facility to determine improvements needed to comply with new requirements of the EPA, same to be spent under the authority of the Board of Selectmen.

Recommendations: Ways & Means voted 11-1-0 in favor.
Capital Budget voted 5-0-0 in favor.

ACTION: MAJORITY VOTED TO APPROVE MAIN MOTION

Resolution #1 offered by Anne Coady, Pct 3: To ask Town Meeting to have the Town enter into negotiations with the owner of 130 Lexington St (either the KofC or Nordblom) to purchase said property.

Resolution failed.

Resolution #2 offered by Sally Willard, Pct 4: Be it resolved that all town departments will provide financial reports for any services for which they receive fees greater than \$200 per transaction or customer. The financial reports shall include all revenue and costs of providing the services. The reports will also include the number of customers and transactions as well as the cost of staff and related benefits.

Resolution withdrawn.

At 10:25 P.M., a motion to adjourn was moved, seconded and so voted.

Attest: Jane L. Chew
Town Clerk