

**ADJOURNED (THIRD) TOWN MEETING
MONDAY, JANUARY 22, 2007
FOGELBERG AUDITORIUM – BHS**

A quorum being present, the meeting was called to order at 7:35 P.M. with a salute to the flag. Andrea Giangreco, BHS student, performed the National Anthem and a piece from Les Miserables.

The new DPW Supt. John Sanchez and Asst. Town Administrator, Tom Hickey was introduced to the members. The Moderator announced that he received two resolutions which will be taken up after all other articles.

A motion to postpone Articles 13-15, 20, 21 until the first order of business on Wed. January 24, 2007 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 presented a financial overview for the members. Selectman Rollins discussed the District Improvement Finance Program sponsored by the Massachusetts Business Resource Team. The School Committee gave an update on the Memorial School project. The Human Services Committee presented a report on the need for Automatic External Defibrillators. It was moved and seconded to forward their suggestions to the Board of Health for their review.

ARTICLE 2 RE: Simonds Trust

To see if the Town will vote to accept, from the Trustees under the Will of Marshall Simonds, the amount of \$25,000 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: To see if the Town will vote to accept, from the Trustees under the Will of Marshall Simonds, the amount of \$25,000 for the maintenance and improvements of Simonds Park, same to be spent under the direction of the Recreation Commissioners.

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

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 3 RE: Omnibus Article FY 2007 Utility Budgets

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 sum to pay for FY 2007 budget shortfalls in various departments, or act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to transfer from Free Cash –

to –

Uses of Funds

Library – Occupancy	\$29,215
Police – Occupancy	35,075
Fire – Occupancy	14,623
Town Facilities – Occupancy	59,779
DPW/Cemetery – Occupancy	2,051
DPW/Streetlights	50,130
DPW/Highway – Occupancy	947
DPW/Water & Sewer – Occupancy	352,021
Recreation Maintenance – Occupancy	2,052
School Department	350,000
<u>Police – Gasoline</u>	<u>50,000</u>
TOTAL:	\$945,893

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

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 4 RE: Replace Council on Aging Tables

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$12,000 or any other sum to pay for the purchase of tables used by the Council on Aging for various functions at the Murray-Kelly Wing of the Human Services Building, 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 \$8,200 to pay for the purchase of tables used by the Council on Aging for various functions at the Murray-Kelly Wing of the Human Services Building.

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

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 5 RE: Management Information Systems Upgrades

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$20,000 for the purpose of purchasing updated security software for the Town wide e-mail system and internet access , 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 \$13,600 for the purpose of purchasing updated security software for the Town wide e-mail system and internet access.

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

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 6 RE: Fire Alarm Maintenance

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 pay for the continued maintenance of the Town’s Fire Alarm System, 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 \$25,000 to pay for the continued maintenance of the Town’s Fire Alarm System.

Recommendations: Ways & Means voted 12-0-0 in favor. Selectmen voted 5-0 in favor.

ACTION: MAJORITY APPROVED MAIN MOTION

ARTICLE 7 RE: Bond Authorization Mill Pond Water Plant

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$400,000 or any other sum for the purpose of paying additional costs related to the improvements to the Mill Pond Treatment plant and for paying any and all cost incidental to this project, or to act in any other manner in relation thereto.

MAIN MOTION: That the sum of \$300,000 be and hereby is appropriated for the purpose of paying additional costs of making improvements to the Mill Pond Treatment Plant, and for paying any and all other costs incidental and related thereto, and to meet this appropriation the Town Treasurer, with the approval of the Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) 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 13-0-0 in favor. Capital Budget voted 6-0 in favor.

ACTION: UNANIMOUSLY APPROVED MAIN MOTION

ARTICLE 8 RE: Fund Massachusetts General Law 11F Police Department and Fire Department Medical Claims

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 sum for the medical claims of the Burlington Police Department and \$15,000 for the medical claims of the Burlington Fire Department, 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 \$20,000 for the medical claims of the Burlington Police Department.

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

ACTION: MAJORITY APPROVED THE MAIN MOTION

ARTICLE 9 RE: Reserve Fund

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$100,000 or any other sum to add to the FY 2007 Reserve Fund Line Item, 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 \$100,000 to the FY2007 Reserve Fund Line Item.

Recommendations: Ways & Means voted 11-0-0 in favor.
Selectmen voted 4-1 in favor.

ACTION: MAJORITY APPROVED THE MAIN MOTION

ARTICLE 10 RE: Stabilization Fund

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 add to the Town of Burlington Stabilization Fund, 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 \$500,000 to add to the Town of Burlington Stabilization Fund.

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

ACTION: UNANIMOUSLY APPROVED THE MAIN MOTION

ARTICLE 11 RE: Rescind Vote of September Town Meeting Article 6/Sawmill Purchase

To see if the Town will vote to rescind the contingency vote of the September Town Meeting (Article 6) to transfer money from the Stabilization Account to fund the purchase of the Sawmill Road properties; and furthermore, to transfer the amount of \$128,304 previously authorized back to the Town of Burlington Stabilization Account, or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

Recommendations: Ways & Means voted 10-0-1 in favor.
Selectmen voted 5-0 in favor.

ACTION: UNANIMOUSLY APPROVED THE MAIN MOTION

ARTICLE 12 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 \$247,165 or any other sum, 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.

MAIN MOTION: To see if the Town will vote to accept the Chapter 90 allocation of \$247,165 and appropriate the sum of \$247,165 for the purpose of funding roadway improvements, same to be expended under the direction of the Town Administrator

Recommendations: Ways & Means voted 11-0-0 in favor.
Capital Budget voted 6-0 in favor.

ACTION: MAJORITY APPROVED THE MAIN MOTION

ARTICLE 16 RE: Rezone 56 Middlesex Turnpike

To see if the town will vote to rezone property located at 56 Middlesex Turnpike, said property being shown on Assessor's Map 56, Parcel 12, from the General Industrial (IG) District to the General Business (BG) District, or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

Recommendations: Planning Board voted 7-0 in favor. Land Use voted 6-0-0 in favor.

ACTION: UNANIMOUSLY APPROVED THE MAIN MOTION

ARTICLE 17 RE: Rezone Carol Avenue

To see if the Town will vote to rezone property located off Carol Avenue, said property being shown on Assessor's Map 18, Parcel 1, such that said property will be included as a Wireless Communication Overlay District, and to amend the Wireless Communications Overlay Districts Map dated September 2000 to reflect such change, or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

Recommendations: Planning Board voted 7-0 in favor. Land Use voted 5-0-1 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 68 IN FAVOR AND 13 OPPOSED, THE MOTION CARRIED BY THE REQUIRED 2/3 VOTE.

ARTICLE 18 RE: Rezone 35 Ray Avenue

To see if the Town will vote to rezone property located at 35 Ray Avenue, said property being shown on Assessor's Map 54, Parcel 3-11, such that said property will be included as a Wireless Communications Overlay District, and to amend the Wireless Communications Overlay Districts Map dated September 2000 to reflect such change, or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

Recommendations: Planning Board voted 7-0 in favor. Land Use voted 6-0-0 in favor. There was a division of the house and tellers were appointed.

ACTION: BY A VOTE OF 66 IN FAVOR AND 13 OPPOSED, THE MOTION CARRIED BY THE REQUIRED 2/3 VOTE.

ARTICLE 19 RE: Exempt Police Chief and Fire Chief From Civil Service

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth below; and provide further that the General Court may 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 that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition.

AN ACT EXEMPTING THE POSITIONS OF POLICE CHIEF AND FIRE CHIEF IN THE TOWN OF BURLINGTON FROM THE CIVIL SERVICE LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of same, as follows:

SECTION 1. The positions of police chief and fire chief in the Town of Burlington shall be exempt from Chapter 31 of the General Laws.

SECTION 2. Section 1 shall not impair the civil service status of the persons holding the positions of Police Chief and Fire Chief in the Town of Burlington on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

MAIN MOTION: As printed in the Warrant

Recommendations: Selectmen voted 4-1 in favor.

A motion to end debate was moved, seconded and so voted. There was a division of the house and tellers were appointed.

By a vote of 51 in favor and 28 opposed, the motion carried. Seven members stood for a roll call.

ACTION: BY A ROLL CALL VOTE OF 52 IN FAVOR, 25 OPPOSED AND 2 ABSTENTIONS, THE MAIN MOTION CARRIED.

At 11:10 P.M., a motion to adjourn was moved, seconded and so voted.

Attest:

**Jane L. Chew
Town Clerk**

**ADJOURNED (THIRD) TOWN MEETING
WEDNESDAY, JANUARY 24, 2007
FOGELBERG AUDITORIUM – BHS**

A quorum being present, the meeting was called to order at 7:35 P.M. with a salute to the flag. The Moderator announced that Articles 13-21 were all related and could be discussed together and voted separately.

ARTICLE 13 RE: Rezone Northwest Park Property to Planned Development (PD) District

To see if the Town will vote to approve the Concept Plan filed with the Planning Board on (insert date), and as modified, included as part of the backup material to this Warrant Article, which shall govern the use and development of the proposed Planned Development (PD) District; and to amend the Zoning Map to rezone certain parcels of land from a General Industrial (IG) District to a Planned Development (PD) District, said parcels generally known as Northwest Park and are bounded by the former Kendall Road on the north, Middlesex Turnpike on the east, Second Avenue on the south and Route 3 on the west. The properties are more specifically identified on the Town of Burlington Assessor's Maps by the following Map and Parcel numbers: 38-8-0, 38-8-1, 38-9-0, 38-10-0, 38-10-1, 39-1-0, 39-2-0, 39-3-0, 39-3-1, 39-3-2, 39-5-0, 39-6-0, 39-7-0, 39-8-0, 39-8-1, 39-8-2, 39-9-1, 39-10-0, 39-11-0, 39-17-0, 39-18-0, 39-19-0, 39-22-0, 45-3-0, 45-4-0, 45-5-0, 45-6-0, 45-7-0, 45-8-0, 45-9-0, 45-10-0, 45-11-0, 45-12-0, 45-13-0, 45-14-0, 45-15-0, 45-16-0, 45-17-0, 45-17-2, 45-18-0, 45-19-0, 45-20-0, 45-21-0, 45-22-0, 45-23-0, 45-24-0, 45-25-0, 45-25-1, 45-27-0.

The aforementioned parcels are further described as follows: Those certain parcels of land located at the northwest intersection of Middlesex Turnpike and Second Avenue in the Town of Burlington, in the County of Middlesex and the Commonwealth of Massachusetts bounded and described as follows:

Beginning at a point on the westerly side of Middlesex Turnpike and the southerly sideline of Pattison Road and being the northeast corner of the parcel hereinafter described; thence

- S 21° 56'10" E a distance of two thousand eighty four and seventy three hundredths feet (2084.73') to a point; thence
- S 23° 35'10" E a distance of five hundred sixty one and twenty three hundredths feet (561.23') to a point, the last (2) courses by the westerly sideline of Middlesex Turnpike; thence
- S 66° 24'50" W a distance of one hundred sixty two and eighty four hundredths feet (162.84') to a point; thence
- N 70° 19'46" W a distance of seventy two and ninety six hundredths feet (72.96') to a point; thence
- S 66° 24'50" W a distance of fifty and no hundredths feet (50.00') to a point; thence
- S 23° 35'10" E a distance of forty eight and fifteen hundredths feet (48.15') to a point; thence

- S 26° 05'27" E a distance of four hundred eighty nine and forty one hundredths feet (489.41') to a point; thence
- S 69° 49'48" E a distance of sixty nine and fifty six hundredths feet (69.56') to a point; thence
- S 26° 35'10" E a distance of sixty and no hundredths feet (60.00') to a point; thence
- N 63° 44'44" E a distance of two hundred three and sixty one hundredths feet (203.61') to a point, the last (7) courses by land now or formerly Nordblom Co.; thence
- S 25° 13'10" E a distance of four hundred thirteen and fourteen hundredths feet (413.14') to a point; thence
- Southeasterly and curving to the left along the arc of a curve having a radius of one thousand five hundred ninety eight and eighty three hundredths feet (1598.83'), a length of thirty six and eighty eight hundredths feet (36.88') to a point, the last (2) courses by the westerly sideline of Middlesex Turnpike; thence
- Southwesterly and curving to the right along the arc of a curve having a radius of twenty and no hundredths feet (20.00'), a length of thirty one and forty hundredths feet (31.40') to a point; thence
- S 63° 24'50" W a distance of six hundred sixty seven and sixty eight hundredths feet (667.68') to a point; thence
- Northwesterly and curving to the right along the arc of a curve having a radius of twenty and no hundredths feet (20.00'), a length of thirty and two hundredths feet (30.02') to a point; thence
- N 30° 35'45" W a distance of ninety one and twenty three hundredths feet (91.23') to a point, the last (4) courses by the northerly sideline of Second Avenue; thence
- S 63° 24'50" W a distance of three hundred twenty and twenty three hundredths feet (320.23') to a point, by a portion of Second Avenue and land now or formerly Burlington Crossing LLC and Northwest Industrial Park Trust; thence
- Northwesterly and curving to the left along the arc of a curve having a radius of twelve thousand two hundred fifty and no hundredths feet (12250.00'), a length of one thousand two hundred thirty one and forty one hundredths feet (1231.41') to a point of
- N 36° 43'40" W a distance of one thousand three hundred three and thirty two hundredths feet (1303.32') to a point; thence
- N 36° 44'20" W a distance of one thousand six hundred ninety three and twenty three hundredths feet (1693.23') to a point, the last (3) courses by the easterly sideline of Route 3; thence
- N 38° 53'30" E a distance of fifty four and seven hundredths feet (54.07') to a point; thence
- N 42° 26'00" E a distance of one hundred three and ninety three hundredths feet (103.93') to a point; thence
- N 45° 42'20" E a distance of seventy three and seventy nine hundredths feet (73.79') to a point; thence
- N 57° 39'50" E a distance of forty and eighty hundredths feet (40.80') to a point; thence
- N 66° 33'30" E a distance of seventy one and eighty nine hundredths feet (71.89') to a point; thence
- N 80° 40'20" E a distance of fifty one and eighty two hundredths feet (51.82') to a point; thence
- S 89° 08'20" E a distance of one hundred six and sixty four hundredths feet (106.64') to a point; thence
- S 82° 33'20" E a distance of five hundred ninety and no hundredths feet (590.00') to a point; thence
- N 85° 29'30" E a distance of one hundred fourteen and forty six hundredths feet (114.46') to a point; thence
- Northeasterly and curving to the left along the arc of a curve having a radius of five hundred seventy one and eighty seven hundredths feet (571.87'), a length of three hundred thirty five and sixteen hundredths feet (335.16') to a point; thence
- Northeasterly and curving to the right along the arc of a curve having a radius of two hundred forty eight and thirty seven hundredths feet (248.37'), a length of two hundred fifteen and seven hundredths feet (215.07') to a point;

thence
 S 78° 28'40" E a distance of one hundred thirty five and ninety eight hundredths feet (135.98') to a point; thence
 S 62° 59'40" E a distance of one hundred ninety four and seventy two hundredths feet (194.72') to a point, the last (12) courses by the southerly sideline of Kendall Road; thence
 N 13° 15'40" E a distance of ten and ten hundredths feet (10.10') to a point; thence
 N 28° 46'00" E a distance of one hundred forty and ninety six hundredths feet (140.96') to the point of beginning, the last (2) courses by the southerly sideline of Pattison Road.

The above described parcel contains 127.20 acres in the Town of Burlington, Massachusetts.

Being the same premises shown on the Concept Plan entitled "Northwest Park, Middlesex Turnpike, Burlington, Massachusetts", prepared by Vanasse Hangen Brustlin, Inc., dated October 31, 2006 as revised through November 30, 2006, as revised and submitted to Town Meeting.

The above described parcel contains 127.20 acres in the Town of Burlington, Massachusetts, or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

Recommendations: Planning Board voted 7-0-0 in favor. Selectmen voted 5-0-0 in favor. Ways & Means voted 9-0-0 in favor. Land Use voted 6-1-0 in favor. NW Park TM committee voted in favor.

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

The Moderator decided to have a roll call vote.

ACTION: BY A ROLL CALL VOTE OF 79 IN FAVOR AND 6 OPPOSED, THE MAIN MOTION CARRIED

The Moderator announced that Article 14 would be taken up after Article 20.

ARTICLE 15 RE: Northwest Park PDD -- Approval of a 150,000 Square Foot Retail Facility Pursuant to the Northwest Park Planned Development (PD) District.

To see if the Town will vote to approve the development of a 150,000 square foot retail facility in accordance with the Northwest Park Planned Development (PD) District Zoning Provisions, Use Table and Concept Plan concerning Retail Stores and Showrooms in excess of 90,000 square feet, subject to final Special Permit authorization from the Planning Board. The development of said retail facility shall be substantially in conformance with the conceptual façade design elevations of the main public entrances entitled ""Target Elevation Study", Northwest Park, Burlington, Massachusetts, dated December 29, 2006, prepared by Elkus Manfredi Architects. Any substantial deviation from the approved conceptual façade design plans, as determined by the Planning Board in consultation with the Inspector of Buildings, shall require further approval by Town Meeting, or to take any other action in relation thereto.

MAIN MOTION: Withdrawn

ARTICLE 20 RE: Massachusetts General Law 43D Expedited Permitting

To see if the Town will accept the provisions of Chapter 43D of the Massachusetts General Laws as amended, or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

ACTION: MAJORITY APPROVED THE MAIN MOTION

ARTICLE 14 RE: Designation of Northwest Park as a Priority Development Site

To see if the Town will vote to approve the filing of a formal proposal with the Interagency Permitting Board for the designation as a priority development site land commonly known as "Northwest Park". The affected properties are generally bounded by the former Kendall Road on the north, Middlesex Turnpike on the east, Second Avenue on the south and Route 3 on the west. The properties are more specifically identified on the Town of Burlington Assessor's Maps by the following Map and Parcel numbers: 38-8-0, 38-8-1, 38-9-0, 38-10-0, 38-10-1, 39-1-0, 39-2-0, 39-3-0, 39-3-1, 39-3-2, 39-5-0, 39-6-0, 39-7-0, 39-8-0, 39-8-1, 39-8-2, 39-9-1, 39-10-0, 39-11-0, 39-17-0, 39-18-0, 39-19-0, 39-22-0, 45-3-0, 45-4-0, 45-5-0, 45-6-0, 45-7-0, 45-8-0, 45-9-0, 45-10-0, 45-11-0, 45-12-0, 45-13-0, 45-14-0, 45-15-0, 45-16-0, 45-17-0, 45-17-2, 45-18-0, 45-19-0, 45-20-0, 45-21-0, 45-22-0, 45-23-0, 45-24-0, 45-25-0, 45-25-1, 45-27-0 including North Avenue, Fourth Avenue, Third Avenue and a portion of Second Avenue, or to take any other action in relation thereto.

MAIN MOTION: As printed in the Warrant

ACTION: UNANIMOUSLY APPROVED THE MAIN MOTION

ARTICLE 21 RE: Home Rule Petition - Special Legislation Concerning Liquor Licenses

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth below authorizing the Town to issue within the development known as Northwest Park Planned Development District, 8 additional licenses for the sale of all alcoholic beverages to be drunk on premises, 2 additional licenses for the sale of wine and malt beverages to be drunk on premises, and 2 additional licenses for the sale of all alcoholic/or wine and malt beverages not to be drunk on premises; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition, or to act in any other manner in relation thereto.

MAIN MOTION: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth below authorizing the Town to issue within the development known as Northwest Park Planned Development District, 8 additional licenses for the sale of all alcoholic beverages to be drunk on premises, 2 additional licenses for the sale of wine and malt beverages to be drunk on premises, and 2 additional licenses for the sale of wine and malt beverages not to be drunk on premises; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition or to act in any other manner in relation thereto.

ACTION: MAJORITY APPROVED THE MAIN MOTION

ARTICLE 22 Re: Amend General Bylaw Article XIV, Section 3.2/Administration

To see if the Town will vote to amend Article XIV, Section 3.2 of the General Bylaws by inserting a new section designated as Section 3.2.5 which shall read as follows:

3.2.5. Signs erected in a duly adopted Planned Development District ("PDD") shall be governed by the zoning provisions applicable to such district and if such provisions conflict with Article 3.0 Sign and Advertising Devices of the Town of Burlington General Bylaws then the zoning provisions of the PDD relating to signage shall control, or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

Recommendations: Bylaw Review voted 4-0-0 in favor.

ACTION: MAJORITY APPROVED THE MAIN MOTION

The Moderator asked TMM Jack Kelly, Pct. 3 to preside over Article 23.

ARTICLE 23 RE: Amend General Bylaw Article V, Section 2.1 Finance Committee (Ways & Means)

To see if Town Meeting will vote to amend Articles V, Section 2.1 of the General Bylaw, as follows:

Currently:

“There shall be a finance Committee consisting of fifteen (15) voters, the majority of whom should be town meeting members, . . .”

The proposed change should read:

“ . . . Finance Committee consisting of fifteen (15) voters, the majority of whom shall be town meeting members, . . .” or to act in any other manner in relation thereto.

MAIN MOTION: As printed in the Warrant

Recommendations: Bylaw Review voted 4-0-0 in favor.

A motion to move the question was moved, seconded and so vote.

ACTION: MOTION WAS DEFEATED

Resolution #1: D. DiTucci, Pct. 6

I, Dan DiTucci, request the Selectmen to refrain from any further activity to sell or lease the Wildwood property. The Selectmen are requested to obtain bids and place an article on the May 2007 warrant to raze the building, resolve safety and security issues, and retain the property for future municipal use.

Resolution carried.

Resolution #2: R. Wilde, Pct. 2

Be it resolved that the Town Meeting of the Town of Burlington, Massachusetts supports the efforts of the Burlington Sound Barrier Committee to petition the state legislature of the Commonwealth of Massachusetts to provide funds for the construction of sound barriers along route 128 in Burlington. The purpose of said barriers is the mitigation of traffic noise that exceeds acceptable decibel levels as determined by the Commonwealth.

Resolution carried

Resolution #3: J. Cormier Pct. 6

The town immediately remove all banners, currently not in compliance with the town bylaws, specifically, the Mall Rd. and Middlesex Turnpike.

A motion to move the question was moved, seconded and so vote.

Resolution carried.

At 10:55 p.m., a motion to adjourn was moved, seconded and so voted.

Attest:
Jane L. Chew
Town Clerk