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**Burlington Town Meeting**  
**September 9, 2002**

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**BURLINGTON TOWN MEETING**

**MONDAY, SEPTEMBER 9, 2002**

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 9th of September 2002 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 & 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 Board of Selectmen at the request  
of the Rules Committee

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

**ARTICLE 2**

**RE: Annual Town Election Date 2003**

To see if the Town will vote to set the Annual Town Election Date as Saturday, April 5, 2003 between the hours of 8:00am until 8:00pm, or to act in any manner in relation thereto.

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

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

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## GENERAL ARTICLES

### ARTICLE 3

#### **RE: Amend Administrative and Professional Classification Plan/Director of Health Services**

To see if the Town will vote to amend the Town's administrative and professional classification plan by creating a new title within said plan called the "Director of Health Services" and placing this title within Group 15 of the Classification Plan or to act in any other manner in relation thereto.

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

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

### ARTICLE 4

#### **RE: Petition State Legislature Re: Acceptance of Certain Ways Within Burlington**

To see if the Town will vote to petition the State legislature to accept, notwithstanding MGL Chapter 82 Section 23, certain roadways described herein as public ways and to do or act in any manner in relation thereto.

#### Private Street to be Accepted

Sequence #	Street Name	Length	Width
465	A St	1137	40
467	Adams St	1918	40
1	Ainsworth St	689	40
8	Anna Rd	679	40
12	Ardmore Ave	889	35
13	Arlington Rd	2418	40
15	Arthur Woods Ave	1787	40
468	B St	813	45
17	Barbara Cir	1030	40

29	Belmont Rd	843	40
30	Bennett Ln	594	40
	<b>(continued)</b>		

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31	Bethel Ln	321	40
32	Birch St	630	40
34	Birchcrest St	1710	40
35	Black Horse Ln	1595	40
47	Burlington Mall Rd	7770	90
51	Butters Ln	420	40
56	Carlton Ave	1043	45
64	Cedar St	2228	40
69	Chandler Rd	3321	40
72	Chestnut Ave	1931	35
80	Cook Rd	630	35
83	Cormier Rd	1413	45
84	County Rd	2325	40
89	Crowley Rd	899	40
510	Cypress Dr	325	40
92	Dale St	292	45
93	Daniel Dr	1781	40
97	Demone Dr	843	40
99	Derryfield Ave	479	40
101	Donald Rd	3200	40
103	Doris St	157	35
104	Dorothy Rd	420	40
105	Douglas Ave	1940	40
106	Drake Rd	2505	35
114	Edsel Dr	397	40
477	Edwards Rd	561	45
115	Eisenhower Dr	751	40
136	Fox Hill Rd	4870	40
138	Frances Rd	722	40
147	Ganley Dr	863	40
148	Gardner Way	636	35
149	Garrity Rd	1305	40
152	Gibson St	1312	45
154	Given Dr	715	40
155	Gleason Rd	384	40
157	Glendale Rd	879	45
160	Goodwin Dr	466	40
481	Grant Ave	1164	35
482	Great Meadow Rd	2663	35
165	Guild Rd	420	45
169	Hansen Ave	387	40

172	Hart St	279	35
176	Heather Dr	453	45
	<b>(continued)</b>		

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182	High Pine Ave	774	40
183	Highland Way	1098	40
186	Hillside Ave	640	35
187	Hilltop Dr	2991	40
189	Holden Ave	1565	40
194	Independence Dr	853	35
196	Irene St	1033	35
483	Ivy Lane Ext	600	35
199	Jackson Rd	1354	35
201	Janet Rd	348	35
511	Johns Rd	413	40
205	Johnson Rd	836	20
207	Josephine Ave	462	35
212	Kenmere Ave	1206	45
218	Larson Cir	230	40
219	LaSalette Dr	213	40
233	Locust St	4850	40
240	Macon Rd	1859	40
246	Manning St	436	40
247	Manor Ave	1096	40
250	Marie Cir	325	40
252	Marjorie Rd	1036	35
255	Martin St	377	30
257	Mary St	735	40
261	Mayflower Ave	308	30
267	Mellin St	952	45
277	Mooney Cir	236	45
278	Mooney Rd	741	40
290	Newbridge Ave	2081	40
291	Nichold St	469	30
490	Old Concord Rd	1410	40
493	Olympian Way	148	45
301	Paige Rd	879	40
303	Partridge Ln	1250	40
305	Patricia Way	512	40
306	Patriot Rd	1481	40
307	Paul St	761	35
309	Paulson Dr	1873	40
311	Pearl St	341	45
497	Pine Glen Way	328	45
319	Pinewold Ave	961	40
322	Pontos Ave	836	35
325	Prouty Rd	758	40
	<b>(continued)</b>		

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330	Randall Dr	941	40
332	Raymond Rd Ext	462	35
334	Redmond St	262	35
335	Reed St	341	40
336	Richard Rd	787	40
338	Richfield St	794	35
339	Ridge Rd	335	30
348	Russell Cir	371	40
349	Ruthven Ave	1079	40
350	Sandra Ave	1338	40
355	Sawmill Rd	1276	40
357	Scott Ave	472	35
362	Sewall St	1033	40
368	Short St	358	40
375	South Bedford St	2094	40
382	Stephanie St	587	40
384	Stonewall Ln	630	40
385	Stony Brook Rd	1950	40
386	Sullivan St	768	40
387	Sumner St	1483	40
388	Sumpter Rd	850	40
392	Susan Ave	1244	40
393	Swain Road West	590	40
503	Terry Ave	859	45
400	Theodore Cir	702	45
401	Theresa Ave	400	35
402	Thistle Rd	850	40
406	Toner Dr	489	45
418	Vincent Rd	856	40
420	Violet Rd	892	40
424	Walnut St	420	40
425	Ward St	974	35
433	Whitney St	440	40
434	Wildmere Ave	2093	35
437	Wilhelmina Ave	1007	40
449	Winter St	943	40

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

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

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**ARTICLE 5**

**RE: Acceptance of Early Retirement Incentive**

To see if the Town will vote to accept the provisions of Chapter 116 of the Acts of 2002 which will allow the Town to offer an Early Retirement Incentive program to eligible employees who choose to participate in the incentives provided for in the legislation or to act in any manner in relation thereto.

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

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

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## **FINANCIAL ARTICLES**

### **ARTICLE 6**

### **RE: Funding for Early Retirement Incentive**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$250,000 or any other amount to pay for the cost of retiring employees accrued time or to act in any other manner in relation thereto.

AMOUNT: \$250,000 Submitted by the Board of Selectmen at the request of Town  
Administrator

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

### **ARTICLE 7**

### **RE: Marion Road/Purchase Conservation Land**

To see if the Town will vote to:

- a) raise, appropriate, transfer from available funds, accept gifts and grants or borrow the sum of \$700,000.00 (Seven Hundred Thousand and 00/100 Dollars) for the purpose of acquiring, for conservation and passive recreation purposes, the fee ownership interest in that property, or in a portion of that property, located on Marion Road, Burlington, Middlesex County, shown as Assessor's Parcel 235 on Map 21, and consisting of approximately 15.7 acres, said property now or formerly owned by John H. McCarthy and Mona M. Burton; and
  
- b) authorize the Conservation Commission to acquire the fee ownership interest in said property, or in a portion of said property, for conservation and passive recreation purposes subject to the protections of Article 97 of the Amendments of the Massachusetts Constitution, upon such terms and conditions as the Conservation Commission, with the approval of the Board of Selectmen, shall determine to be appropriate, and that said interests in said property be conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, section 8C, as it may hereafter be amended, and other Massachusetts statutes relating to conservation, to be managed and controlled by the Conservation Commission; and

**(continued)**

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c) authorize the Conservation Commission to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Executive Office of Environmental Affairs and under any state and/or federal programs including those in aid of conservation land acquisition and to receive and accept such grants or reimbursement for this purpose, and/or any others in any way connected with the scope of this Article, and that the Board of Selectmen and/or the Conservation Commission be authorized to enter into all agreements and execute any and all instruments, including a grant of a perpetual conservation restriction to the Department of Environmental Management or any other state or federal agency, which may contain, among other things, an access easement to the public at large to use the property at no charge, as may be necessary on behalf of the Town to effect said purchase or obtain such grant; and

d) authorize the Conservation Commission, the Board of Selectmen, and Town officers to take all related actions necessary or appropriate to carry out this acquisition, or act or transact anything in relation thereto;

or to take any other action relative thereto.

AMOUNT: \$700,000

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

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

**ARTICLE 8**

**RE: Replacement of Carpet Flooring  
Burlington Public Library**

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 for purposes of replacing the damaged flooring on both floors of the library or to act in any other manner in relation thereto.

AMOUNT: \$45,000

Submitted by the Board of Selectmen at the request  
of the Library Trustees

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

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**ARTICLE 9**

**RE: Design, Engineering and Preparation of Bid Documents/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 \$569,784 or any other amount to fund the fees necessary to complete the study and bid documents for the Marshall Simonds Middle School renovations, architectural fees for the Memorial School project and for any architectural fees necessary to update any kindergarten project at the Wildwood School that may be brought forward and to act in any other manner in relation thereto.

AMOUNT: \$569,784

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

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

**ARTICLE 10**

**RE: Pine Glen Elementary School Elevator**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$70,000 to design and install an elevator in the Pine Glen elementary school to comply with the requirements of the ADA or to act in any other manner in relation thereto.

AMOUNT: \$70,000

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

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

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## **ZONING ARTICLES**

### **ARTICLE 11**

### **RE: Amend Town's Wireless Overlay District**

To see if the Town will vote to amend Article 5 (Use Regulations) Section 4-1-6 (Wireless Communication Facilities) of the Town of Burlington Zoning By-Laws to allow for the property identified as the Veteran's of Foreign Wars, Post 7423, and located at 5 Edwards Rd to be included within the Town's Overlay District for the location of Wireless Communication Facilities or to act in any other manner in relation thereto.

Submitted by Board of Selectmen at the request  
of Virginia Mooney, TMM/Precinct 4

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

**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, fourteen days at least before the Town Meeting of September 9, 2002 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 23rd day of August in the year of our Lord 2002

Joseph Impemba, Chairman  
Al Fay, Vice-Chairman  
Gary Gianino  
Juliet Perdichizzi  
Kevin B. McKelvey

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, September 9, 2002.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2002.

Attest: Jane L. Chew, Town Clerk