

WARRANT

Burlington Town Meeting



**January 24, 2005
7:30 P.M.**

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

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Burlington Town Meeting
January 24, 2005

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WARRANT

BURLINGTON TOWN MEETING

MONDAY, January 24, 2005

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 24th of January 2005 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 ()

FINANCIAL ARTICLES

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 \$9,500.00, or any other sum, for the maintenance and improvement of Simonds Park, same to be spent under the direction of the Recreation Commissioners, or to act in any other manner in relation thereto.

AMOUNT: \$9,500.00

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

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

ARTICLE 3

RE: Special Counsel/Pending Appellant Tax Board Cases

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$25,000, or any other sum for the purpose of hiring special counsel and expert witnesses to defend pending Appellant Tax Board cases, or to act in any other manner in relation thereto.

AMOUNT: \$25,000

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

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

ARTICLE 4

RE: Fund the Burlington Firefighters Union Contract

To see if the Town will vote to transfer from the Negotiated Settlement account the sum of \$75,000 or any other sum, for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and the Burlington Professional Firefighters (IAFF Local 2313), same to be spent under the appropriate authority, or to act in any other manner in relation thereto.

AMOUNT: \$75,000

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

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

FINANCIAL ARTICLES (continued)

ARTICLE 5

RE: Fund the Burlington Patrolmen Union Contract

To see if the Town will vote to transfer from the Negotiated Settlement Account the sum of \$_____ or any other sum, for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and the Burlington Police Patrolmen (BPPA), same to be spent under the appropriate authority, or to act in any other manner in relation thereto.

AMOUNT: \$_____

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

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

ARTICLE 6

RE: Fund the Burlington Police Command Officers Union Contract

To see if the Town will vote to transfer from the Negotiated Settlement account the sum of \$20,000 or any other sum, for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and the Burlington Police Command Officers (IBPO Local 532), same to be spent under the appropriate authority, or to act in any other manner in relation thereto.

AMOUNT: \$20,000

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

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

ARTICLE 7

RE: I/I Removal

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, accept any grants or loans available, or otherwise provide the sum of \$1,188,600, or any other sum for the purpose of compliance with the Amended Administrative Consent Order issued by the Department of Environmental Protection to aggressively remove and remediate all sources of extraneous infiltration and inflow from the Burlington sewer system, or to act in any other manner thereto.

AMOUNT: \$1,188,600

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

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

FINANCIAL ARTICLES (continued)

ARTICLE 8

RE: DPW Road Paver Machine/Chapter 90

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$85,000, for the purpose of a new road paver machine from the Chapter 90 State funds, same to be spent under the direction of the Town Administrator, or to act in any other manner in relation thereto.

AMOUNT: \$85,000

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

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

ARTICLE 9

RE: Library Security Cameras

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$12,528, or any other sum for the supply and installation of video surveillance equipment at the Burlington Public Library, same to be spent under the direction of the Library Commission, or to act in any other manner in relation thereto.

AMOUNT: \$12,528

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

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

ARTICLE 10

RE: System-wide School Security Improvements

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$TBD for the supply and installation of video surveillance equipment at all Burlington school facilities, same to be spent under the direction of the School Committee, or to act in any other manner in relation thereto.

AMOUNT: \$TBD

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

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

FINANCIAL ARTICLES (continued)

ARTICLE 11

RE: Lighting Control Replacement at Burlington High School

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$80,000, or any other sum, for the replacement of the lighting dimmer control equipment at Burlington High School's Folgelberg Auditorium, including the payment of all costs incidental and related to this project, same to be spent under the direction of the School Committee, or to act in any other manner in relation thereto.

AMOUNT: \$80,000

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

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

ARTICLE 12

RE: Fire Alarm Control Panel at Burlington High School

To see if the Town will vote to transfer from the Insurance Reimbursement Account the Sum of \$27,289 to offset the deficit created by the expenditure related to the lightning strike at the Burlington High School and the cost associated with the replacement of the fire alarm control panel, same to be spent under the direction of the School Committee, or to act in any other manner in relation thereto.

AMOUNT: \$27,289

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

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

ARTICLE 13

RE: Professional Services/Master Education and Facilities Plan Study

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$95,000 for the cost of professional services for the completion of a Master Education and Facilities Plan including the payment of all costs incidental and related thereto, same to be spent under the direction of the School Committee, or to act in any other manner in relation thereto.

AMOUNT: \$95,000

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

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

GENERAL BYLAW ARTICLES

ARTICLE 14

**RE: Amend General Bylaw/Article V,
Section 1.2/Historical Commission**

To see if the Town vote to amend the General Bylaw/Article V, Authorities, Commission and Committees, 1.2 Historical by striking the words “five members” and substituting therefore the words “seven members” to read as follows:

1.2 Historical Commission

Voted that the Town adopt the provisions of Section 8D of Chapter 40 of the General Laws relating to the establishment of an Historical Commission, said Commission to consist of **seven members** to be appointed by the Board of Selectmen, said Commission to be established for the preservation, promotion and development of the historical assets of the Town; said Commission to have and exercise the powers and duties contained in said Section 8D of Chapter 40 of the General Laws, or to act in other manner in relation thereto.

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

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

GENERAL ARTICLES

ARTICLE 15

RE: Sale of Lot C/Sleeper Drive

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 all or any portion of two 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 parcels are shown on Town Assessors Map 30 as Parcels 35-10 and 35-11; and further to appropriate the sum of \$475,000, being all of the proceeds of the sale of said parcels, for the purpose of making structural repairs and renovations to the Grandview Farm or to act in any other manner in relation thereto.

AMOUNT \$475,000

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

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

ARTICLE 16

RE: Raymond Road Parcel

To see if the Town will vote to transfer from the custody of the Board of Selectmen a parcel of land identified on Map 29, Parcel 58 of the Burlington Assessors' maps containing 8.099 acres of land, more or less and located on Raymond Road to the Conservation Commission for conservation purposes, or to act in any other manner in relation thereto.

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

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

ZONING BYLAW ARTICLES

ARTICLE 17

**RE: Amend Zoning Bylaw/Article IV,
Section 4.1.7/Additional Regulations for
Restaurants in an IG District, Subsection
4.1.7.3.b**

To see if the Town will vote to amend the Zoning Bylaw/Article IV, Section 4.1.7 “Additional Regulations for Restaurants in an IG District”, Subsection 4.1.7.3b to substitute the word “delineation” for the word “definition” in the fourth sentence, such that the sentence will now read: “The **delineation** of a particular office/commercial park may change over time based upon the Planning Board’s determination that other properties have been incorporated into a commonality of operation and character.”

or to act in any other manner thereto.

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

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, at least fourteen days before the Town Meeting of January 24, 2005 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 7th day of January in the year of our Lord 2005

Albert L. Fay, Jr., Chairman
Joseph A. Impemba, Vice-Chairman
Gary J. Gianino
Kevin B. Mckelvey
Sonia Rollins

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, January 24, 2005.

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 7th Day of January, 2005.

Attest: Jane L. Chew, Town Clerk