

# **WARRANT**

**Burlington Town Meeting**



**May 8, 2006  
7:30 P.M.**

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

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**Burlington Town Meeting**  
**May 8, 2006**

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**WARRANT**

**BURLINGTON TOWN MEETING**

**MONDAY May 8, 2006**

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 8th of May 2006 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 the Board of Selectmen at the request of the  
Rules Committee

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

**GENERAL ARTICLES**

**ARTICLE 2**

**RE: Redevelopment of Northwest Park  
Appointment of Town Meeting Committee**

To see if Town Meeting will have an informal discussion and expression of views pertaining to the future development concepts of The Nordblom Company, Inc. for Northwest Park located on Middlesex Turnpike, Burlington, Massachusetts. To see also if Town Meeting will direct the Town Moderator to appoint a committee of Town Meeting Members (up to five members) to participate with Town officials in the review of proposals by The Nordblom Company, Inc. in anticipation of a future presentation to Town Meeting, , or to act in any other manner in relation thereto.

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

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

**ARTICLE 3**

**RE: Elected Officials/Petition General Court**

To see if the Town will act to authorize the Board of Selectmen to petition the General Court for a special act, providing that legislation be adopted as follows:

An act relative to limitation on office holding for elected officials in the Town of Burlington.

Section One: Notwithstanding any general or special law to the contrary, elected officials may hold only one elected position in the Town of Burlington. If any elected official is elected to an additional office in violation of the above prohibition, the elected official will be deemed to have vacated the initial office held upon being sworn in to the new office; provided however, that if the elected official fails to be sworn into the new office within 10 days of the date of the election, the new office shall be declared vacant.

Section Two: After approval by the General Court, this Act shall be presented to the voters at the next following annual town election. The ballot question shall take the following form: Shall the Town of Burlington accept an Act passed by the General Court entitled, “An Act relative to Limitations on Office Holding for Elected Officials in the Town of Burlington”.

If a majority of voters voting on the question vote yes, this Act shall take effect immediately; provided however, that any person already holding office at the time the Act is accepted, shall be exempt from the operation of Sections One of the Act until the expiration of the person’s current elected term.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen are hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Shari Lynn Ellis, Town Meeting Member/Precinct 3

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

**GENERAL ARTICLES (CONTINUED)**

**GENERAL ARTICLES (continued)**

**ARTICLE 4**

**RE: Acceptance Group Insurance/G.L. c. 32B, §18**

To see if the Town will vote to authorize the accept the provisions of G.L. C. 32B, §18, which requires that all retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to a retiree, their spouse or dependents, or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, enroll in a Medicare health benefits supplement plan offered by the Town, or to act in any other manner in relation thereto.

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

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

**ARTICLE 5**

**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 74 of the Burlington Assessors' maps containing 0.189 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 the Board of Selectmen at the request of the  
Conservation Commission

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

**ARTICLE 6**

**RE: Fairfax Street 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 22, Parcel 289-1 of the Burlington Assessors' maps containing 0.704 acres of land, more or less and located on Fairfax Street to the Conservation Commission for conservation purposes, or to act in any other manner in relation thereto.

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

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

**ARTICLE 7**

**RE: Cook 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 2, Parcel 13 of the Burlington Assessors' maps containing 2.329 acres of land, more or less and located on Cook Road to the Conservation Commission for conservation purposes, or to act in any other manner in relation thereto.

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

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

## ZONING BYLAWS

### ARTICLE 8

### RE: Zoning Bylaw Amendment Inclusionary Zoning

To see if the Town will vote to amend Article II of the Zoning Bylaw, by adding the following new definitions:

#### 2.1.7 Affordable Housing Unit

A dwelling unit that can be purchased at an annual cost that is deemed affordable for a household that is earning no more than 70% of the area median income as reported by the U.S. Department of Housing and Urban Development and/or DHCD.

#### 2.65.2 Qualified Affordable Housing Unit Purchaser

An individual or family with a household income that does not exceed 80% of the area median income, with adjustments for household size, as reported by the most recent information from the United States Department of Housing and Urban Development and/or DHCD.

AND further to see if the Town will vote to amend Article V of the Zoning Bylaw, by deleting the existing Section 5.1.9 “Development Incentive for Affordable Housing”, and to substitute therefore a new Section 5.1.9 “Inclusion of Affordable Housing”, as follows:

#### 5.1.9 Inclusion of Affordable Housing

5.1.9.1 Purpose and Intent - The purpose of this Bylaw is to increase the supply of housing in the Town of Burlington that is available to and affordable by low income or moderate income households who might otherwise have difficulty in finding homes in Burlington, and to ensure that such housing is affordable over the long-term and provided in accordance with the requirements of Massachusetts General Law Chapter 40B and its implementing regulations, the Burlington Master Plan, Community Development Plan, and other ongoing programs within the Town of Burlington and its Housing Partnership. It is intended that the AFFORDABLE DWELLING UNITS authorized under the provisions of this Bylaw be considered as Local Initiative Program (LIP) dwelling units in compliance with the requirements for the same as specified by the Department of Community Affairs, Massachusetts Department of Housing and Community Development (DHCD), or successor, or additional programs adopted by the Commonwealth or its agencies, and that said units count toward Burlington’s requirements under Massachusetts General Law Chapter 40B, Sections 20-23, as amended. Through multi-family units, developers will be able to increase the number of DWELLING UNITS within a development versus conventional developments. The increased number of DWELLING UNITS is intended to offset the reduced revenue from the affordable homes. In those cases where the Inclusion of Affordable Housing may conflict or be inconsistent with other sections of the Zoning Bylaw, except as otherwise expressly provided herein, the provisions of this Section, 5.1.9, Inclusion of Affordable Housing, shall be controlling.

#### 5.1.9.2 Applicability

5.1.9.2.1 Beginning with the effective date of this Bylaw, any development or division of land subject to Massachusetts General Law Chapter 41, Sections 81-K through 81-GG, which will result in the creation of six (6) or more DWELLING UNITS, shall require a Special Permit from the Planning Board, and shall include as a condition of said permit that:

(ZONING ARTICLES CONTINUED)

## **ZONING ARTICLE (continued)**

A. At least 10% of the units, and in no case less than one unit, be priced for QUALIFIED AFFORDABLE HOUSING PURCHASERS;

B. The mix of AFFORDABLE DWELLING UNITS and market rate housing built in any one year be equivalent to the overall mix for the entire development;

C. Deed restrictions, acceptable to the Town, and established in accordance with the standards of DHCD or successor or additional programs adopted by the Commonwealth or its agencies, shall be placed on the appropriate property to ensure that AFFORDABLE DWELLING UNITS created under this section shall remain AFFORDABLE DWELLING UNITS in perpetuity or for as long a period as is allowed by law.

5.1.9.2.2 DWELLING UNITS shall be considered as part of a single development if located either on a single parcel or contiguous parcels of land which have been in the same ownership at any time subsequent to the date of adoption of this Section, 5.1.9, Inclusion of Affordable Housing.

5.1.9.3 Inclusion of Affordable Housing Regulations – The Planning Board shall adopt and maintain regulations incorporating the necessary policies, procedures, and requirements to implement the provisions of this Section.

5.1.9.4 Provision of AFFORDABLE DWELLING UNITS - AFFORDABLE DWELLING UNITS required under Section 5.1.9.2.1 may be provided in any one or combination of methods described below, subject to the approval of the Planning Board:

A. Constructed on the parcel or parcels subject to the Special Permit;

B. Constructed on a parcel or parcels different than the one subject to the Special Permit;

C. An applicant may offer, and the Planning Board, in concert with the Board of Selectmen may accept, donations of land in fee simple, on or off the parcel or parcels, that the Planning Board determines are suitable for the construction of an equivalent number of AFFORDABLE DWELLING UNITS. The Planning Board may require, prior to acceptance of land by the Town, satisfaction of the requirements of this Section 5.1.9, that the applicant submit appraisals of the land in question, as well as other data relevant to the determination of value;

D. For fractional AFFORDABLE DWELLING UNITS, the applicant may round up to the next whole number of units or choose to pay equivalent fees-in-lieu of units (see Section 5.1.9.7) proportionate to the percentage of the units required;

E. Preservation of existing DWELLING UNITS as AFFORDABLE DWELLING UNITS through the purchase of deed restrictions.

5.1.9.5 Provisions Applicable to AFFORDABLE DWELLING UNITS On- and Off-Site

5.1.9.5.1. Allowed types of AFFORDABLE DWELLING UNITS:

A. Single-family DWELLINGS;

B. Single-family DWELLINGS with ACCESSORY APARTMENTS;

C. MULTI-FAMILY DWELLINGS, which are designed to be consistent in character with the single-family DWELLINGS in the same development. Such MULTI-FAMILY DWELLINGS may be allowed provided:

## **ZONING BYLAWS (continued)**

- i. in terms of exterior appearance, the BUILDING is compatible in design and, to the extent practicable, indistinguishable from the single-family DWELLINGS in the same development; and
  - ii. there shall be no more than four (4) DWELLING UNITS in any residential BUILDING; and
  - iii. the total number of MULTI-FAMILY DWELLINGS shall not exceed 10% of the units in the development; and
  - iv. the overall length of any residential BUILDING shall not exceed 100 feet.
- D. Accessory uses and structures incidental to principal uses indicated above and approved by the Planning Board.

5.1.9.5.2. Siting of AFFORDABLE DWELLING UNITS. All AFFORDABLE DWELLING UNITS that are constructed under this Section 5.1.9 shall be situated within the development so as not to be in less desirable locations than market-rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units. The Site Plan shall identify those lots selected for AFFORDABLE DWELLING UNITS.

5.1.9.5.3. Minimum Design and Construction Standards for AFFORDABLE DWELLING UNITS. AFFORDABLE DWELLING UNITS within market-rate developments shall be integrated with the rest of the development and shall be compatible to the extent practicable in exterior design and appearance with other units, to the extent that such regulation is not inconsistent with Massachusetts General Laws Chapter 40B, Section 3.

5.1.9.5.4. With the approval of the Planning Board, as an alternative to the requirements of Section 5.1.9.4.A, an applicant subject to the Bylaw may develop, construct or otherwise provide AFFORDABLE DWELLING UNITS equivalent to those required by Section 5.1.9.2.1 on land other than the parcel or parcels that are the subject of the Special Permit. To the maximum extent practicable, all requirements of this Section 5.1.9 that apply to on-site provision of AFFORDABLE DWELLING UNITS shall apply to provision of off-site AFFORDABLE DWELLING UNITS. In addition, the Planning Board shall approve the location of the off-site units to be provided as an integral element of the Special Permit review and approval process.

5.1.9.6 Fees-in-Lieu of AFFORDABLE DWELLING UNIT Provision - As an alternative to the requirements of Section 5.1.9.2.1, and as allowed by law and with the approval of the Planning Board, an applicant may contribute an amount in cash equal to the costs of constructing such AFFORDABLE DWELLING UNITS, and satisfactory to the Planning Board in consultation with other relevant Town boards and departments, to the Town of Burlington Housing Authority or its designee for the development and preservation of affordable housing, in consultation with the Planning Board and other appropriate Town boards and departments, in lieu of constructing and offering AFFORDABLE DWELLING UNITS within the parcel or parcels of the proposed development or off-site, as set forth in Section 5.1.9.6.1 below.

**(ZONING BYLAWS CONTINUED)**

**ZONING BYLAWS (continued)**

5.1.9.6.1. Calculation of fees-in-lieu of units. The applicant for development subject to this Section 5.1.9 may pay fees-in-lieu of the construction of an AFFORDABLE DWELLING UNIT. For the purposes of this provision, the fees-in-lieu of the construction or provision of each AFFORDABLE DWELLING UNIT is determined to be three (3) times 80% of the median income for a household of four (4), as reported by the most recent information from the United States Department of Housing and Urban Development (HUD) and/or the Massachusetts Department of Housing and Community Development (DHCD) in the Standard Metropolitan Statistical Area in which the Town is located.

or to act in any other manner in relation thereto.

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

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

**ARTICLE 9**

**RE: Zoning Bylaw Housekeeping Amendments  
Section 4.1.1. and Section 8.5.0 Town Center  
Districts**

To see if Town Meeting will vote to amend Articles IV and VIII of the Zoning Bylaw, as follows: to amend Section 4.1.1 “Symbols in Use Regulations Schedules”, in the fourth and fifth lines, by deleting the words “Town Center” and substituting therefore the words “CC or CBD” in each instance, such that the resulting lines read as follows:

**4.1.1 Symbols in Use Regulations Schedules**

YES<sub>1</sub> – Permitted by right in a CC or CBD overlay district, even if prohibited or allowed only by SP in the underlying zoning district.

SP<sub>1</sub> – Permitted only by a special permit in a CC or CBD overlay district, even if prohibited in the underlying zoning district.

AND further to amend Section 8.5.5.4 “Minimum Side Yard and Rear Yard”, by deleting the word “single” and substituting therefore the word “one”.

AND further to amend Section 8.5.5.5 “Minimum Buffer to Adjoining RO Districts”, to insert the word “requirement” after the word “maximum” in the first sentence, and to insert words “within the CC or CBD Districts” after the word “use” in the third sentence, such that the paragraph will read as follows:

**8.5.5.5 Minimum Buffer to Adjoining RO Districts**

The minimum buffer to adjoining residentially zoned property shall be 20% of the average depth and/or width of the lot as applicable, with a minimum of 25’ and a maximum requirement of 50’. Abutting residentially zoned property shall include lots that are adjacent to a private or public way connecting said residential property and the Town Center Districts. A landscaped buffer of at least 20’ in depth shall be constructed to

**ZONING BYLAWS (continued)**

mitigate the impact of any commercial use within the CC or CBD Districts on the abutting residential district. The buffer shall be designed and constructed to minimize the visual effect of the bulk and height of buildings, structures, parking areas, lights, or signs, and shall be kept free of encroachment by all buildings, structures, storage areas, and parking, except that bicycle paths and fences may be sited within such buffer area if approved pursuant to a site plan review by the Planning Board.

AND further to amend Section 8.5.5.7 “Maximum Building & Structure Height”, in the last sentence, by deleting the word “single” and substituting therefore the word “one”.

AND further to amend Section 8.5.5.8 “Maximum feet between buildings”, by deleting the words “None, but”, such that the resulting section reads as follows:

**8.5.5.8 Minimum Feet between Buildings**

Not less than required by the State Building Code.

AND further to amend Section 8.5.9 “Transfer of Development Rights”, in the 3<sup>rd</sup> paragraph, by inserting the following words “and recording such restriction at the South Middlesex registry of Deeds” after the word “restriction”, such that the resulting paragraph reads as follows:

Transfer of development rights is contingent upon placing a permanent deed restriction and recording such at the South Middlesex Registry of Deeds, the form of which is subject to approval by Town Counsel, on the land from which the development rights are being transferred and restricting the use of the land to agriculture, forestry, open space, passive or active recreation, or deeding the land to the Town of Burlington as permanent open space or parkland.

AND further to amend Section 8.5.10 “Criteria for Approval”, in subsection 1, by inserting the year “1993” before the words “Master Plan” and the year “2004” before the words “Community Development Plan”.

or to act in any other manner in relation thereto.

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

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

**ARTICLE 10**

**RE: Rezone Tinkham Avenue**

To see if the Town will vote to rezone property located at 15 Tinkham Avenue, said property being shown on Assessor’s Map 13, Parcels 242, 243 and 244, such that all of said property will be taken out of the Zoned Wetlands District as determined by the Town Wetlands Map prepared by Metcalf & Eddy in 1976; or to act in any other manner in relation thereto.

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

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

**ZONING BYLAWS (continued)**

**ARTICLE 11**

**RE: Zoning Bylaw Amendment  
Section 3.1.1/Special Districts**

To see if the Town will vote to amend Section 3.1.1 Special Districts,

*By adding (note: the below term is used in section 8.5.1)*

TC – Town Center District

The section to now read:

Section 3.1.1 Special Districts  
CC – Civic Center District  
CBD – Central Business District  
TC – Town Center District

or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Shari Lynn Ellis, Town Meeting Member/Precinct 3

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

**ARTICLE 12**

**RE: Zoning Bylaw Amendment  
Section 8.5.1.1/Intent of Town Meeting**

To see if the Town will vote to add Section 8.5.1.1 “Intent of Town Meeting” as follows:

8.5.1.1 Intent of Town Meeting

It is the intention of the Burlington Town Meeting in adopting this new Section **8.5.0 Town Center Overlay District** that in the Civic Center District (CC) and the Central Business District (CBD), any variance to any Dimensional Requirement specified in section 8.5.5 shall be deemed to be nullifying and substantially derogating to the intent and purpose of the Town Center Overlay District and the purposes and objectives detailed in section 8.5.1. Additional density and dimensional allowances in the Town Center District, greater than those allowed outside the Town Center District are carefully balanced and tied to very specific criteria and any variance that grants permission to exceed those density and dimensional allowances without strictly adhering to the specific criteria is viewed by the Burlington Town Meeting as undermining the very reason for the existence of the Town Center Overlay District, or to act in any other manner in relation thereto.

**ZONING BYLAWS (continued)**

*Since the Town Center Overlay District provides for increased density and reduced dimensional requirements in ways that are tailored to carefully established criteria, additional increases in density or additional reduction of dimensional requirements should not be allowed by way of a variance from the Board of Appeal.*

or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Shari Lynn Ellis, Town Meeting Member/Precinct 3

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

**ARTICLE 13**

**RE: Zoning Bylaw Amendment  
Section 8.5.2/District Boundaries**

To see if the Town will vote to amend Section 8.5.2 District Boundaries by inserting in the last sentence after the word “amended” the new words -- “only by a two-thirds (2/3) vote of Town Meeting”.

And by adding a new sentence to the end of the paragraph: “Any parcel all or partially within the Town Center District which is expanded to include additional property outside the Town Center District will still only have that portion within the Town Center District as eligible for treatment according to the terms of the Town Center District whether the property was enlarged by merger through operation of law or by an action on the part of the owner(s) of the parcel.”, or to act in any other manner in relation thereto.

The amended section 8.5.2 to now read:

The Town Center (TC) District is herein incorporated as an overlay district, superimposed over other districts established by this Bylaw. The TC District is divided into two (2) sub-districts: the “Civic Center” (CC) and the “Central Business District” (CBD). The TC District shall include all areas as reflected on a map titled "Town Center Overlay District: Civic Center and Central Business Districts", prepared by Town of Burlington Planning Department, dated December 2005. This map as may be amended only by a two-thirds (2/3) vote of Town Meeting from time to time is hereby made a part of this Bylaw. Any parcel all or partially within the Town Center District which is expanded to include additional property outside the Town Center District will still only have that portion within the Town Center District as eligible for treatment according to the terms of the Town Center District whether the property was enlarged by merger through operation of law or by an action on the part of the owner(s) of the parcel, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Shari Lynn Ellis, Town Meeting Member/Precinct 3

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

**ZONING BYLAWS (continued)**

**ARTICLE 14**

**RE: Zoning Bylaw Amendment  
Section 8.5.5.5/Minimum Buffer**

To see if the Town will vote to amend Section 8.5.5.5 Minimum Buffer to Adjoining RO Districts

- a.) by adding the word “requirement” after the word “maximum” at the end of the first sentence;
- b.) and by changing the numeral “20” in the third sentence after the words “at least” to the new numeral “25”
- c.) and in the third sentence after the word “constructed” add the words “within the Town Center District property”
- d.) and in the third sentence after the words “commercial use” strike the word “on” and substitute the word “affecting”  
or to act in any other manner in relation thereto.

For item (a.)  
The property owner may want to have a buffer that is greater than 50’ and the Bylaw should not prevent that but only prevent the **requirement** of more than 50 ‘

For item (b.)  
Need to be consistent with line 2 above.

For item (c.)  
Could be interpreted to be on the abutting residential property, especially if same person owns both properties

For item (d.)  
Could be interpreted as the “commercial use” taking place on the abutting residential district.

The amended Section 8.5.5.5 to then read:

The minimum buffer to adjoining residentially zoned property shall be 20% of the average depth and/or width of the lot as applicable, with a minimum of 25’ and a maximum *requirement* of 50’. Abutting residentially zoned property shall include lots that are adjacent to a private or public way connecting said residential property and the Town Center Districts. A landscaped buffer of at least 25’ in depth shall be constructed *within the Town Center District property* to mitigate the impact of any commercial use *affecting* the abutting residential district. The buffer shall be designed and constructed to minimize the visual effect of the bulk and height of buildings, structures, parking areas, lights, or signs, and shall be kept free of encroachment by all buildings, structures, storage areas, and parking, except that bicycle paths and fences may be sited within such buffer area if approved pursuant to a site plan review by the Planning Board, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Shari Lynn Ellis, Town Meeting Member/Precinct 3

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

**(ZONING BYLAWS CONTINUED)**

**ZONING BYLAWS (continued)**

**ARTICLE 15**

**RE: Zoning Bylaw Amendment  
Section 8.5.8/Design Requirements**

To see if the Town will vote to amend section 8.5.8 Design Requirements by *adding at the end of the second sentence after the words “public hearing” the words:*

*“with written notice and full text of the proposed regulations mailed to Town Meeting Members no less than ten (10) days prior to the date of the public hearing”*

The amended section 8.5.8 Design Requirements to then read:

The Planning Board shall adopt and maintain design review regulations to govern the future construction and reuse of properties in the Town Center. Adoption and amendment to such regulations shall require a public hearing with written notice and full text of the proposed regulations mailed to Town Meeting Members no less than ten (10) days prior to the date of the public hearing . Such regulations shall address:

*Since the Planning Board may amend this section numerous times, it would hold the board accountable and increase public awareness to the revisions being sought.*

or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Shari Lynn Ellis, Town Meeting Member/Precinct 3

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

**ARTICLE 16**

**RE: Zoning Bylaw Amendment  
Article VI/Use Regulations, Section 4.1.1**

To see if the Town will vote to amend Article IV, “Use Regulations” Section 4.1.1 Symbols in Use Regulations Schedules, by deleting the definitions of “YES<sub>1</sub>“ and of “SP<sub>1</sub>“ as adopted at the January 2006 Town Meeting and substitute the following text:

YES<sub>1</sub> – Permitted by right in a Central Business District (CBD) or a Civic Center District (CC) within the Town Center Overlay District, even if prohibited or allowed only by SP in the underlying zoning district.

SP<sub>1</sub> – Permitted only by a special permit in a Central Business District (CBD) or a Civic Center District (CC) within the Town Center Overlay District, even if prohibited in the underlying zoning district, or to act in any other manner in relation thereto.

**(ZONING BYLAWS CONTINUED)**

**ZONING BYLAWS (continued)**

*Because the Principal Use Regulations Schedule chart does not have a heading entitled “Town Center overlay district” but does have column headings “CC” and “CBD” need to specify CC or CBD in the text because in some situations the Yes<sub>1</sub> applies not to the whole Town Center District but only to CBD See 4.2.6.8; 12; 13; 14*

or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Shari Lynn Ellis, Town Meeting Member/Precinct 3

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

**ARTICLE 17**

**RE: Zoning Bylaw Amendment  
Article VI/General Regulations, Section 6.1.1**

To see if the Town will vote to amend section 6.1.1 of Article VI “General Regulations” of the Zoning Bylaw by inserting immediately *before the phrase* “if there is a finding by the Planning Board”, the words: “to a new use even if that new use is not authorized in the district in which the building, structure or premises is located”.

The amended Section 6.1.1 to then read:

6.1.1 Nonconforming Uses

Any building or structure, part of a building or structure, or any premises which at the time of the adoption or subsequent amendment of the bylaw is under construction for or being put to a nonconforming use may continue to be used or may be completed and used for the same purpose; but no nonconforming use shall be changed, moved, or extended unless the use is changed to any of those authorized in which the building, structure or premises is located; except that a nonconforming use may be extended, altered or changed to a new use even if that new use is not currently authorized in the district in which the building, structure or premises is located if there is a finding by the Planning Board that such extension, alteration or change will not be substantially more detrimental than the existing nonconforming use to the neighborhood, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
John D. Kelly, Town Meeting Member/Precinct 3

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

**(ZONING BYLAWS CONTINUED)**

**ZONING BYLAWS (continued)**

**ARTICLE 18**

**RE: Zoning Bylaw Amendment  
Article VI/General Regulations, Section 6.1.1**

To see if the Town will vote to amend section 6.1.1. of Article VI “General Regulations” of the Zoning Bylaw, by inserting *at the end of the paragraph*, after the word “neighborhood”, the words: “and the new use is changed to any of those currently authorized in the district in which the building, structure or premises is located”.

The amended Section 6.1.1 to then read:

6.1.1 Nonconforming Uses

Any building or structure, part of a building or structure, or any premises which at the time of the adoption or subsequent amendment of the bylaw is under construction for or being put to a nonconforming use may continue to be used or may be completed and used for the same purpose; but no nonconforming use shall be changed, moved, or extended unless the use is changed to any of those authorized in which the building, structure or premises is located; except that a nonconforming use may be extended, altered or changed if there is a finding by the Planning Board that such extension, alteration or change will not be substantially more detrimental than the existing nonconforming use to the neighborhood and the new use is changed to any of those authorized in the district in which the building, structure or premises is located, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
John D. Kelly, Town Meeting Member/Precinct 3

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

**ARTICLE 19**

**RE: Zoning Bylaw Amendment  
Article III/Establishments of Districts**

To see if the Town will vote to amend the Zoning Bylaw to establish an Open Space District, as follows: to amend Article III Establishment of Districts, Section 3.1.0, to add “OS – Open Space Districts” to the list of districts.

And further to amend Article IV, Sections 4.2.0, 4.3.0, and 4.4.0 to amend the use regulations schedule to add a new column for the Open Space District, as reflected on Exhibit “A” – pages 4-1 through 4-13 (beginning on next page following this warrant article), or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Maureen Monaco Ryan, Town Meeting Member/Precinct 1

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

**ZONING BYLAWS (continued)**

**ARTICLE 20**

**RE: Zoning Map Amendment  
Open Space Districts**

To see if the Town will vote to rezone the following parcels from RO (One Family Dwelling) District to OS (Open Space) District, and amend the Town of Burlington Zoning Map accordingly, as follows:

Property known as the Town Common, shown on Assessors' Map 29, Parcel 109 (6.7 acres)  
Property known as Olympian Way, shown on Assessors' Map 29, Parcel 162 (0.31 acres)  
Property known as Simonds Park, shown on Assessors' Map 23, Parcel 255 (20.4 acres)  
Property known as Rahanis Park, shown on Assessors' Map 18, Parcel 7 (12.7 acres)  
Property known as Regan Park, shown on Assessors' Map 16, Parcel 71 (5.4 acres)  
Property known as TRW Park, shown on Assessors' Map 41, Parcel 128 (7.0 acres)  
Property known as Veteran's Park, shown on Assessors' Map 5, Parcel 88 (3.6 acres)  
Property known as Pathwoods Tot Lot, shown on Assessors' Map 22, Parcel 125 (0.36 acres)  
Property known as Overlook Park, shown on Assessors' Map 43, Parcel 22 (7.6 acres)  
Property known as Marvin Field, shown on Assessors' Map 54, Parcel 12 (4.5 acres)  
Property known as Rotary Field, shown on Assessors' Map 54, Parcel 14 (1.7 acres)

Property known as Saw Mill Conservation Area, shown on Assessors' Map 9, Parcel 64 (7.0 acres), Parcel 65 (10.8 acres), Parcel 66 (1.2 acres); and on Assessors' Map 13, Parcel 87 (2.7 acres), Parcel 95 (3.4 acres), Parcel 96 (3.8 acres) and Parcel 97 (18,225 square feet).

Property known as Little Brook Conservation Area, shown on Assessors' Map 48, Parcel 6-1 (7.6 acres) and on Assessors' Map 49, Parcel 84 (29.1 acres).

Property known as the City of Boston land and/or the Cummings Estate, comprised of lands shown on Assessors' Map 54, Parcel 16 (148.0 acres), Parcel 13 (7.6 acres) and Parcel 18 (4.4 acres), or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Maureen Monaco Ryan, Town Meeting Member/Precinct 1

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

GENERAL BYLAWS

ARTICLE 21

RE: Amend General Bylaws Article III “Procedure of Town Meeting”, Section 13 “Referendum Petition” and Petition Legislature to Amend Chapter 686, Section 12(g) – Referendum Petitions

To see if the Town will vote to amend the General Bylaws, Article III, Section 13 by adopting the following changes as indicated and further to petition the General Court to amend Chapter 686 of the Acts of 1970, Section 12 (g) to reflect the changes indicated: Article III, Section 13 Referendum Petition (General Bylaws) and Section 12(g) Chapter 686 of the Acts of 1970

No final vote of any representative town meeting session passing or rejecting a measure under any article in the warrant, except a vote to adjourn, or an authorization to borrow money in anticipation of taxes, an authorization to pay debts and obligations of the town, an appropriation of funds necessary to implement a written agreement executed under section one hundred and seventy-eight I of chapter one hundred and forty-nine of the General Laws, or the budget of the town as a whole, or a vote declared by preamble to be an emergency measure necessary for the immediate preservation of peace, health, safety or convenience of the town, and which is passed by a two thirds vote of the membership, shall be operative until fourteen days after the adoption of such vote.

If, within said fourteen days, a petition signed by not less than five per cent of the (active) registered voters of the town, containing their names and addresses as they appear on the list of registered voters at the most recent election, is filed in the office of the selectmen requesting that the question or questions involved in any such vote be submitted to the registered voters of the town at large, then the operation of such vote shall be further suspended pending its determination as hereinafter provided. The board of registrars shall certify the signatures within seven days of the filing date. Within fourteen days of the filing deadline and including the time of certification by the board of registrars of a referendum petition, the ~~The~~ selectmen shall forthwith after the board of registrars certifies that the petition has the requisite number of signatures call a special election which shall be held within ~~thirty-five days~~100 days but no sooner than ~~twenty-eight~~ the earliest date on which the question may appear on the ballot pursuant to section 42C of Chapter 54 of the general laws, as it may be amended from time to time days after issuing the call; provided, however, that if a regular or special town election is to be held ~~not more than thirty days after~~within the 100 day period, they may provide that the question or questions involved be presented to the voters at the same election.

All votes shall be taken by official ballots, and the check list shall be used in the same manner as in the election of town officers. The questions so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of the representative town meeting shall be reversed unless at least twenty per cent of the total (active) registered voters of the town shall so vote to reverse the vote of the representative town meeting.

The questions so submitted shall be stated on the ballot in substantially the same language and form in which they were stated when presented by the moderator to the representative town meeting as appears from the records of said meeting, provided, however, that if the question as stated by the moderator was lengthy as determined by the board of selectmen in its sole discretion the question may instead be stated in summary form by referring to the action taken by the representative town meeting.

This election shall be held on a Saturday, unless it is to be held in conjunction with another election and the polls shall open not later than two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening.

If a petition is not filed within fourteen days of a final vote of the representative town meeting, it shall then become effective, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Jane Chew, Town Clerk

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

**FINANCIAL ARTICLES**

**ARTICLE 22**

**RE: Transfer of Funds FY 2006  
Various Accounts**

To see if the Town will vote to transfer from available funds the sum of \$700,000 or any other amount, for the purpose of paying for expenses incurred in Fiscal Year 2006 to various accounts same to be spent under the direction of the appropriate authorities, or to act in any other manner in relation thereto.

AMOUNT: \$700,000

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

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

**ARTICLE 23**

**RE: Fund FY 2007 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 2007, or to act in any other manner in relation thereto.

AMOUNT: \$\_\_\_\_\_

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

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

**ARTICLE 24**

**RE: Blanchard Road  
Telecommunications Lease**

To see if the Town will vote to transfer the care, custody, maintenance and control of the land described below, owned by the Town and currently under the care, custody, maintenance and control of the Board of Selectmen for general municipal purposes, to the Board of Selectmen for general municipal purposes and for leasing to a telecommunications company for the location of a telecommunications facility, and further to authorize the Board of Selectmen to enter into such a lease or leases for said purposes for all or a portion of the land shown on Assessors Map 53, Parcel 8, being a portion of the land described in a deed to the Town recorded with the Middlesex Registry of Deeds at Book 9321 Page 301, upon such terms and conditions, and for a period of up to twenty years; and to grant such easements upon said land as are necessary for utility services in support of such use; as the Board of Selectmen shall determine to be appropriate; or to act in any other manner in relation thereto.

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

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

**FINANCIAL ARTICLES (continued)**

**ARTICLE 25**

**RE: Fund FY 2007 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 amount, for the items contained within the following proposed Fiscal Year 2007 Capital Budget, same to be spent under the appropriate authorities as indicated:

<u>PROJECT NUMBER</u>	<u>DEPARTMENT</u>	<u>PROJECT NAME/DESCRIPTION</u>	<u>SPENDING AUTHORITY</u>	<u>APPROP. REQUEST</u>
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FROM CEMTERY SALE OF LOTS 07-1

07-1	DPW	Cemetery/Purchase Mower	Selectmen	11,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				

FROM WETLAND FEES FUND 07-2

07-2	Conservation	Pickup Truck	Conservation Commission	25,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				

FROM FREE CASH 07-3 thru 07-7

07-3	DPW	Vinebrook Treatment Plant Dehumidification	Selectmen	65,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				

07-4	DPW	Vinebrook Treatment Plant Filter Media Replacement	Selectmen	26,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				

07-5	DPW	Central Maintenance Garage Ventilation System	Selectmen	13,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				

07-6	Tn. Facilities	Human Services/Parking&Drainage	Selectmen	75,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				

07-7	MIS	Wiring Improve./Main Fire Station & Human Services	Selectmen	26,000
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )				

or to act in any other manner in relation thereto.

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

**ARTICLE 26**

**RE: Odor Control**

To see if the Town will vote to transfer from Sewer Enterprise Fund or otherwise provide the sum of \$20,000 or any other amount, for the purpose of controlling odor in Francis Wyman Sewer Pump Station, 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 ( )

**(FINANCIAL ARTICLES CONTINUED)**

**FINANCIAL ARTICLES (continued)**

**ARTICLE 27**

**RE: Portable Classroom  
Installation and Renovations**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$150,000 or any other amount, to be expended at the direction of the School committee, to fund the installation and renovations required for the portable classrooms at Fox Hill and Memorial Elementary Schools including the payment of all costs incidental and related thereto, or to act in any other manner in relation thereto.

AMOUNT: \$150,000

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

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

**ARTICLE 28**

**RE: Burlington High School  
Doors and Windows**

To see if the Town will vote to transfer from the Insurance Reimbursement Account the sum of \$29,419 to offset the deficit created by the expenditure related to the replacement of doors and windows resulting from a motor vehicle incident, located at the Main Gymnasium Entrance, Burlington High School, and the cost associated, or to act in any other manner in relation thereto.

AMOUNT: \$29,419

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

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

**ARTICLE 29**

**RE: Burlington High School  
HVAC System**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$46,000 or any other amount, to be expended under the direction of the Burlington School Committee, to fund the inspection, calibration and balancing of the HVAC equipment at the Burlington High School, including the payment of all costs incidental and related to, or to act in any other manner in relation thereto.

AMOUNT: \$46,000

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

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

**FINANCIAL ARTICLES (continued)**

**ARTICLE 30**

**RE: Memorial School Replacement Project Cost**

To see if the Town will vote to appropriate \$26,110,000 or some other amount, to be expended at the direction of the School Committee, to pay the cost of construction, originally equipping and furnishing a new Memorial School, including the payment of all costs incidental and related thereto, and to determine whether such amount should be raised by taxation, transfer from available funds, by borrowing or otherwise, or to take any other action relative thereto

AMOUNT: \$26,110,000

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

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

**ARTICLE 31**

**RE: School Community Custodial Services**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$27,810 or any other amount, 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 other manner in relation thereto.

AMOUNT: \$27,810

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

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

**ARTICLE 32**

**RE: Police Vehicles**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$90,000 or any other amount, for the purpose of purchasing three (3) police vehicles, same to be spent under the direction of the Chief of Police, or act in any other manner in relation thereto.

AMOUNT: \$90,000

Submitted by the Board of Selectmen at the request of the Chief of Police

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

**(FINANCIAL ARTICLES CONTINUED)**

**FINANCIAL ARTICLES (continued)**

**ARTICLE 33**

**RE: Fire Tower Ladder Truck**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$900,000 or any other sum, for the purpose of purchasing a new tower ladder truck for use at the Fire Department, same to be spent under the direction of the Board of Selectmen, or to act in any other manner in relation thereto.

AMOUNT: \$900,000

Submitted by the Board of Selectmen at the request of the Chief of Fire Department

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

**ARTICLE 34**

**RE: Pine Haven Expansion**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$151,238 or any other amount to expand Section IV of the Pine Haven Cemetery to create approximately 250 new gravesites and to do or act in any other manner in relation thereto.

AMOUNT: \$151,238

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

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

**ARTICLE 35**

**RE: Health Actuarial Study**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$20,000 or any other amount to conduct an analysis of the Town's liability for future health care cost to comply with the requirements of the new GASB 45 accounting standards and to do or act in any other manner in relation thereto

AMOUNT: \$20,000

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

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

**FINANCIAL ARTICLES (continued)**

**ARTICLE 36**

**RE: Capital Items: General Obligation Bond**

To see if the Town will vote to appropriate \$3,800,000 or some other amount, to be expended at the direction of the Selectmen, to pay for the following capital costs, including any and all other costs incidental and related thereto:

- |   |              |
|---|--------------|
| 1. Renovation to Terrace Hall Station/Fire Department | \$ 900,000   |
| 2. Town Common Improvements/Sprinklers & Walkways     | \$ 200,000   |
| 3. Building Improvements/Museum, Police Station Vinyl | \$ 150,000   |
| 4. Road Construction/Department of Public Works       | \$ 750,000   |
| 5. Roof Repairs/High School                           | \$ 1,300,000 |
| 6. Various Field Upgrades (lights, etc.) Recreation   | \$ 500,000   |

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

AMOUNT: \$3,800,000

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

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

**ARTICLE 37**

**RE: Fund the Administrative & Professional  
Compensation Plan**

To see if the Town will vote to adopt the Administrative & Professional Compensation Plan for Fiscal Year 2007, and transfer from the Negotiated Settlement Account a sum of money, for the purpose of funding the plan under the direction of the appropriate authorities, or to act in any other manner in relation thereto.

AMOUNT: \$\_\_\_\_\_

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

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

**ARTICLE 38**

**RE: Fund the Part-time Compensation Plan**

To see if the Town will vote to transfer from the Negotiated Settlement a sum of money, for the purpose of funding the Part-time Salary Plan (under 20 hours) for Fiscal Year 2007, 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 ( )

**(FINANCIAL ARTICLES CONTINUED)**

**FINANCIAL ARTICLES (continued)**

**ARTICLE 39**

**RE: Fund B-Line**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$217,000 or any other amount to pay for the Town’s share of running the B-Line bus service in Burlington and to do or act in any other manner in relation thereto.

AMOUNT: \$217,000

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

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

**ARTICLE 40**

**RE: Fund Revolving Account**

To see if the Town will vote to authorize revolving funds for certain Town departments under Massachusetts General Laws Chapter 44, Section 53E½ for the fiscal year beginning July 1, 2007 or to take any other action relative thereto.

Town Meeting sets \$ spending limit, not more than 10% of tax levy, employee benefit costs must be included.					
<b>Revolving Account</b>	<b>Spending Authority</b>	<b>Revenue Source</b>	<b>Allowed Expenses</b>	<b>Expenditure Limits</b>	<b>Year End Balance</b>
Home Composting	Public Works	Fees charged for compost bins	Purchase of compost bins	\$5,000	Available for expenditure next year
Cross Connection-Backflow prevention	Public Works	Fees charged for testing devices that prevent mixing of potable and non-potable water	Contract services to EPA authorized vendors who perform the testing.	\$15,000	Available for expenditure next year
B-line Local Mini Bus	Public Works	Bus user fees	Salaries, expenses, contractual services to operate the in-town B-Line bus service.	\$15,000	Available for expenditure next year
Nursing Programs & Services	Board of Health	Fees charged for medical diagnostic and screening services and Medicare or insurance reimbursements, i.e. Flu/Pneumonia vaccination	Medical equipment and supplies, immunizations, educational materials	\$10,000	Available for expenditure next year
Plan Imaging	Building Department	2% of Building Department Fees Not to exceed \$10,000 annually	Archival imaging of building permit drawings and specifications	\$20,000	Available for expenditure next year
Sale of Recyclable Materials	Board of Selectmen	Receipts from the Sale of Recyclable Material	May be used to offset the cost of curbside collection and disposal of solid waste	\$35,000	Available for expenditure next year

AMOUNT: \$100,000

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

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

**FINANCIAL ARTICLES (continued)**

**ARTICLE 41**

**RE: Drug and Alcohol Task Force**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$2,500 or any other amount, to fund the expenses of the Burlington Drug and 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.

AMOUNT: \$2,500

Submitted by Board of Selectmen at the request of the Drug and Alcohol Task Force

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

**ARTICLE 42**

**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 \$25,000 or any other amount, 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.

AMOUNT: \$25,000

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

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

**ARTICLE 43**

**RE: Sewer Services Enterprise Fund**

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 Fiscal Year 2007 Sewer Services Enterprise Operating Budget, or to act in any other manner in relation thereto.

AMOUNT: \$3,900,000

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

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

**ARTICLE 44**

**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 \$744,880.56 or any other amount, to operate the Burlington Ice Palace, of which the \$744,880.56 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.

AMOUNT: \$744,880.56

Submitted by Board of Selectmen at the request of the Town Treasurer/Collector

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

**(FINANCIAL ARTICLES CONTINUED)**

**FINANCIAL ARTICLES (continued)**

**ARTICLE 45**

**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 \$543,892 or any other amount, 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.

AMOUNT: \$543,892

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

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