

# **WARRANT**

**Burlington Town Meeting**



**May 14, 2007  
7:30 P.M.**

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

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**Burlington Town Meeting**  
**May 14, 2007**

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**WARRANT**

**BURLINGTON TOWN MEETING**

**MONDAY May 14, 2007**

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 14th of May 2007 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: Intermunicipal Agreement/Emergency Water Supply**

To see if the Town will vote to authorize the Board of Selectmen to enter into an intermunicipal agreement with the Town of Billerica for mutual assistance with respect to the provision of an emergency drinking water supply pursuant to General Laws chapter 40, section 39H and c. 40, sec. 4A; 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 3**

**RE: Abandonment and Relocation of Sewer Easement --Burlington Mall**

To see if the Town will vote to authorize the Board of Selectmen, acting as the Town’s Water and Sewer Commissioners, in accordance with Chapter 40, Section 15 of the General Laws, to abandon, for no monetary compensation, all right, title and interest in and to a certain segment (6,864 sq. ft.) of that certain sewer easement acquired by the Town under Order of Taking, dated December 16, 1965, registered on December 17, 1965 as document 427531 with the Land Court Division of the Middlesex South District Registry of Deeds, affecting the land situated on Middlesex Turnpike, commonly referred to as the Burlington Mall, described in Assessor’s records as Map 52, Parcel 1-0, the Selectmen having determined that such easement segment will be no longer required for public purposes once a replacement easement is acquired; and to authorize the Board of Selectmen, acting as the Town’s Water and Sewer Commissioners, in accordance with Chapter 40, Section 3 of the General Laws, to execute and accept on the Town’s behalf a revised easement to replace that segment of the easement to be abandoned hereunder, at a location and on terms and conditions as shall be determined by the Board of Selectmen, all as shown on a plan filed at the Town Clerk’s office entitled, “Easement Plan of Land in Burlington, Massachusetts,” prepared by Vanasse Hangen Brustlin, dated October 11, 2006; or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of

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

**ARTICLE 4**

**RE: Northwest Park PDD – Approval of a Conceptual Design Plan Related to a Retail Use in Excess of 90,000 Within the Northwest Park Planned Development (PD) District**

To see if the Town will vote to approve the design and concept plan for a retail store in accordance with the Norwest Park Planned Development (PD) District Use Table, Section 1.4.3 (iii) “Retail stores and showrooms in excess of 90,000 square feet”, subject to final Special Permit authorization from the

*(General Articles Continued)*

**GENERAL ARTICLES (continued)**

Planning Board. The development of said retail facility shall be substantially in conformance with the elevations as shown on the design concept plan entitled "Design Concept Plan View From 3<sup>rd</sup> Avenue", Northwest Pak, Burlington, Massachusetts, dated March 30, 2007, prepared by Elkus Manfredi Architects, 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 BYLAW ARTICLES

### ARTICLE 5

### 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 Chadwick Conservation Area, shown on Assessor's Map 34 as Parcel 184 (3.8 Ac).

Property known as Fairfax Street Conservation Area, shown on Assessor's Map 28 as Parcel 224 (0.12 Ac) and

Property known as Forest field Conservation Area, shown on Assessor's Map 24 as Parcel 51 (4.2 AC), Parcel 55 (3.7 Ac), Parcel 57 (4.1 Ac), and Parcel 30 (2.9 Ac)

Property known as Ipswich Conservation Area, shown on Assessor's Map 5 as Parcel 59 (3.3 Ac) and Parcel 59-9 (18,972 sq. ft.)

Property known as Litchfield Way Conservation Area, shown on Assessor's Map 31 as Parcel 119-7 (3.2 Ac)

Property known as Littles Brook Conservation Area, shown on Assessor's Map 48 as Parcel 6-1 (7.6 Ac) and on Assessor's Map as Parcel 84 (29.1 Ac)

Property known as Longmeadow Brook Conservation Area, shown on Assessor's Map 46 as Parcel 40-166-1 (2.0 Ac)

Property known as Lubber Brook Conservation Area, shown on Assessor's Map 2 as Parcel 13 (2.33 Ac) and Parcel 15 (3.1 Ac)

Property known as Marion Road Conservation Area, shown on Assessor's Map 21 as Parcel 235 (15.7 Ac)

Property known as Mill Pond Conservation Area, shown on Assessor's Map 18 as Parcel 98 (2.4 Ac), Parcel 97 (9.8 Ac), Assessor's Map 19 as Parcel 5 (18.0 Ac), Parcel 7 (55.7 Ac), Assessor's Map 24 as Parcel 85 (30.4 Ac), Parcel 100 (6.3 Ac), Parcel 101 (11,600 sq. ft.), Parcel 106 (34,400 sq. ft.), Parcel 107 (34,100 sq. ft.), Parcel 108 (33,900 sq. ft.), Parcel 109 (33,700 sq. ft.), Parcel 110 (33,600 sq. ft.), Parcel 111 (20,200 sq. ft.), Parcel 119 (8.44 Ac), Assessor's Map 25 as Parcel 38 (4.0 Ac), Parcel 96 (1.4 Ac), Parcel 97 (5.69 Ac), Parcel 88-1 (4.29 Ac), Parcel 149 (4.66 Ac), and Parcel 67 (20,001 sq. ft.)

Property known as Muller Road Conservation Area, shown on Assessor's Map 56 as Parcel 59-23-2 (1.1 Ac), and Assessor's Map 59 as Parcel 22-1 (2.2 Ac)

Property known as Pine Glen Conservation Area, shown on Assessor's Map 12 as parcel 61 (5.8 Ac)

Property known as Rocky Pond Brook Conservation Area, shown on Assessor's Map 30 as Parcel 63 (1.1 Ac) and Parcel 64 (1.5 Ac) and on Assessor's Map 31 as Parcel 64 (1.4 Ac)

*(Zoning Bylaw Articles Continued)*

**ZONING BYLAW ARTICLES (continued)**

Property known as Sandy Brook Conservation Area, shown on Assessor’s Map 28 as Parcel 108 (2.9 Ac), Parcel 109 (23,322 sq. ft.), Parcel 110 (20,265 sq. ft.), Parcel 111 (26,370 sq. ft.), Parcel 112 (22,400 sq. ft.) and on Assessor’s Map 29, Parcel 48 (21,914 sq. ft.) and Parcel 49 (21,142 sq. ft.)

Property known as Saw Mill Conservation Area, shown on Assessor’s Map 9 as Parcels 64 (7.0 Ac), 65 (10.8 Ac), and 66 (1.2 Ac), and on Assessor’s Map 13 as Parcels 87 (2.7 Ac), 95 (3.4 Ac), Parcel 7 (20,000 sq. ft.), Parcel 8 (21,800 sq. ft.), Parcel 9 (20,000 sq. ft.), Parcel 15 (10,500 sq. ft.), and Parcel 72 (31,500 sq. ft.)

Property known as Wildmere Conservation Area, shown on Assessor’s Map 43 as Parcel 228 (26,658 sq. ft.)

or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Town Meeting Member/Precinct 2, William C. Beyer

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

**ARTICLE 6**

**RE: Zoning Map Amendment/Article II  
Open Space District Definition**

To see if the Town will vote to amend Article II of the Zoning Bylaw by establishing a new Section 2.59.1 to provide a definition for “Open Space District”, as follows:

2.59.1 Open Space District – A Zoning classification that limits the allowable uses to agriculture, conservation, recreation, parks, reservoirs and water supply lands. Open Space Districts are mostly commonly used for publicly owned lands, or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Town Meeting Member/Precinct 6 , Thomas Killilea

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

**ARTICLE 7**

**RE: Zoning Map Housekeeping Amendments/Article  
VIII to Town Center Overlay Open Space  
District Definition**

To see if the Town will vote to amend Article VIII of the Zoning Bylaw, as follows:

To amend Section 8.5.5.5 “Minimum Buffer to Adjoining RO Districts”, by deleting the existing second sentence and substituting a new sentence, as follows:

**ZONING BYLAW ARTICLES (continued)**

**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’. **This buffer shall also apply to side and rear yards where the abutting residentially zoned property is located across a private way.** ~~Abutting residentially zoned property shall include lots that are adjacent to a private or public way, connecting said residential property and the CC or CBD Districts.~~ The buffer shall consist of natural vegetation and/or landscaping designed and constructed to 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 but subject to a minimum 20’ setback for bicycle paths,

or to act in any other manner in relations thereto.

Submitted by the Board of Selectmen at the request of the Route 3A Committee and Planning Board

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

**ARTICLE 8**

**RE: Zoning Bylaw Amendment/Article V, Section 5.2.0/Density Regulation Schedule**

To see if the Town will vote to amend Article V of the Zoning Bylaw by amending Section 5.2.0 Density Regulation Schedule by establishing a new column in the table for the Open Space (OS) District and to further amend the table to include OS to the minimum yard adjoining residentially zoned land, to read as follows:

SECTION 5.2.0 DENSITY REGULATION SCHEDULE

	<b>OS</b>
Minimum Lot Area	None
Minimum Lot Frontage	None
Minimum Front Yard	50 ft.
Minimum Side Yard	30 ft.
Minimum Rear Yard	30 ft.
Minimum Yard Adjoining RO, RG, & OS, and Residentially Zoned Land in Continuous Municipalities	None
Maximum Aggregate Building-to-Ground Area Percentage	10%
Maximum Building & Structure Height	30 ft.
Minimum Feet Between Buildings	None
Maximum Floor Area Ratio (FAR)	None

**ZONING BYLAW ARTICLES (continued)**

and to further amend Section 5.20 – Notes for the Density Regulation Table by amending the third asterisk to read “. . . within 200 feet of RO or RG or OS – 30 feet; for each 100 feet in excess of 200 feet from RO or RG or OS – 15 additional feet, with a maximum of 155 feet, except that no structure located within 1,800 feet of the center point of the intersection of Cambridge Street and Route 128 shall exceed 80 feet in height”, or to act in any other manner in relation thereto.

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

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

**ARTICLE 9**

**RE: Zoning Bylaw Amendment/Article VI,  
Section 6.1.1/Nonconforming Uses**

**To see if the Town will vote to amend Article VI, Section 6.1.0 of the Zoning Bylaw by adding a new Section 6.1.1.1 as follows:**

**6.1.1.1 Changes to Nonconforming Uses**

Nothing contained in Section 6.1.1 is intended to authorize the Planning Board to change an existing nonconforming use to a new or different use which does not conform to the regulation prescribed for the district in which the existing nonconforming use is located, or to act in other manner in relation thereto.

Submitted by the Board of Selectmen at the request of  
Town Meeting Member, Precinct 3, John D. Kelly  
and Town Meeting Member, Precinct 3, Shari Lynn Ellis

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

**ARTICLE 10**

**RE: Zoning Bylaw Amendment/Article VI,  
Section 6.1.1/Nonconforming Uses**

To see if the Town will vote to amend Article VI “General Regulations” of the Zoning Bylaw, by amending Section 6.1.1 “Nonconforming Uses”, by inserting the bold text as follows:

**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 **a special permit is granted by the Planning Board pursuant to Section 9.2.0, and** there is a finding by the Planning Board that such extension, alteration or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use to the

**ZONING BYLAW ARTICLES (continued)**

neighborhood. **If a new use, not otherwise permitted in the zoning district in which it is located is allowed by a special permit granted under this subparagraph, the new substituted use shall be considered to be the nonconforming use and the previous nonconforming use shall not be reestablished,** 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 11**

**RE: Zoning Bylaw Amendment/Article VI, New  
Section 6.7.5/Open Space (OS)**

To see if the Town will vote to amend Article VI of the Zoning Bylaw by establishing a new Section 6.7.5 to add provisions for signage in the Open Space Zoning district as follows:

6.7.5 Open Space (OS)

6.7.5.1 A Free Standing Sign may be permitted as an informational sign only and shall be no more than 6 ft. or less in height and 20 sq. ft. or less in any dimension

6.7.5.1.1 A Monument Sign may be permitted as an informational sign only and shall be no more than 6 ft. or less in height and 20 sq. ft. or less in any dimension

6.7.5.2 A Wall Sign may be permitted and shall be no more than 10 sq. ft. in any dimension

or to act in any other manner in relation thereto.

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

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

## GENERAL BYLAW ARTICLES

### ARTICLE 12

**RE: General Bylaw Amendment/Article XIV  
New Section 3.1.6.1/Monument Sign  
New Section 3.1.15/Informational Sign  
New Section 3.3.4/Open Space (OS)**

To see if the Town will vote to amend Article XIV of the General Bylaw by establishing a new Section 3.1.6.1 to provide a definition for “Informational Sign” as follows:

**3.1.6.1 Monument Sign** – A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles where the base of the sign structure is on the ground or a maximum of 12 inches above the adjacent grade.

**3.1.15 Informational sign** – A sign that provides a service, direction, or courtesy information intended to assist the public and is not displayed for the general purpose of advertising products or services. Any sign installed by a political subdivision to direct or control vehicular, pedestrian, and bicycle traffic, identify streets, parks, historical events, or provide other information deemed appropriate. Information signs shall not include fuel price signs or traffic directional signs, nor shall they be part of any sign whose primary function is business identification.

Further to see if the Town will vote to amend Article XIV of the General Bylaw by establishing a new section 3.3.4 to add provisions for signage in the Open Space Zoning District as follows:

#### 3.3.4 Open Space (OS)

3.3.4.1 A Free Standing Sign may be permitted as an informational sign only and shall be no more than 6 ft. or less in height and 20 sq. ft. or less in any dimension

3.3.4.1.1 A Monument Sign may be permitted as an informational sign only and shall be no more than 6 ft. or less in height and 20 sq. ft. or less in any dimension

3.3.4.2 A Wall Sign may be permitted and shall be no more than 10 sq. ft. in any dimension

or to act in any other manner in relation thereto.

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

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

**FINANCIAL ARTICLES**

**ARTICLE 13**

**RE: Transfer of Funds FY 2007  
Various Accounts**

To see if the Town will vote to transfer from available funds the sum of \$1,000,000 or any other amount, for the purpose of paying for expenses incurred in Fiscal Year 2007 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: \$1,000,000

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

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

**ARTICLE 14**

**RE: Fund FY 2008 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 2008, 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 15**

**RE: Fund FY 2008 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 2008 Capital Budget, same to be spent under the appropriate authorities as indicated:

<b>PROJECT NUMBER</b>	<b>DEPARTMENT</b>	<b>PROJECT NAME/DESCRIPTION</b>	<b>SPENDING AUTHORITY</b>	<b>APPROP. REQUEST</b>
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FROM CEMETERY SALE OF LOTS 08-1

08-1	DPW	Vehicle/Supervisor	Selectmen	20,000
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PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

FROM FREE CASH 08-2 thru 08-4

08-2	Recreation	Forklift	Recreation Commission	12,000
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PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

08-3	Recreation	Pickup Truck	Recreation Commission	17,000
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PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

08-4	Town Clerk	Voting Booths	Selectmen	19,500
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PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

(Financial Articles Continued)

**FINANCIAL ARTICLES (continued)**

FROM FREE CASH 08-5 thru 08-6

08-5 Police Replace Data Cabling/Fiber Selectmen 49,500  
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

08-6 Police 911 Upgrade/Equipment Selectmen 22,729  
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

FROM SEWER ENTERPRISE 08-7

08-7 DPW Partridge Lane/Generator Selectmen 25,000  
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

FROM STABLIZATION 08-8 thru 08-9

08-8 DPW Purchase Front End Loader Selectmen 132,000  
PASSED ( ) DEFEATED ( ) POSTPONED INDEFINITELY ( ) OTHER ( )

08-9 Facilities Replace Roof/Human Service Complex Facilities 100,000  
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 16**

**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 \$28,780 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: \$28,780

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

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

**FINANCIAL ARTICLES (continued)**

**ARTICLE 17**

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

To see if the Town will vote to adopt the Administrative & Professional Compensation Plan for Fiscal Year 2008, and transfer from the Negotiated Settlement Account a sum of money, for the purpose of funding the plan under the direction of the appropriate authority, 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 18**

**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 2008, 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 19**

**RE: Fund the BMEA 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 Municipal Employees Association (BMEA) for Fiscal Year 2008, same to be spent under the appropriate authority, 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 20**

**RE: Fund the IBPO 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 Local 532 (Police Command Officers) for Fiscal Year 2008, same to be spent under the appropriate authority, 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 ( )

**FINANCIAL ARTICLES (continued)**

**ARTICLE 21**

**RE: Fund the IAFF 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 Professional Firefighters (IAFF Local 2313) for Fiscal Year 2008, same to be spent under the appropriate authority, 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 22**

**RE: Fund the DPW 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 Department of Public Works (Local 1703) for Fiscal Year 2008, same to be spent under the appropriate authority, 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 23**

**RE: Fund the BPPA 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 Association (Local 1703) for Fiscal Year 2008, same to be spent under the appropriate authority, 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: 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 ( )

**FINANCIAL ARTICLES (continued)**

**ARTICLE 25**

**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, 2008 or to act in any other manner in relation 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 \$20,000 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	\$50,000	Available for expenditure next year

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

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

**(Financial Articles Continued)**

**FINANCIAL ARTICLES (continued)**

**ARTICLE 26**

**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 27**

**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 28**

**RE: Sewer I/I Fund**

To see if the Town will vote to raise and appropriate from Sewer I & I Receipts Reserved Fund, the annual I & I debt payment for the MWRA Loan Program in the amount of \$130,746, or to act in any other manner in relation thereto.

AMOUNT: \$130,746

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

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

**ARTICLE 29**

**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 \$750,177 or any other amount, to operate the Burlington Ice Palace, of which the \$750,177 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: \$750,177

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 30**

**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 2008 Sewer Services Enterprise Operating Budget, or to act in any other manner in relation thereto.

AMOUNT: \$3,943,802

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

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

**ARTICLE 31**

**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 \$698,788 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: \$698,788

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

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

**ARTICLE 32**

**RE: Purchase, Training and Upkeep of Automatic External Defibrillators**

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, for the purpose of purchasing 12 Automatic External Defibrillators (AED's) and training, 1 each to be located in the Elementary Schools (Fox Hill, Pine Glen, Francis Wyman and Memorial), 1 at Marshal Simonds Middle School, 3 at the High School (in addition to present unit), 1 at the DPW Garage, 1 at the Library, 1 at the Human Services Building (in addition to the present unit) and 1 at the Ice Palace, same to be spent under the direction of the Board of Health or to act in any other manner in relations thereto.

AMOUNT: \$25,000

Submitted by Board of Selectmen at the request of the Board of Health and Human Services Committee

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

**FINANCIAL ARTICLES (continued)**

**ARTICLE 33**

**RE: Bike Path Design**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$ 165,000 or any other amount for the purpose of the design of a Bike Path, or to act in any other manner in relation thereto.

Amount: \$165,000

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

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

**ARTICLE 34**

**RE: Traffic Light Inventory/PM**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$18,000 or any other amount for the purpose of preventative maintenance and inventory of the Town's Traffic Lights, or to act in any other manner in relation thereto.

Amount: \$18,000

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

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

**ARTICLE 35**

**RE: Water Line Leak Detection**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$ 20,000 or any other amount for the purpose of leak detection in all waterlines as mandated by the DEP, 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 36**

**RE: Corrosion/Odor Control**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$40,000 or any other amount for the purpose of controlling corrosion and odor in the Francis Wyman Sewer Pump, or to act in any other manner in relation thereto.

Amount: \$40,000

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

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

**FINANCIAL ARTICLES (continued)**

**ARTICLE 37**

**RE: Phase II NPDES Permit**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$30,000 or any other amount for the purpose of funding activities under Burlington's Storm Water Management Program as required by our five year permit to discharge storm water from the U.S. Environmental Protection Agency, or to act in any other manner in relation thereto.

Amount: \$30,000

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

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

**ARTICLE 38**

**RE: Various Drainage Projects/Townwide**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$500,000 or any other amount for the purpose of repairing and replacing drainage structures throughout the Town, or to act in any other manner in relation thereto.

Amount: \$500,000

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

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

**ARTICLE 39**

**RE: Purchase Police Vehicles**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow 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 to 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 ( )

**ARTICLE 40**

**RE: Replace Engine #3**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$160,000, or any other amount, to lease/purchase a replacement for Engine #3, or to act in any other manner in relations thereto.

AMOUNT: \$160,000

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

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

**FINANCIAL ARTICLES (continued)**

**ARTICLE 41**

**RE: Burlington High School/Emergency Generator**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$165,000 or some other amount, to be expended at the direction of the School Committee, to fund the installation and electrical modifications required for the replacement of the 250 KW emergency generator at Burlington High School including the payment of all costs incidental and related, or to take any other action relative thereto.

AMOUNT: \$165,000

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

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

**ARTICLE 42**

**RE: Schools/Pavement Management Replacement**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$100,000 or any other amount, to be expended at the direction of the School Committee, to pay the cost of repairing, installing and/or replacing selected areas of pavement at Burlington High School, Fox Hill and Francis Wyman Elementary Schools 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: \$100,000

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

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

**ARTICLE 43**

**RE: Transportation Contract Extension/A&F Inc.**

To see if the town will vote to allow the contract extension of two years between the Burlington School Department and A & F Transportation of Billerica as allowed under the provisions of the RFP and contract documents of February 2004 at a fixed cost equal to the third year of the existing three-year agreement and continue all other provisions of the contract or to act in any manner in relation thereto.

AMOUNT: \$

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

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

**FINANCIAL ARTICLES (continued)**

**ARTICLE 44**

**RE: Town Hall and Annex Exterior  
Trim Rehabilitation/Repairs**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$75,000, or any other amount, for the purpose of rehabilitation of the Town Hall and Annex exterior trim, same to be spent under the direction of the Town Administrator, or to act in any other manner in relation thereto.

AMOUNT: \$75,000

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

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

**ARTICLE 45**

**RE: Internet Access/Board of Health**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$\_\_\_\_\_, or any other amount, for the purpose of appropriate internet capabilities for the Board of Health Department, same to be spent under the direction of the Board of Health, or to act in any other manner in relation thereto.

AMOUNT: \$

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

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

**ARTICLE 46**

**RE: Raze Wildwood School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$1,500,000, or any other amount, for the purpose of obtaining bids to raze the Wildwood School building in order to resolve safety and security issues and retain the property for future municipal use, same to be spent under the direction of the Town Administrator, or to act in any other manner in relation thereto.

AMOUNT: \$1,500,000

Submitted by the Board of Selectmen at the request of the  
Town Meeting Member, Precinct 6, Dan DiTucci

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

**ARTICLE 47**

**RE: Fund HVAC Repairs/Town Hall and Annex**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$10,000, or any other amount, for the purpose of correcting, repairing and removing contamination from the hot water heating systems in Town Hall and Annex buildings, same to be spent under the direction of the Town Administrator, or to act in any other manner in relation thereto.

AMOUNT: \$10,000

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

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