

WARRANT

BURLINGTON TOWN MEETING

MONDAY, May 13, 2013

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 13th of May 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 ()

ARTICLE 2

RE: Home Rule Petition

To see if the Town will vote to petition the General Court for special legislation authorizing the Town to issue additional licenses for the sale of all alcoholic beverages to be drunk on premises under section 12 of chapter 138 of the General Laws notwithstanding the maximum number of licenses authorized to be granted under section 17 of chapter 138 of the General Laws, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public's objectives of this petition and to allow or 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

ARTICLE 3

**RE: Transfer of Funds FY 2013
Various Accounts**

To see if the Town will vote to transfer from available funds the sum of \$TBD or any other amount for the purpose of paying for expenses incurred in Fiscal Year 2013 to various accounts same to be expended under the direction of the appropriate authorities; or to act in any other manner in relation thereto.

Amount: \$TBD

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

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

ARTICLE 4

RE: Fund FY 2014 Operating Budget

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money -- \$111,150,019 -- sufficient to cover the requests of the various departments for Fiscal Year 2014; or to act in any other manner in relation thereto.

Amount: \$111,150,019

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

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

FINANCIAL ARTICLES (continued)

ARTICLE 5

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, 2013; 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.					
Revolving	Spending	Revenue	Allowed	Expenditure	Year End
Account	Authority	Source	Expenses	Limits	Balance
Home Composting/ Rainwater Recycling	Public Works	Fees charged for compost bins/Rainwater Recycling Barrels	Purchase of compost bins/Rainwater Recycling Barrels	\$10,000	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, surveys, and backflow tester salary.	\$50,000	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.	\$45,000	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	\$20,000	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	\$25,000	Available for expenditure next year
Sale of Recyclable Materials, Trash Bags and Toters	Board of Selectmen	Receipts from the Sale of Recyclable Material, Trash Bags and Toters	May be used to offset the cost of curbside collection and disposal of solid waste	\$75,000	Available for expenditure next year
Sealer of Weights & Measures	Board of Selectmen	Fees charged for Weights & Measures Services	Costs associated with the administration of the Weights & Measures Program	\$20,000	Available for expenditure next year
Ice Palace Improvement & Maintenance	Board of Selectmen	Rent from Lease	Improvements & Maintenance	\$64,000	Available for Expenditure Next Year

Amount: \$309,000

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

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

FINANCIAL ARTICLES (continued)

ARTICLE 6

RE: Fund FY 2014 Capital Budget

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$ TBD or any other amount for the items contained within the following proposed Fiscal Year 2014 Capital Budget, same to be expended under the appropriate authorities as indicated:

PROJECT NUMBER	DEPT.	PROJECT NAME DESCRIPTION	SPENDING AUTHORITY	REQUEST AMOUNT
<u>FROM FREE CASH (6-1) – (6-28):</u>				
6-1	BCLC	Vehicle Replacement/Storage	Selectmen	\$ 30,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		
6-2	Building	Vehicle Replacement 4 Wheel Drive Vehicle	Selectmen	\$ 25,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		
6-3	Building	Computer Hardware/Software Needs	Selectmen	\$ 30,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		
6-4	DPW	Sidewalk Restoration	Selectmen	\$ 50,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		
6-5	DPW	DPW/Stream Cleaning	Selectmen	\$ 200,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		
6-6	DPW	Traffic Light Repairs	Selectmen	\$ 130,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		
6-7	DPW	Three Vehicle Replacements Trackless Machine, Utility Truck and Water Utility Truck	Selectmen	\$ 247,700
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		
6-8	DPW	Water Distribution Hydraulic Model	Selectmen	\$ 70,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		
6-9	MIS	MIS Hardware/Software	Selectmen	\$ 90,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		
6-10	PLANNING	Comprehensive Master Plan – Phase I	Planning	\$ 50,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		
6-11	RECREATION	Two Vehicle Replacements Two F350 - 4 Wheel Drive Pickup Trucks	Recreation Comm.	\$ 83,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()		

FINANCIAL ARTICLES (continued)

6-12	RECREATION	Replacement Lawn Mower	Recreation Comm.	\$	12,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-13	SCHOOL	Burlington School Department Van Replacement	School Committee	\$	33,400
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-14	SCHOOL	Burlington High School Dark Room/Art Studio	School Committee	\$	53,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-15	SCHOOL	Burlington High School Auditorium Stage Floor Replacement	School Committee	\$	37,500
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-16	SCHOOL	Fox Hill School Floor Replacement	School Committee	\$	15,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-17	SCHOOL	Fox Hill School Library HVAC Unit Replacement	School Committee	\$	22,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-18	SCHOOL	Pre School Playground Replacement at Burlington High School	School Committee	\$	82,734
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-19	SCHOOL	System-Wide School Security Improvements	School Committee	\$	285,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-20	SCHOOL	Burlington High School "Rubber Gym" Renovations	School Committee	\$	266,500
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-21	TOWN CLERK	Replacement of Vitals Secure Room Door and Environmental Room Control in Clerk's Office	Town Clerk	\$	10,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-22	TOWN FACILITES	Town Hall and Town Hall Annex Boiler Replacement	Selectmen	\$	165,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			
6-23	TOWN FACILITES	Town Hall, Town Hall Annex and Library Paint, Carpet and Flooring	Selectmen	\$	45,000
		PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()			

FINANCIAL ARTICLES (continued)

- 6-24 TOWN
FACILITIES Fire Station (Main)
Back Wall Repair Selectmen \$ 10,000
PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()
- 6-25 TOWN
FACILITIES Town Facilities Assessment Selectmen \$ 60,000
PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()
- 6-26 TOWN
FACILITIES Historic Museum and Old West
Repairs Selectmen \$ 15,000
PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()
- 6-27 TOWN
FACILITIES Town Hall and Town Hall Annex
Repairs Selectmen \$ 45,000
PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()
- 6-28 TREASURER/COLLECTOR
Konica Minolta High Speed Printer Treasurer/Collector \$ 26,397
PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()
- FROM SEWER ENTERPRISE (6-29):**
- 6-29 DPW Critical Sewer System Repairs Selectmen \$ 260,000
PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

or to act in any other manner in relation thereto.

Amount: \$ TBD

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

ARTICLE 7

RE: Water Distribution System Upgrades

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow to otherwise provide the sum of \$500,000, or any other sum, for the purpose of funding Water Distribution System Upgrades, same to be spent under the direction of the Town Administrator, 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

FINANCIAL ARTICLES (continued)

ARTICLE 8

RE: Grandview Farm Debt Service

To see if the Town will vote to transfer the sum of \$87,085 from the Land Exchange Development Agreement (LEDA) Fund from the Gutierrez Company for the purpose of paying the Fiscal Year 2014 debt service on the Town's July 1, 2009 Grandview Remodeling Bond; or to act in any other manner in relation thereto.

Amount: \$87,085

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

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

ARTICLE 9

**RE: Sewer Services Enterprise Fund
MWRA Assessment**

To see if the Town will vote to raise and appropriate the sum of \$4,961,962 to operate the FY 2014 Sewer Services Enterprise of which \$4,961,962 will come from the FY 2014 Sewer Services Enterprise Estimated Revenue Account; or to act in any other manner in relation thereto.

Amount: \$4,961,962

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

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

ARTICLE 10

RE: Sewer I/I Fund

To see if the Town will vote to transfer from the Sewer Inflow/Infiltration fund the sum of \$98,560 for the purpose of paying the FY2014 debt service on the Town's three existing 0% MWRA loans, or to act in any other manner in relation thereto.

Amount: \$98,560

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

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

ARTICLE 11

**RE: Collaborative Disposal Five-Year Municipal
Solid Waste Contract**

To see if the Town will vote to authorize the Board of Selectmen to enter into a contract agreement of up to five years (subject to annual appropriation) for the disposal of municipal solid waste for the Town of Burlington, or to act in any other manner in relation thereto.

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

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER

FINANCIAL ARTICLES (continued)

ARTICLE 12

RE: Chapter 90

To see if the Town will vote to accept the Chapter 90 allocation of \$1,650,000 and appropriate the sum of \$1,650,000 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: \$1,650,000

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

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

ARTICLE 13

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 \$80,000 for the improvement of Simonds Park, same to be expended under the direction of the Recreation Commissioners; or to act in any other manner in relation thereto.

Amount: \$80,000

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

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

ARTICLE 14

RE: Fund the Burlington Police Patrolmen's Association Contract

To see if Town Meeting will vote to transfer from the FY2013 Negotiated Settlement Account the sum of \$ 45,849 for the purpose of funding the approved Collective Bargaining Agreement between the Town of Burlington and the Burlington Police Patrolmen's Association for FY2013, same to be spent under the appropriate authority; or to act in any other manner in relation thereto.

Amount: \$ 45,849

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

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

FINANCIAL ARTICLES (continued)

ARTICLE 15

RE: Property Due Diligence

To see if the Town will vote to amend Article 14 of the January 23, 2012 Town Meeting to include the purpose of a fire station in funding the due diligence activities related to the purchase of property for the DPW Operations facility including but not limited to title research, appraisals, engineering and structural analysis, to determine the suitability of the property and plan the construction of the improvements; or to act in any other manner in relation thereto.

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

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

ARTICLE 16

RE: Purchase of Building

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, the building and land located at 33 Center Street as Map 29, Parcel 105, currently owned by the Trustees of Timmike Realty Trust and described in a deed recorded in Book 11504, Page 509 in the Southern Middlesex Registry of Deeds, for general municipal purposes and for the purpose of extending the campus of the Town Hall complex; and further to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$700,000 or any other sum for the purpose of funding said acquisition; or to act in any other manner in relation thereto.

Amount: \$700,000

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

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

ARTICLE 17

**RE: Burlington High School Practice
Field Drainage**

To see if the Town will vote to appropriate \$ 537,000 or some other amount, to be expended at the direction of the School Committee, to pay the cost of Practice Field drainage improvements at Burlington High 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 act in any other manner in relation thereto.

Amount: \$537,000

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

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

FINANCIAL ARTICLES (continued)

ARTICLE 18

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 \$ 34,306 or any other sum, 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: \$34,306

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

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

ARTICLE 19

RE: Fourth of July Parade

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$10,000 to pay for expenses associated with the annual 4th of July parade and to do or 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 ()

GENERAL BYLAW ARTICLES

ARTICLE 20

**RE: Amend General By-Law, Article XIV,
Section 4.2.2, Earth Removal,
Earth Moving and Addition of Fill**

To see if the Town will vote to amend the Section 4.2.2 of the General Bylaws, Article XIV, Environment, Earth Removal, Earth Moving and Addition of Fill, to insert a new section, 4.2.2.9, as follows:

The Board of Selectmen may waive strict compliance with the standards in Section 4.2.4, 4.2.5 and 4.2.6 when the applicant demonstrates that doing so serves the public interest and will not compromise the goals and objectives of this bylaw.

or act in any other manner in relation thereto.

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

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

ARTICLE 21

**RE: General Bylaw Amendments to Article XIII
Section 2.4 “Kennels” (Housekeeping)**

To see if the Town will vote to amend Article XIII Section 2.4 “Kennels” as follows: (Change is underlined – deleted part with strike thru.)

2.4 Kennels

Any owner/keeper of four dogs or more, three months old or over, shall apply for a kennel license from the Town Clerk.

Kennel licenses shall not be issued unless the Animal Control Officer and the Board of Health have made a favorable recommendation to the Town Clerk ~~and unless a license has been obtained from the Board of Health.~~ The recommendation of the Animal Control Officer shall be based on the annual inspection of the premises as provided in Chapter 140 Section 137C of the Mass. General Laws in addition to complaints registered and violations committed in the previous 12 month period against the owner/keeper.

A "kennel" constitutes one pack or collection of dogs on a single premise, whether maintained for breeding, sale, training, hunting, or other purposes, including a shop where dogs are on sale, and also including every pack or collection of more than three dogs three months old or over owned or kept by a person on a single premise, irrespective of the purpose for which they are maintained.

GENERAL BYLAW ARTICLES (continued)

The Clerk shall upon application issue without charge a kennel license to any domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse and for the relief of suffering among animals.

Or to act in any other manner in relation thereto.

Submitted by the Town Clerk, Board of Health and
the Animal Control Officer

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

ARTICLE 22

**Re: Support a Constitutional Amendment to
Stipulate that Corporations are Not People and
Do Not Enjoy the First Amendment Rights of
People**

To see if the Town of Burlington will vote to support a resolution for an amendment to the US Constitution and, also, to direct the Board of Selectmen to send a letter indicating that support to Burlington's US Representative and US Senators as indicated below:

WHEREAS, for the past three decades, a divided United States Supreme Court has erroneously transformed the Bill of Rights into a powerful tool for corporations seeking to evade and invalidate the people's laws, and has compromised the integrity of our democratic process by striking down legislation aimed at mitigating the disproportionate influence of money in policy making; and,

WHEREAS, the expenditure of unlimited money in elections threatens to overwhelm our individual voices in the democratic process and to facilitate the undue influence of well-financed special interests in government; and,

WHEREAS, the U.S. Constitution was adopted and ratified to protect the free speech and other rights of people, not corporations and other artificial entities; and,

WHEREAS, corporations can and do make important contributions to our society using unique advantages that government has granted them, corporations are not themselves members of 'We the People' by whom and for whom our Constitution was established, and are subject to regulation as the people, through their elected representatives, may deem reasonable; and,

WHEREAS, the impact of the Court's decisions in Citizens United v. Federal Election Commission and others will be felt at the local, state, and federal level as big campaign donors seek to dominate policy making; and,

WHEREAS, Article V of the United States Constitution empowers and obligates the people of the United States of America to use the constitutional amendment process to correct clear threats to our democracy and our republican form of self-government;

GENERAL BYLAW ARTICLES (continued)

NOW, THEREFORE, BE IT RESOLVED that we the citizens of Burlington, Massachusetts, petition the U.S. Congress to pass and send to the states an amendment to the U.S. Constitution that would affirm that corporations are not entitled to the constitutional rights of human beings, and that Congress, and state and local governments may place limits on political contributions and expenditures from any source.

AND, BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to every member of the Massachusetts congressional delegation as well as the state representative(s) and state senator(s) representing the town of Burlington.

Or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen at the request of
Sally Willard, Town Meeting Member, Precinct 4

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

ARTICLE 23

**RE: Non-Zoning Wetlands Protection
Bylaw Article XIV**

To see if the Town will vote to delete from the General Bylaws, the existing provisions in Article XIV, Environment, Section 1.0, Wetlands, and to adopt the following provisions, except to the extent that the provisions of the existing Bylaw shall apply to certain projects as expressly set forth below:

1.0 Wetlands Protection Bylaw

1.1. Purpose

The purpose of this Bylaw is to protect the wetlands, water resources, flood prone areas, and adjoining upland areas in the Town of Burlington by controlling activities deemed by the Conservation Commission likely to have a significant effect on resource area interests deemed important to the community (collectively, the “resource area interests protected by this Bylaw”). These include but are not limited to the following:

- public or private water supply
- groundwater supply
- flood control
- erosion and sedimentation control
- storm damage prevention including water quality
- prevention and control of pollution
- fisheries
- wildlife habitat
- rare species habitat including rare plant and animal species
- recreational and educational values

GENERAL BYLAW ARTICLES (continued)

This Bylaw is intended to utilize the Home Rule authority of Burlington so as to protect the resource areas under the Wetlands Protection Act (M.G.L. Ch.131 §40; the Act) to a greater degree, to protect additional resource areas beyond the Act recognized by the Town as significant, to protect all resource areas for their additional values beyond those recognized in the Act, and to impose in local regulations and permits additional standards and procedures stricter than those of the Act and regulations thereunder (310

CMR 10.00), subject, however, to the rights and benefits accorded to agricultural uses and structures of all kinds under the laws of the Commonwealth and other relevant Bylaws of the Town of Burlington. This Bylaw shall not be applicable to projects for which a Determination of Applicability, Order of Conditions, Order of Resource Area Delineation or other permit under the Massachusetts Wetlands Protection Act has been issued and is valid or if an application for one of the foregoing is pending at the effective date of this Bylaw. The Bylaw provisions in effect prior to the effective date of this Bylaw shall apply to a project for which such approval has been issued or for which such application is pending.

1.2. Jurisdiction

Except as permitted by the Conservation Commission no person shall remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following resource areas as defined in the Burlington Wetland Bylaw Regulations: any freshwater wetlands; marshes; wet meadows; bogs; swamps; vernal pools; springs; banks; reservoirs; lakes; ponds; beaches; lands under water bodies; lands subject to flooding by groundwater or surface water; or lands adjoining these resource areas out to a distance of 100 feet, known as the buffer zone. The Commission may establish performance standards for work within the buffer zone to protect the aforementioned resource areas, however, the buffer zone itself is not a resource area.

Except as permitted by the Conservation Commission, no person shall remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following resource areas: streams; brooks; creeks; rivers; lands adjoining these waterways out to a distance of 200 feet, known as the riverfront area. Said 200-foot riverfront resource area shall apply to all streams shown on the map “Regulatory Streams of Burlington” to be adopted and incorporated in regulations, whether the stream is perennial or intermittent.

All said resource areas (collectively the “resource areas protected by this Bylaw”) shall be protected whether or not they border surface waters.

1.3. Exemptions and Exceptions

The applications and permits required by this Bylaw shall not be required for work performed for normal maintenance or improvement of land in agricultural and aquacultural use as defined by the Wetlands Protection Act regulations at 310 CMR 10.04.

The applications and permits required by this Bylaw shall not be required for maintaining, repairing, or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public to provide electric, gas, water, telephone, telegraph, or other telecommunication services, provided that written notice has been given to the Conservation Commission prior to commencement of work, and provided that the work conforms to any performance standards and design specifications in regulations adopted by the Commission.

GENERAL BYLAW ARTICLES (continued)

The applications and permits required by this Bylaw shall not be required for emergency projects necessary for the protection of the health and safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof; provided that advance notice, oral or written, has been given to the Commission prior to commencement of work or within 24 hours after commencement; provided that the Commission or its agent certifies the work as an emergency project; provided that the work is performed only for the time and place certified by the Commission for the limited purposes necessary to abate the emergency; and provided that within 21 days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by this Bylaw. Upon failure to meet these and other requirements of the Commission, the Commission may, after notice and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

Other than stated in this Bylaw or in regulations adopted by the Commission, subsequent exemptions created under the Wetlands Protection Act (M.G.L. Ch. 131 §40) and regulations (310 CMR 10.00) shall not apply under this Bylaw.

1.4. Applications and Fees

A written permit application shall be filed with the Conservation Commission to perform activities with the potential to affect resource areas protected by this Bylaw. The Commission may accept digital electronic copies in lieu of paper copies. The permit application shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the resource areas protected by this Bylaw. No activities shall commence without receiving and complying with a permit issued pursuant to this Bylaw.

The Commission, in an appropriate case, may accept as the application and plans under this Bylaw any application and plans filed under the Wetlands Protection Act (M.G.L. Ch. 131 §40) and regulations (310 CMR 10.00), but the Commission is not obliged to do so.

Any person desiring to know whether or not a proposed activity or an area is subject to this Bylaw may in writing request a determination from the Commission. Such a Request for Determination of Applicability (RDA) or Abbreviated Notice of Resource Area Delineation (ANRAD) filed under the Act shall include information and plans as are deemed necessary by the Commission.

At the time of an application, the applicant shall pay a filing fee specified in regulations of the Commission. The fee is in addition to that required by the Wetlands Protection Act and regulations. Additionally, pursuant to M.G.L. Ch. 44 §53G and regulations promulgated by the Commission, the Commission may impose reasonable fees upon applicants for the purpose of securing outside consultants including engineers, wetlands scientists, wildlife biologists or other experts in order to aid in the review of proposed projects. Such funds shall be deposited with the town treasurer, who shall create an account specifically for this purpose. Additional consultant fees may be requested where the requisite review is more expensive than originally calculated or where new information requires additional consultant services.

GENERAL BYLAW ARTICLES (continued)

Only costs relating to consultant work done in connection with a project for which a consultant fee has been collected shall be paid from this account, and expenditures may be made at the sole discretion of the Commission. Any consultant hired under this provision shall be selected by, and report exclusively to, the Commission. The Commission shall provide applicants with written notice of the selection of a consultant, identifying the consultant, the amount of the fee to be charged to the applicant, and a request for payment of that fee. Notice shall be deemed to have been given on the date it is mailed or delivered. The applicant may withdraw the application or request within five (5) business days of the date notice is given without incurring any costs or expenses.

The entire fee, at a mutually agreed upon amount, must be received before the initiation of consulting services. Failure by the applicant to pay the requested consultant fee within ten (10) business days of the request for payment shall be cause for the Commission to declare the application administratively incomplete and deny the permit without prejudice, except in the case of an appeal. The Commission shall inform the applicant and Department of Environmental Protection (DEP) of such a decision in writing.

The applicant may appeal the selection of an outside consultant to the selectboard, who may disqualify the consultant only on the grounds that the consultant has a conflict of interest or is not properly qualified. The minimum qualifications shall consist of either an educational degree or three or more years of practice in the field at issue, or a related field. The applicant shall make such an appeal in writing, and must be received within fifteen (15) business days of the date that request for consultant fees was made by the Commission. Such appeal shall extend the applicable time limits for action upon the application.

1.5. Notice and Hearings

Any person filing any application permit other than an RDA, shall at the same time give written notice thereof, by certified mail (return receipt requested) or hand delivered, to all abutters at their mailing addresses shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 100 feet of the property line of the applicant, including any in another municipality or across a body of water. The notice shall state a brief description of the project or other proposal and the date of any Commission hearing or meeting date if known. The notice to abutters also shall include a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. When a person requesting a determination is other than the owner, the request, the notice of the hearing and the determination itself shall be sent by the Commission to the owner as well as to the person making the request.

The Commission shall conduct a public hearing on any permit application (or public meeting for an RDA) with written notice given at least seven days prior to the hearing at the expense of the applicant, in a newspaper of general circulation in the municipality. The Commission shall commence the public hearing or public meeting within 21 days from receipt of a completed permit application, RDA, or ANRAD unless an extension is authorized in writing by the applicant. The Commission shall have authority to continue the hearing, with the applicant's consent, to a specific date announced at the hearing or meeting, for reasons stated at the hearing or meeting, which may include the need for additional information from the applicant or others as deemed necessary by the Commission in its discretion, based on comments and recommendations of the boards and officials listed in §1.6.

GENERAL BYLAW ARTICLES (continued)

The Commission shall issue its permit, in writing within 21 days of the close of the public hearing thereon unless an extension is authorized in writing by the applicant. The Commission in an appropriate case may combine its hearing under this Bylaw with the hearing conducted under the Wetlands Protection Act (G.L. Ch.131 §40) and regulations (310 CMR 10.00).

1.6. Coordination with Other Boards

Any person filing a permit application, other than an RDA, with the Conservation Commission shall provide a copy thereof at the same time, by certified mail (return receipt requested) or hand delivery, to the Board of Selectmen, Planning Board, Board of Health, and Engineering Department. Digital electronic copies may be submitted in lieu of paper copies. A copy shall be provided in the same manner to the Commission of the adjoining municipality, if the property for which the application has been filed is within 100 feet of that municipality. An affidavit of the person providing notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. The Commission shall not take final action until the above boards and officials have had 10 calendar days from receipt of notice to file written comments and recommendations with the Commission, which the Commission shall take into account but which shall not be binding on the Commission. The applicant shall have the right to receive any comments and recommendations, and to respond to them at a hearing or meeting of the Commission, prior to taking final action.

1.7. Permits and Conditions

If the Conservation Commission, after a public hearing or meeting, determines that the activities which are subject to the permit application, or the land and water uses which will result therefrom, are likely to have a significant effect on the resource area values protected by this Bylaw, the Commission, within 21 days of the close of the hearing or meeting, shall issue or deny a permit for the activities requested. The Commission shall take into account the extent to which the applicant has avoided, minimized and mitigated any such effect.

If a permit is issued, the Commission shall impose conditions deemed necessary or desirable to protect said resource area values, and all activities shall be conducted in accordance with those conditions. Where no conditions are adequate to protect said resource area values, the Commission is empowered to deny a permit for failure to meet the requirements of this Bylaw. The Commission may also deny a permit:

- for failure to submit necessary information and plans requested by the Commission;
- for failure to comply with the procedures, design specifications, performance standards, and other requirements in regulations of the Commission; or
- for failure to avoid, minimize or mitigate unacceptable significant or cumulative effects upon the resource area values protected by this Bylaw.

Due consideration shall be given to any demonstrated hardship on the applicant by reason of denial, as presented at the public hearing. The Commission may waive specifically identified and requested procedures, design specifications, performance standards, or other requirements set forth in its regulations, provided that: the Commission finds in writing after said public hearing that there are no reasonable conditions or alternatives that would allow the proposed activity to proceed in compliance with said regulations; that avoidance, minimization and mitigation have been employed to the maximum extent feasible; and that the waiver is necessary to accommodate an overriding public interest or to avoid a decision that so restricts the use of the property as to constitute an unconstitutional taking without compensation.

GENERAL BYLAW ARTICLES (continued)

In reviewing activities within the buffer zone, the Commission shall presume the buffer zone is important to the protection of other resource areas because activities undertaken in close proximity have a high likelihood of adverse impact, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities. These adverse impacts from construction and use can include erosion, siltation, loss of groundwater recharge, poor water quality, and loss of wildlife habitat. The Commission may establish, in its regulations, design specifications, performance standards, and other measures and safeguards, including setbacks, no-disturb areas, no-build areas, and other work limits for protection of such lands, including strips of continuous, undisturbed vegetative cover, unless the applicant convinces the Commission that the area or part of it may be disturbed without harm to the values protected by the Bylaw.

In reviewing activities within the riverfront area, the Commission shall presume the riverfront area is important to all the resource area values unless demonstrated otherwise, and no permit issued hereunder shall permit any activities unless the applicant, in addition to meeting the otherwise applicable requirements of this Bylaw, has proved by a preponderance of the evidence that (1) there is no practicable alternative to the proposed project with less adverse effects, and that (2) such activities, including proposed mitigation measures, will have no significant adverse impact on the areas or values protected by this Bylaw. The Commission shall regard as practicable an alternative which is reasonably available and capable of being done after taking into consideration the proposed property use, overall project purpose (e.g., residential, institutional, commercial, or industrial), logistics, existing technology, costs of the alternatives, and overall project costs.

To prevent resource area loss, the Commission shall require applicants to avoid alteration wherever feasible; to minimize alteration; and, where alteration is unavoidable and has been minimized, to provide full mitigation. The Commission may establish, in its regulations, design specifications, performance standards, and/or other measures and safeguards, including the establishment of thresholds and limitations on amounts of permissible alteration of resource areas. The Commission may authorize or require replication of wetlands as a form of mitigation, but only with specific plans, professional design, proper safeguards, adequate security, and professional monitoring and reporting to assure success, because of the high likelihood of failure of replication. Because of the uncertainty of the long-term viability of created wetlands, the Commission may, in its regulations, establish replication to fill ratio requirements exceeding 1:1.

If wetland resource areas are to be altered, the Commission may require a wildlife habitat study of the project area, to be paid for by the applicant, whenever a resource area alteration is proposed that exceeds thresholds established in regulations. The decision shall be based upon the Commission's estimation of the importance of the habitat area considering (but not limited to) such factors as proximity to other areas suitable for wildlife, importance of wildlife "corridors" in the area, or actual or possible presence of rare plant or animal species in the area. The work shall be performed by an individual who at least meets the qualifications set out in the wildlife habitat section of the Wetlands Protection Act regulations (310 CMR 10.60).

A permit shall expire three years from the date of issuance. At the discretion of the Commission, any permit may be renewed for additional three-year periods, provided that requests for renewals are received in writing by the Commission prior to each expiration. Notwithstanding the above, a permit may identify requirements which shall be enforceable for a stated number of years, indefinitely, or until permanent protection is in place, and shall apply to all present and future owners of the land.

GENERAL BYLAW ARTICLES (continued)

For good cause the Commission may revoke any permit issued under this Bylaw after notice to the holder, the public, abutters, and town boards, pursuant to §1.5 and §1.6, and after a public hearing.

Amendments to permits shall be handled in the manner set out in the Wetlands Protection Act regulations and policies thereunder.

The Commission in an appropriate case may combine the decision issued under this Bylaw with the permit issued under the Wetlands Protection Act and regulations.

No work proposed in any application shall be undertaken until the permit, issued by the Commission with respect to such work, has been recorded in the registry of deeds or, if the land affected is registered land, in the registry section of the land court for the district wherein the land lies, and until the holder of the permit certifies in writing to the Commission that the document has been recorded.

The resource area “vernal pools”, as defined in the regulations, includes all vegetated habitats within one-hundred feet of the seasonal high water of said pools. The Commission shall presume that both the inundated and adjacent upland areas provide essential habitat functions. This presumption may be overcome only by the presentation of credible evidence which, in the judgment of the Commission, demonstrates that the pool or adjacent upland does not provide essential habitat functions. Any formal evaluation shall be performed by an individual who at least meets the qualifications under the wildlife habitat section of the Wetlands Protection Act regulations (310 CMR 10.60).

1.8. Regulations

At a public meeting and in accordance with the Open Meeting Law, the Conservation Commission may promulgate rules and regulations to effectuate the purposes of this Bylaw, effective when voted and filed with the town clerk. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this Bylaw. At a minimum these regulations shall reiterate the terms defined in this Bylaw, define additional terms not inconsistent with the Bylaw, and establish filing and consultant fees.

1.9. Definitions

Except as otherwise provided in this by-law or in regulations of the Commission, the definitions of terms in this Bylaw shall be as set forth in the Wetlands Protection Act, MGL c. 131, § 40, and regulations, 310 CMR 10.00, thereunder.

1.10. Security

As part of a permit issued under this Bylaw, in addition to any security required by any other municipal or state board, agency, or official, the Conservation Commission may require that the performance and observance of the conditions imposed thereunder (including conditions requiring mitigation work) be secured wholly or in part by one or both of the methods described below:

(a) By a proper bond, deposit of money or negotiable securities under a written third-party escrow arrangement, or other undertaking of financial responsibility sufficient in the opinion of the Commission, to be released in whole or in part upon issuance of a COC for work performed pursuant to the permit.

GENERAL BYLAW ARTICLES (continued)

(b) By accepting a conservation restriction, easement, or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of the Town of Burlington whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed. This method shall be used only with the consent of the applicant.

1.11. Enforcement

No person shall remove, fill, dredge, discharge into, build upon, degrade, or otherwise alter resource areas protected by this Bylaw, or cause, suffer, or allow such activity, or leave in place unauthorized fill, or otherwise fail to restore illegally altered land to its original condition, or fail to comply with a permit or an enforcement order issued pursuant to this Bylaw.

The Conservation Commission, its agents, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this Bylaw and may make or cause to be made such examinations, surveys, or sampling as the Commission deems necessary, subject to the constitutions and laws of the United States and the Commonwealth.

The Commission shall have authority to enforce this Bylaw, its regulations, and permits issued thereunder by letters, phone calls, electronic communication and other informal methods, violation notices, non-criminal citations under M.G.L. Ch. 40 §21D, the Town of Burlington Bylaws, Article 1, General Provisions, §4, and civil and criminal court actions. Any person who violates provisions of this Bylaw may be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations, or may be fined, or both.

Upon request of the Commission, the Board of Selectmen and Town Counsel may take legal action for enforcement under civil law. Upon request of the Commission, the chief of police may take legal action for enforcement under criminal law. Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.

Any person who violates any provision of this Bylaw, or regulations, permits, or administrative orders issued thereunder, may be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the Bylaw, regulations, permits, or administrative orders violated shall constitute a separate offense.

As an alternative to criminal prosecution in a specific case, the Commission may issue citations with specific penalties pursuant to the non-criminal disposition procedure set forth in M.G.L. Ch. 40 §21D, which has been adopted by the Town in the General Bylaws, Article 1, §4.

Any person who purchases, inherits or otherwise acquires real estate upon which work has been done in violation of the provisions of this Bylaw, or in violation of any order issued under this Bylaw, shall forthwith comply with any such order or restore such land to its condition prior to any such violation; provided, however, that no action, civil or criminal, may be brought against such person unless such action is commenced within three years following the recording of the deed of the date or the death by which such real estate was acquired by such person.

GENERAL BYLAW ARTICLES (continued)

The Board of Selectmen may, upon request of the Conservation Commission, instruct Town Counsel to take such legal action as may be necessary to restrain a violation of this Bylaw and enforce the orders of the Conservation Commission hereunder, and the Town Counsel shall forthwith comply with such instructions.

1.12. Burden of Proof

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the permit application will not have unacceptable significant or cumulative effect upon the resource area values protected by this Bylaw. Failure to provide adequate evidence to the Conservation Commission supporting this burden shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions.

1.13. Appeals

A decision of the Conservation Commission may be reviewable in the superior court in accordance with M.G.L. Ch. 249 §4.

1.14. Relation to the Wetlands Protection Act

This Bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home Rule statutes, independent of the Wetlands Protection Act (G.L. Ch. 131 §40) and regulations (310 CMR 10.00) thereunder. In the event of an ambiguity or conflict as to the meaning of any “resource area” or other definitions, the definitions in this Bylaw or regulations promulgated under this Bylaw shall control. It is the intention of this Bylaw that the purposes, jurisdiction, authority, exemptions, regulations, specifications, standards, and other requirements shall be interpreted and administered as stricter than those under the Wetlands Protection Act and regulations.

1.15. Severability

The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination which previously has been issued.

And to amend the Town’s General Bylaws, Article 1, General Provisions, Section 4.0, as follows:
In the line regarding Article XIV, Section 1.9, Wetlands, delete “1.9” and replace it with “1.11”

Or to act in any manner in relation thereto.

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

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

GENERAL BYLAW ARTICLES (continued)

ARTICLE 24

Re: General Bylaw Amendment to add SECTION 6.0: OUTDOOR LIGHTING to ARTICLE XIII: PUBLIC SAFETY and to approve the Town of Burlington Guide to Outdoor Lighting Regulations

To see if the Town of Burlington will add the following paragraphs as Section 6.0 Outdoor Lighting Guide to Article XIII: Public Safety of the General By-Laws and to approve the *Guide to Outdoor Lighting Regulations* or to act in any manner in relation thereto.

ARTICLE XIII: PUBLIC SAFETY

6.0 Outdoor Lighting

6.1 Purpose

The purpose of this bylaw is to improve Health and Safety in the Town by reducing or eliminating Glare which can cause harmful visual disability and creates a safety hazard to residents of the community. Also, to reduce or eliminate Light Trespass which may be harmful to the wellbeing of neighbors, abutters, automobile operators, and the Burlington Ecosystem. This can be achieved by good design of lighting fixtures.

6.2 Definitions

Definitions of Lighting Terms – are provided in Section 1.7 of the Glossary of Outdoor Lighting Terms and are a part of the Town of Burlington *Guide to Outdoor Lighting Regulations*

6.3 Guide to Outdoor Lighting Regulations

6.4 Applicability

6.4.1 Implementation of new or replacement outdoor lighting must conform to the Town of Burlington *Guide to Outdoor Lighting Regulations*. New and Redevelopment sites in all districts of the town must include an “Outdoor Lighting Plan” with specifications that conform to the Town of Burlington *Guide to Outdoor Lighting Regulations* or obtain a Special Permit for reasonable financial hardship exceptions. All LUMINAIRES used outdoors, on any LOT undergoing new development, or a major modification or expansion under a Site Plan Permit must conform to the Guide. A major modification or expansion, as used here, shall mean that more than 10% of the LUMINAIRES on the LOT are added, modified, moved, or replaced.

6.4.2 After completion of a purchase and sale agreement for Real Estate, the buyer must review the Town of Burlington *Guide to Outdoor Lighting Regulations* and upgrade or remove non-compliant outdoor lighting before an occupancy permit is granted.

6.4.3 LUMINAIRES installed before the effective date of this bylaw, while non-conforming, shall be maintained in accordance to prior requirements or, if necessary, modified to conform to the *Guide to Outdoor Lighting Regulations*.

6.5 Standards

6.5.1 For a LUMINAIRE design and shielding to be acceptable, it must conform to the Guide to Outdoor Lighting. Shielding may use reflective material which redirects light back toward the target area, thus conserving energy.

GENERAL BYLAW ARTICLES (continued)

6.5.2 Control of LIGHT TRESPASS and GLARE

6.5.2.1 Provisions in the Lighting Plan must be made to prevent LIGHT TRESPASS in accordance with Section 9.3.4.5 of the Zoning By-Laws, September, 2011. The Lighting Plan (Section 14.4) shall include calculations or measurements demonstrating that the LIGHT TRESPASS criterion will be met. The most common engineering solutions to prevent Light Trespass are to use the minimal amount of illumination necessary and to direct light downward and away from abutting lots and/or employ shielding.

6.5.2.2 Strobes, searchlights, flashing lights, and laser illumination, are prohibited except as allowed under Section xx.5 (Exemptions).

6.6. Hours of Operation

6.6.1 All non-residential OUTDOOR LIGHTING, with the exception of STREETLIGHTS and Safety or Security Lighting must be turned off before and after the business operating time-frame as defined in the *Guide to Outdoor Lighting Regulations*.

6.6.2 Lighting of the United States Flag and public monuments is exempt from the *Guide to Outdoor Lighting Regulations*

6.7. Special Provisions – EXEMPTIONS

6.7.1 Temporary holiday lighting.

6.7.2 Emergency lighting.

6.7.3 Warning and Alarm lights

6.8. Enforcement

Enforcement of the Outdoor Lighting By-Laws shall be by the Building Inspector in accordance with Section 9.1.0, inclusive, of the Zoning By-Laws.

6.9. Fines for Violations

First Violation: written warning from the Building Inspector

Second Violation: \$50.00 Fine

Third and Subsequent Violations: \$100.00 per day

Or to act in any manner in relation thereto.

Submitted by Board of Selectmen at the request of Paul Valleli, Town Meeting Member/Precinct 3

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

ZONING BYLAW ARTICLES

ARTICLE 25

**RE: Rezone City of Boston Property to
Open Space District**

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 City of Boston land, also referred to as the Cummings Estate or Mary Cummings Park, comprised of lands shown on Assessor's Map 54 as Parcels 13-0 (6.1 acres), 13-1 (1.5 acres), 16-1 (1.0 acres) and 18-1 (1.9 acres) as of the date of filing with the filing with the Selectman for inclusion on the warrant, or to act in any other manner in relation thereto.

Or to act in any other manner in relation thereto.

Submitted by Board of Selectmen at the request of
Sally Willard, Town Meeting Member/Precinct 4

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

THE COMMONWEALTH OF MASSACHUSETTS

To either of the Constables of the Town of Burlington in the County of Middlesex Greeting.

You are hereby directed to serve this warrant by posting up attested copies thereof at the billboard at the Town Hall, in said Town, at least fourteen days before the Town Meeting of May 13, 2013 at Fogelberg Auditorium, Burlington High School.

HEREOF FAIL NOT, to make due return of the warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting as aforesaid

Given under our hands this 26th day of April in the year of our Lord 2013.

Robert C. Hogan, Chairman
Michael S. Runyan, Vice Chairman
Ralph C. Patuto
Daniel J. Grattan
Christopher E. Hartling

SELECTMEN OF BURLINGTON, MASSACHUSETTS

A true copy attest.

_____ Constable

Dated _____

Middlesex ss

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Burlington by posting up an attested copy of the same at the billboard in the Town Hall and as within directed, at least fourteen days before Town Meeting of May 13, 2013.

s/s _____
Constable of Burlington

A copy of the warrant was mailed to each Town Meeting Member, the Town Moderator and the Town Clerk on the 26th day of April, 2013.

Attest: Amy E. Warfield, Town Clerk